

DEPARTMENT OF TRANSPORTATION

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Letter No. 7

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FAX & MAIL**February 28, 2007**

Ms. Joan Wolff
 Community Development Department
 City of Fullerton
 303 West Commonwealth Avenue
 Fullerton, California 92832

**COMMUNITY
 DEVELOPMENT**

MAR 03 2008

DEPARTMENT

File: IGR/CEQA
 SCH #: 1997051056
 Log #: 921B
 SR-39, SR-90

Subject: West Coyote Hills Specific Plan and Robert R. Ward Nature Preserve

Dear Ms. Wolff:

Thank you for the opportunity to review and comment on the **Recirculated Revised Draft Environmental Impact Report (DEIR) for the West Coyote Hills Specific Plan and Robert R. Ward Nature Preserve Project**. The recirculation concerns changes to the following four sections including Air Quality, Public Health and Safety, Hydrology and Flood Control, and Biological Resources. The proposed project is for the construction of 760 dwelling units which encompasses 179.3 acres within the West Coyote Hills Specific Plan. Other components of the West Coyote Hills Specific Plan include a 17.1-acre multiple use site a 5.2 acre neighborhood commercial development area and open space and recreational amenities on 282.9 acres. In addition a 1.3-acre fire station site is included as a component of the proposed project. Circulation improvements comprise 24.2 acres of the total project site. Improvements to the Robert E. Ward Nature Preserve, which encompasses 72.3-acres are also proposed. The two project sites are generally bounded on the north by the City of La Habra, on the east by Euclid Street, on the west by the City of La Mirada, and on the south by Rosecrans Avenue and residential development in the City of Fullerton.

Caltrans District 12 is a commenting agency on this project, and has the following comments:

1. Beach Boulevard (SR-39) and Imperial Highway (SR-90) should be identified as owned and operated by Caltrans, and any improvements would require approval by Caltrans.
2. If any project work (e.g. storage of materials, street widening, emergency access improvements, sewer connections, sound walls, storm drain construction, street connections, etc.) occurs in the vicinity of the Caltrans Right-of-Way, an encroachment permit would be required and environmental concerns must be adequately addressed. If the environmental documentation for the project does not meet Caltrans requirements, additional documentation (e.g. Native American Heritage Commission consultation for cultural resources) would be required before approval of the encroachment permit. Please coordinate with Caltrans to meet requirements for any work within or near Caltrans Right-of-Way. (*See Attachment: Environmental Review Requirements for Encroachment Permits*)

3. For any future project that may involve specific improvements to state facilities, an environmental document shall be prepared to analyze environmental impacts related to the proposed improvement project.

Please continue to keep us informed of this project and any future developments, which could potentially impact the State Transportation Facilities. If you have any questions or need to contact us, please do not hesitate to call Zhongping (John) Xu at (949) 724-2338.

Sincerely,



Ryan Chamberlain, Branch Chief
Local Development/Intergovernmental Review

cc: Terry Roberts, Office of Planning and Research

ENVIRONMENTAL REVIEW REQUIREMENTS FOR ENCROACHMENT PERMITS

Any Party, outside of Caltrans, that does work on a State Highway or Interstate Highway in California needs to apply for an encroachment permit. To acquire any encroachment permit, environmental concerns must be addressed. Environmental review of encroachment permit applications may take 3 weeks if the application is complete or longer if the application is incomplete. For soil disturbing activities (e.g. geotechnical borings, grading, usage of unpaved roads from which dirt and other materials may be tracked onto the State/Interstate highways, etc.), compliance with Water Quality and Cultural Resources Provisions are emphasized. Surveys may/ may not be soil-disturbing activities, depending on the site and survey method.

A complete application for environmental review includes the following:

1. If an environmental document (CE, EIR/EIS, ND, etc.) has been completed for the project, copy of the final, approved document must be submitted with the application.
2. **Water Quality Provision:** All work within the State Right of Way must conform to Caltrans Standard Plans and Standard Specifications for Water Pollution Control including production of a Water Pollution Control Program or Storm Water Pollution Prevention Plan as required. The applicant must provide Encroachments with a copy of the Storm Water Pollution Prevention Plan (SWPPP) including Best Management Practices (BMPs) to be implemented for construction activities impacting Caltrans Right of Way, prepared for this as required by the NPDES Statewide Storm Water Permit for General Construction Activities. If no SWPPP has been prepared for this project, then the applicant must follow the requirements described in the attached Water Pollution Control Provisions (please see attachment).
3. **Cultural Resources Provisions:** If not included in the environmental document, before permit approval and project construction, the encroachment permit applicant must complete a Cultural Resource Assessment pursuant to Caltrans Environmental Handbook, Volume 2, Appendix B-1, and Exhibit 1, as amended. The Cultural Resources Assessment ascertains the presence or absence of cultural resources within a one-mile radius of the project area and evaluates the impact to any historical/cultural resource. Cultural Resources include "those resources significant in American history, architecture, archaeology, and culture, including Native American Resources" (Caltrans Environmental Handbook, Volume 2, Chapter1, as amended)]. The Cultural Resource Assessment must include:
 - a) a clear project description and map indicating project work, staging areas, site access, etc.;
 - b) a Record Search conducted at the South Central Coastal Information Center (SCCIC) located at California State University, Fullerton. For information call (714) 278-5395;
 - c) proof of Native American consultation. Consultation involves contacting the Native American Heritage Commission (NAHC), requesting a search of their Sacred Lands File, and following the recommendations provided by the NAHC. For information call (916) 653-4082;
 - d) documentation of any historic properties-(e.g. prehistoric and historic sites, buildings, structures, objects, or districts listed on, eligible for, or potentially eligible for listing on the National Register of Historic Places) within a one mile radius of the project area;
 - e) and a survey by qualified archaeologist for all areas that have not been previously researched.

The SCCIC and NAHC have an approximate turn around time of 2 weeks.

4. **Biological Resources Provisions:** Work conducted within Caltrans Right of Way should have the appropriate plant and wildlife surveys completed by a qualified biologist. If the information is not included in the environmental document, Environmental Planning requests that the applicant submit a copy of the biological study, survey, or technical report by a qualified biologist that provides details on the existing vegetation and wildlife at the project site and any vegetation that is to be removed during project activities. Official lists and databases should also be consulted for sensitive species such as the California Natural Diversity Database and lists provided by the U.S. Fish and Wildlife Service and the California Department of Fish and Game. Any impacts that affect waterways and drainages and/or open space during construction, or that occur indirectly as a result of the project must be coordinated with the appropriate resource agencies. As guidance, we ask that the applicant include:
 - a) clear description of project activities and the project site,
 - b) completed environmental significance checklist (not just yes and no answers, but a description should be given as to the reason for the response),
 - c) staging/storage areas noted on project plans,
 - d) proposed time of year for work and duration of activities (with information available),
 - e) any proposed mitigation (if applicable to the project),
 - f) and a record of any prior resource agency correspondence (if applicable to the project).