

Staff Report 62

APPLICANT:

California Department of Transportation

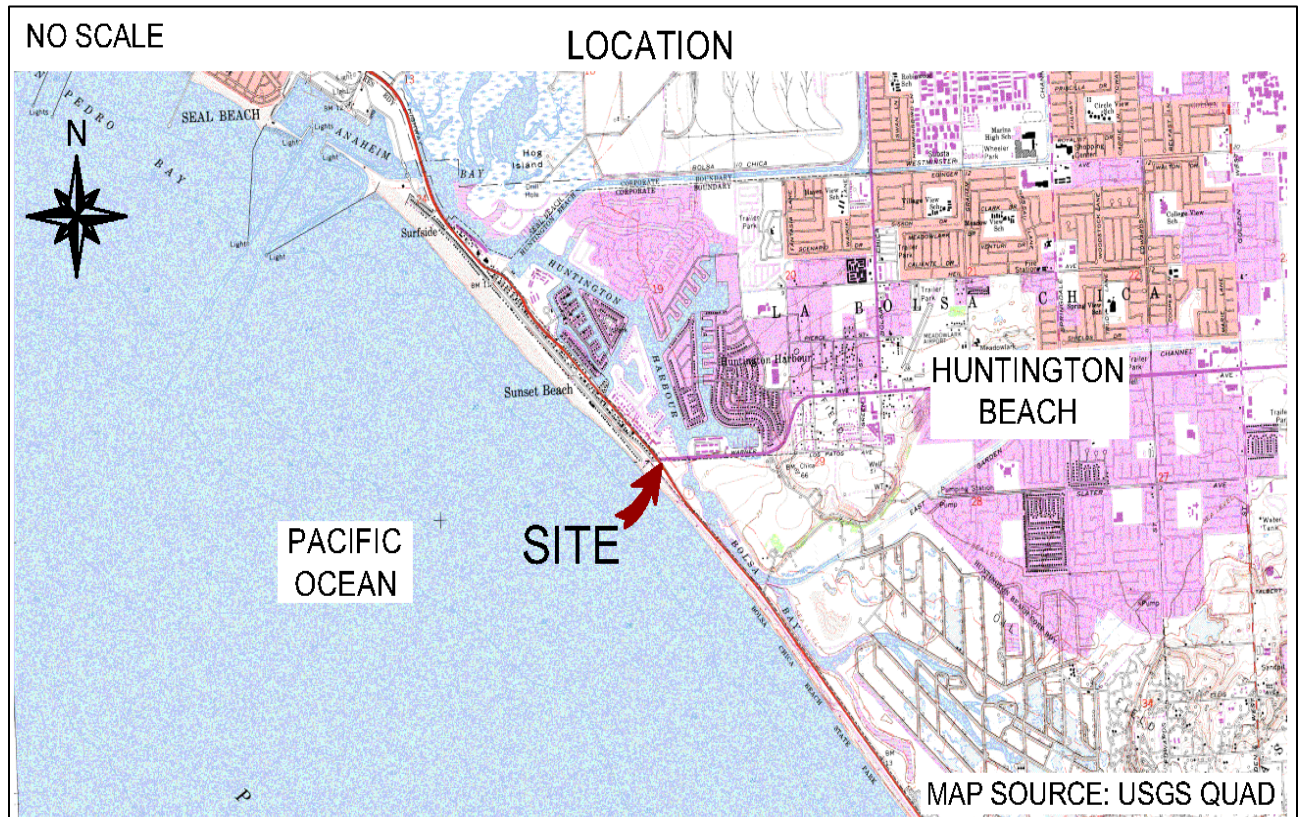
PROPOSED ACTION:

Issuance of a General Lease – Public Agency Use.

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in Assessor's Parcel Numbers 110-017-01 and 110-017-02, near Huntington Beach, Orange County (as shown in Figure 1).

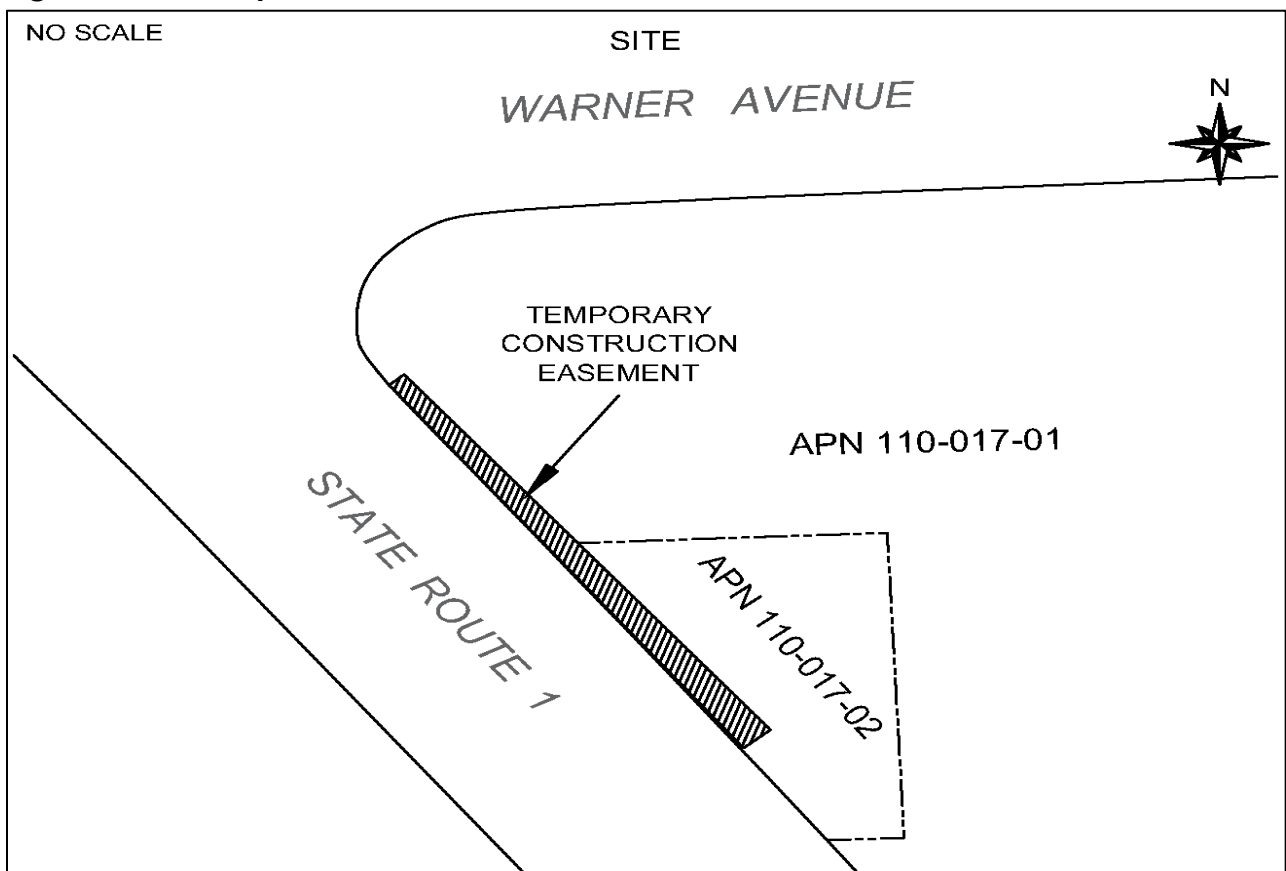
Figure 1. Location



AUTHORIZED USE:

Use of a temporary construction easement utilized for activities and construction required to widen the right-turn pocket of the roadway adjacent to this location, and minor grading to match the existing ground; and all activities required for implementation of any applicable avoidance, minimization, and/or mitigation measures, as described in the Mitigated Negative Declaration, State Clearinghouse No. 2021100313, which was prepared and adopted by Caltrans District 12 on March 23, 2022, and the Mitigation Monitoring Program attached hereto as Exhibit A and by this reference made a part hereof.

Figure 2. Site Map



NOTE: This depiction of the lease premises is based on unverified information provided by the applicant or other parties and is not a waiver or limitation of any State interest in the subject or any other property.

TERM:

5 years, beginning February 26, 2024.

CONSIDERATION:

The public use and benefit, with the State reserving the right to set a monetary rent if the Commission finds such an action to be in the State's best interests.

SPECIFIC LEASE PROVISIONS:

- No refueling or maintenance of vehicles, equipment, or watercraft shall take place within the Lease Premises.
- All construction activities related to the proposed project adjacent to the lease premises shall be carried out in accordance with all applicable safety regulations, permits, and conditions of all agencies with pertinent jurisdiction.
- Lessee will be responsible for any damage, destruction, or loss occurring to State lands, waterways, adjoining property, the State's lessees, or other members of the public resulting from any activities on, or related to, the authorized temporary construction easement.
- Lessee shall indemnify, hold harmless, and, at the option of Lessor, defend Lessor from all damages, injuries, or claims arising from any activities undertaken by Lessee or its contractors on or adjacent to the Lease Premises.
- Lessee and/or its contractors shall be responsible for removing all personal property, infrastructure, tools, equipment, or any other materials brought onto State lands.
- The Commission does not accept any responsibility for any damage to property brought onto State-owned land.
- Lessee agrees to be bound by and fully carry out, implement, and comply with all mitigation measures, Section 4f Conditions, and reporting obligations as set forth in the Mitigation Monitoring Program.
- Lessee agrees and acknowledges that the hazards associated with climate change may require additional maintenance or protection strategies regarding the improvements on the lease premises.

STAFF ANALYSIS AND RECOMMENDATION:

AUTHORITY:

Public Resources Code sections 6005, 6216, 6301, 6501.1, 6503; California Code of regulations, title 2, sections 2000 and 2003.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

The Applicant is applying for a General Lease – Public Agency Use for a temporary construction easement (TCE) in Assessor's Parcel Numbers 110-017-01 and 110-017-02 near Huntington Beach, Orange County. This easement will be used to facilitate a proposed safety improvement project known as the State Route 1 Class II Bike Lane Facility Improvements Project (Project) on State Route 1, also known as Pacific Coast Highway (PCH).

The purpose of the proposed Project is to reduce fatalities and serious injuries to bicyclists on PCH within the project area, from Dover Drive in the City of Newport Beach to the border between Los Angeles County and Orange County in the City of Seal Beach; this Project area includes the section of PCH adjacent to the lease premises.

This Project is being implemented to address concerns arising from the 2018 Bicyclist Safety Improvement Monitoring Program, which led to Traffic Safety investigations that identified 10 locations along PCH in Orange County with higher-than-average collisions, injuries, and fatalities involving bicyclists. To improve the safety conditions for cyclists across these locations, the Applicant proposes to install a comprehensive Class II bike lane in both directions along PCH within the Project area, along with the implementation of various other bicyclist-oriented safety elements at specific locations within the Project area. These additional safety elements include widening right-turn pockets, widening the existing shoulders of the highway, reducing median island widths to accommodate the installation of bike lanes, removing existing sand deposits along the roadway, replacing and refreshing lane and shoulder striping, implementing bicyclist detection sensors at signalized intersections, upgrading curbside grated inlets, installing signage, and installing census stations at two intersections.

Although this Project will not involve any construction or improvements on the State-owned parcels identified above, the Applicant will require a TCE passing through these parcels to accomplish the proposed highway safety improvements

at this location. To facilitate the proposed safety improvement Project, staff recommends issuance of a General Lease – Public Agency Use to the Applicant for the TCE, effective February 26, 2024.

The proposed safety improvement Project is expected to begin early in 2024 and has an expected completion date of July 7, 2026. However, the duration of activities within the lease premises will be far more limited. Activities on the proposed TCE are anticipated to require approximately 10 days and will be limited to two consecutive weeks of operations. The proposed lease will expire roughly 27 months after the overall Project's expected completion date to provide a cushion for unforeseen construction delays and to provide sufficient time to complete any post-project mitigation measures. The activities necessary to implement the Project will be scheduled in a manner that ensures construction adjacent to the lease premises minimizes adverse impacts to wildlife and Public Trust resources in the lease area. Additionally, the Bolsa Chica Interpretive Center and the Bolsa Chica Ecological Reserve (Reserve), which are located on the same parcels as the proposed TCE, will remain open and accessible to the public for the entire duration of the Project, further minimizing impacts to Public Trust resources within the lease area.

The proposed TCE will occupy approximately 1,250 square feet of the Reserve but will only encroach approximately 13.25 feet into the Reserve from the edge of PCH. Additionally, staging areas for vehicle parking and equipment storage will be located within the existing roadway and in previously disturbed areas to help minimize impacts to the Reserve. To ensure that the public is adequately notified of the proposed Project prior to the start of activities in the lease area, advance signage will be posted along PCH and the adjacent cross street.

Overall, impacts to the Reserve are expected to be minimal, and construction from the proposed safety improvement Project will not interfere with the activities, features, attributes, or use of the Reserve as a whole. To help abate potential impacts, the Applicant has prepared and will implement a minimization, avoidance, and mitigation plan that has been reviewed by Commission staff. This plan includes guidelines and management practices designed to monitor and minimize impacts related to air quality, traffic, water quality, noise, environmentally sensitive areas, invasive species, erosion, aquatic resources, wildlife, and Public Trust uses. However, some impacts to vegetation within the Reserve are still anticipated. To mitigate this, any impacted areas within the Reserve will be revegetated and restored to preconstruction conditions by the Applicant following completion of the

proposed Project. Additionally, to further ensure that environmental impacts from the proposed lease are properly addressed, Commission staff has prepared an independent Mitigation Monitoring Program (attached as Exhibit A) that incorporates the documents prepared by the Applicant, and which the Applicant will be required to adhere to.

The proposed Lease does not alienate the State's fee simple interest or permanently impair public rights. The lease is limited to a 5-year term, does not grant the lessee exclusive rights to the lease premises, and will have no significant impact on Public Trust-consistent uses or resources in the area. Upon termination of the lease, the lessee may be required to remove any improvements from State land and restore the lease premises to their original condition. The proposed lease requires the lessee to indemnify the State for any liability incurred as a result of the lessee's activities thereon.

CLIMATE CHANGE:

Climate change impacts, including sea level rise, increased wave activity, storm events, and flooding may impact the proposed lease area, located on the corner of Warner Ave and State Route 1.

The California Ocean Protection Council updated the *State of California Sea-Level Rise Guidance* in 2018 to provide a synthesis of the best available science on sea level rise projections and rates. Commission staff evaluated the “high emissions,” “medium-high risk aversion” scenario to apply a conservative approach based on both current emission trajectories and the lease location. The Los Angeles tide gauge was used for the projected sea level rise scenario for the lease area as listed in Table 1.

Table 1. Projected Sea Level Rise for Los Angeles

Year	Projection (feet)
2030	0.7
2040	1.2
2050	1.8
2100	6.7

Source: Table 28, [State of California Sea-Level Rise Guidance: 2018 Update](#)

Note: Projections are with respect to a 1991 to 2009 baseline.

As stated in the [Safeguarding California Plan: 2018 Update](#) (California Natural Resources Agency 2018), climate change is projected to increase the frequency

and severity of natural disasters related to flooding, drought, and storms (especially when coupled with sea level rise). The combination of these conditions will likely result in increased wave run up, storm surge, and flooding in coastal and near coastal areas. In tidally influenced waterways, more frequent and powerful storms can result in increased flooding conditions and damage from storm created debris. Climate change and sea level rise will further influence coastal and riverine areas by changing erosion and sedimentation rates. Beaches, coastal landscapes, and near-coastal riverine areas will be exposed to increased wave force and run up, potentially resulting in greater beach or bank erosion than previously experienced.

The lease area would be used for a temporary construction easement. Because the lease is for a construction area with no temporary or permanent structures, there would be no leased facilities at risk from sea level rise impacts or from frequent and intense storms that are the result of climate change during the term of the lease.

Pursuant to the proposed lease, the Applicant acknowledges that the lease premises and adjacent parcels are located in an area that may be subject to the effects of climate change, including sea level rise.

CONCLUSION:

For all the reasons above, staff believe approval of this lease will not substantially interfere with Public Trust needs at this location, at this time, and for the term of the lease; and is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. Approval or denial of the application is a discretionary action by the Commission. Each time the Commission approves or rejects a use of sovereign land, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Trust lands as authorized by law. If the Commission denies the application, the Applicant will be unable to construct or utilize a temporary construction easement on the identified parcels. The lessee has no right to a new lease or to renewal of any previous lease.
2. This action is consistent with the "Leading Climate Activism" and "Meeting Evolving Public Trust Needs" Strategic Focus Areas of the Commission's 2021-2025 Strategic Plan.

3. A Mitigated Negative Declaration, State Clearinghouse No. 2021100313, and an Avoidance, Minimization, and/or Mitigation Summary were prepared by Caltrans, and adopted on March 23, 2022, for this Project. Staff has reviewed these documents and prepared an independent Mitigation Monitoring Program (attached, Exhibit A) incorporating Caltrans' document and recommends adoption by the Commission.
4. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq.; however, the Commission has declared that all lands are "significant" by nature of their public ownership (as opposed to "environmentally significant"). Since such declaration of significance is not based upon the requirements and criteria of Public Resources Code section 6370 et seq., use classifications for such lands have not been designated. Therefore, the finding of the Project's consistency with the use classification as required by California Code of Regulations, title 2, section 2954 is not applicable.

EXHIBIT:

- A. Mitigation Monitoring Program

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

1. Find that a Mitigated Negative Declaration, State Clearinghouse No. 2021100313, and an Avoidance, Minimization, and/or Mitigation Summary for this Project were prepared by Caltrans and adopted on March 23, 2022, and that the Commission has reviewed and considered the information contained therein; that in the Commission's independent judgment, the scope of activities to be carried out under the lease to be issued by this authorization have been adequately analyzed; that none of the events specified in Public Resources Code section 21166 or the State CEQA Guidelines section 15162 resulting in any new or substantially more severe significant impact has occurred; and, therefore no additional CEQA analysis is required.

2. Adopt the Mitigation Monitoring Program, as contained in the attached Exhibit A.

PUBLIC TRUST AND STATE’S BEST INTERESTS:

Find that the proposed lease will not substantially interfere with Public Trust needs and values at this location, at this time, and for the term of the lease; and is in the best interests of the State.

AUTHORIZATION:

Authorize issuance of a General Lease – Public Agency Use to the Applicant beginning February 26, 2024, for a term of 5 years, for the use of a temporary construction easement utilized for activities and construction required to widen the right-turn pocket of the roadway adjacent to this location, and minor grading to match the existing ground; and all activities required for implementation of any applicable avoidance, minimization, and/or mitigation measures, as described in the Mitigated Negative Declaration, State Clearinghouse No. 2021100313, which was prepared and adopted by Caltrans District 12 on March 23, 2022, and the Mitigation Monitoring Program attached hereto as Exhibit A and by this reference made a part hereof; consideration being the public use and benefit, with the State reserving the right to set a monetary rent if the Commission finds such an action to be in the State’s best interest.

EXHIBIT A
CALIFORNIA STATE LANDS COMMISSION
MITIGATION MONITORING PROGRAM
STATE ROUTE 1 CLASS II BIKE LANE FACILITY IMPROVEMENTS PROJECT
(A3990, State Clearinghouse No. 2021100313)

The California State Lands Commission (Commission or CSLC) is a responsible agency under the California Environmental Quality Act (CEQA) for the State Route 1 Class II Bike Lane Facility Improvements Project (Project). The CEQA lead agency for the Project is Caltrans District 12.

In conjunction with approval of this Project, the Commission adopts this Mitigation Monitoring Program (MMP) for the implementation of mitigation measures for the portion(s) of the Project located on State lands. The purpose of an MMP is to impose feasible measures to avoid or substantially reduce the significant environmental impacts from a project identified in an Environmental Impact Report (EIR) or a Mitigated Negative Declaration (MND). [State CEQA Guidelines](#)¹ section 15097, subdivision (a), states in part:

In order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity which accepts the delegation; however, until mitigation measures have been completed the lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.

The lead agency adopted an MND, State Clearinghouse No. 2021100313, and adopted an Avoidance, Minimization, and/or Mitigation Summary for the whole of the Project (see Exhibit A, Attachment A-1). The Avoidance, Minimization, and/or Mitigation Summary includes mitigation measures, Project Features (PF), and Section 4f conditions (conditions related to the lead agency's consultation with the Commission and the California Department of Fish and Wildlife pursuant to Section 4(f) of 23 Code of Federal Regulations §774, further described in page 4-7 and Appendix A of the MND). The 4f conditions concern and reduce temporary impacts from the Project's temporary construction easement at the

¹ The State CEQA Guidelines are found at California Code of Regulations, title 14, section 15000 et seq.

Bolsa Chica Ecological Reserve (BCER). Although the 4f conditions are adopted under the federal National Environmental Policy Act (NEPA) rather than CEQA, they are nonetheless under the Commission's land management jurisdiction due to the State's ownership of land in the BCER to be affected by the Project.

The PFs also reduced impacts to environmental resources. The lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with its program. The Commission's action and authority as a responsible agency apply only to the mitigation measures listed in Table A-1 below. The full text of each mitigation measure, as set forth in the Avoidance, Minimization, and/or Mitigation Summary prepared by the CEQA lead agency and provided in Attachment A-1, is incorporated by reference in this Exhibit A.

Table A-1. Project Impacts and Applicable Mitigation Measures

Potential Impact	Mitigation Measures, Section 4f Conditions (4F), Project Features (PF)²
Construction dust impacts	PF-AQ-1
Impacts to special status and sensitive plant species	PF-BIO-1 through PF-BIO-3, BIO-4 through BIO-6, PF-BIO-9, 4F-4
Impacts to special status birds	PF-BIO-1 through PF-BIO-3, BIO-4 through BIO-6, BIO-10 through BIO-12, PF-BIO-13, BIO-17, BIO-CM-1, 4F-1, 4F-2, 4F-4
Impacts to legless lizards	PF-BIO-1 through PF-BIO-3, BIO-4 through BIO-6, BIO-18, 4F-4
Impacts to bats	BIO-14
Impacts to federally protected wetlands and other jurisdictional waters	PF-BIO-1 through PF-BIO-3, BIO-4 through BIO-7, PF-BIO-9
Impacts to cultural resources	PF-CULT-1, PF-CULT-2, CULT-1
Impacts from Greenhouse Gas emissions	PF-GHG-1, GHG-1 through GHG-7
Impacts to water quality	PF-WQ-1 through PF-WQ-4
Impacts from construction activities	BIO-15, CZ-1, CZ-3, 4F-3
Impacts from hazardous materials	PF-HAZ-2
Impacts to recreation	PF-REC-1, CZ-2
Impacts to traffic	PF-TRA-1
Impacts from noise	PF-N-1

²See Attachment A-1 for the full text of each mitigation measure, Project Feature, and Section 4f condition taken from the Avoidance, Minimization, and/or Mitigation Summary prepared by the CEQA lead agency.

ATTACHMENT A-1

**Avoidance, Minimization, and/or Mitigation Measures Summary
Adopted by
the California Department of Transportation, District 12**

Appendix E - Avoidance, Minimization, and/or Mitigation Summary

In order to be sure that all of the environmental measures identified in this document are executed at the appropriate times, the following mitigation program (as articulated on the proposed Environmental Commitments Record [ECR] which follows) would be implemented. During project design, avoidance, minimization, and /or mitigation measures will be incorporated into the project's final plans, specifications, and cost estimates, as appropriate. All permits will be obtained prior to implementation of the project. During construction, environmental and construction/engineering staff will ensure that the commitments contained in this ECR are fulfilled. Following construction and appropriate phases of project delivery, long-term mitigation maintenance and monitoring will take place, as applicable. As the following ECR is a draft, some fields have not been completed, and will be filled out as each of the measures is implemented.

Note: Some measures may apply to more than one resource area. Duplicative or redundant measures have not been included in this ECR.

Note: Mitigation measures are used to lessen a significant impact under CEQA

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Avoidance, Minimization, and/or Mitigation Measures Summary

Measure	Resource Area	Task and Brief Description	Responsible Branch, Staff	Timing / Phase	NSSP Required
PF-AQ-1	Air Quality	The construction contractor must comply with the Caltrans' Standard Specifications in Section 14-9 (2018) for reducing impacts from the construction activities. Section 14-9.02 specifically requires compliance by the contractor with all applicable laws and regulations related to air quality, including air pollution control district and air quality management district regulations and local ordinances. The proposed project would comply with SCAQMD Rule 403 requiring the implementation of best available dust control measures during active operations capable of generating fugitive dust.	Caltrans Project Engineer and Resident Engineer/ Construction Contractor	During PS&E and construction	No
PF-BIO-1	Biological Resources	Delineation of Environmentally Sensitive Areas. Prior to project activities, highly visible barriers (e.g., orange construction fencing) will be installed along the boundaries of the project footprint/equipment access routes to designate Environmentally Sensitive Areas (ESAs) that are to be preserved. This will include ESA fencing along jurisdictional aquatic resources located at the intersections of SR-1 at Warner Avenue, Magnolia Street, and Brookhurst Street. No project activity of any type will be permitted within these ESAs. In addition, heavy equipment, including motor vehicles, will not be allowed to operate within the ESAs. All construction equipment will be operated in a manner to prevent accidental damage to ESAs. No structure of any kind, or incidental storage of equipment or supplies, will be allowed within these protected zones.	Caltrans Resident Engineer/ Construction Contractor	During construction	No
PF-BIO-2	Biological Resources	Invasive Species Control. All construction equipment accessing unpaved areas will be cleaned with water to remove dirt, seeds, vegetative material, or other debris that could contain or hold seeds of noxious weeds before arriving to and leaving the project site.	Resident Engineer/ Caltrans Project Biologist	During PS&E and construction	No
PF-BIO-3	Biological Resources	Erosion Control Material Sourcing. Only certified weed-free straw, mulch, and/or fiber rolls will be used for erosion control. Invasive species will not be used in any landscaping palettes for the project.	Caltrans Project Biologist	During PS&E and construction	No
BIO-4	Biological Resources	Pre-Construction Clearance Surveys. A qualified biologist will conduct pre-construction surveys to confirm the absence of sensitive biological resources within the work areas. The preconstruction surveys will take place no more than 24 hours prior to commencement of work activities. If listed species are observed	Resident Engineer/ Caltrans Project Biologist	During PS&E and construction	No

Avoidance, Minimization, and/or Mitigation Measures Summary

Measure	Resource Area	Task and Brief Description	Responsible Branch, Staff	Timing / Phase	NSSP Required
		within the work area (or areas potentially indirectly affected by project activities as determined by the qualified biologist) and the work can be postponed until the species is no longer present.			
BIO-5	Biological Resources	Biological Monitoring. A qualified biologist will monitor project activities with sensitive natural communities for the duration of work activities to ensure that practicable measures are being employed to avoid and minimize incidental disturbance to habitat and covered species inside and outside the project footprint.	Resident Engineer/ Caltrans Project Biologist	During PS&E and construction	No
BIO-6	Biological Resources	On-Site Training. All personnel involved in the on-site project construction will be required to participate in a pre-construction environmental training program to understand the avoidance and minimization measures and environmental regulations pertinent to the project.	Resident Engineer/ Caltrans Project Biologist	During PS&E and construction	No
BIO-7	Biological Resources	Aquatic Resource Protection. Prior to project activities adjacent to jurisdictional aquatic resources located at the intersections of SR-1 at Warner Avenue, Magnolia Street, and Brookhurst Street, a barrier will be installed between the project footprint and adjacent jurisdictional aquatic resources. The barrier will be constructed of materials to prevent incidental soil discharges into adjacent jurisdictional aquatic resources such as silt fence, plywood, or similar. The barrier will be installed downslope of the ESA fencing as noted in Measure BIO-1. Installation and removal of the barrier will be monitored by a qualified biologist to ensure the barrier's installation/removal does not cause incidental discharge of soils or other materials into the adjacent jurisdictional aquatic resources. The barrier will be maintained in place at each of the three locations noted until project activities have been completed at each of the respective project footprints.	Resident Engineer/ Caltrans Project Biologist	During PS&E and construction	No
PF-BIO-8	Biological Resources	Equipment Staging Best Management Practices (BMPs). All equipment maintenance, staging, and dispensing of fuel, oil, or any other such activities will occur in developed or designated non-sensitive upland areas. The designated upland areas will be located in such a manner as to prevent any loose soil or spill runoff from entering jurisdictional waterways or adjacent sensitive vegetation communities. All construction materials will be removed from worksites following completion of project activities.	Resident Engineer/ Caltrans Project Biologist	During PS&E and prior to construction	No

Avoidance, Minimization, and/or Mitigation Measures Summary

Measure	Resource Area	Task and Brief Description	Responsible Branch, Staff	Timing / Phase	NSSP Required
PF-BIO-9	Biological Resources	Water Quality BMPs. In order to avoid impacts to water quality during construction, stormwater and erosion control BMPs are recommended to prevent loose soil or pollutants associated with the project from inadvertently entering the aquatic resources located within and adjacent to the BSA. Example BMPs include silt fencing and straw wattle placed in such a manner that they are able to catch or filter sediment or other construction-related debris to prevent it from eroding into the nearby drainage channels.	Resident Engineer/ Caltrans Project Biologist	During PS&E and construction	No
BIO-10	Biological Resources	Avoidance of Breeding and Nesting Bird Season. Project activities will occur outside the nesting season (February 1–September 30) to the fullest practicable extent.	Resident Engineer/ Caltrans Project Biologist	During PS&E and construction	No
BIO-11	Biological Resources	Pre-Construction Nesting Bird Survey. If project activities with potential to indirectly disturb suitable avian nesting habitat within or adjacent to the work area during the nesting season (as determined by a qualified biologist), a qualified biologist with experience in conducting breeding bird surveys will conduct a nesting bird survey no more than 3 days prior to the initiation of project activities to detect the presence/ absence of migratory and resident bird species occurring in suitable nesting habitat. Project activities may begin no more than 3 days after the completion of the nesting bird survey in the absence of active bird nests. An additional nesting bird survey will be conducted if project activities fail to start within 3 days of the completion of the pre-construction nesting bird survey.	Resident Engineer/ Caltrans Project Biologist	During PS&E and construction	No
BIO-12	Biological Resources	Nesting Bird Exclusionary Buffers. Should nesting birds be found during the pre-construction nesting bird survey, an exclusionary buffer will be established by the qualified biologist. This buffer will be clearly marked in the field by construction personnel under the guidance of the biologist, and construction will not be conducted in this zone until the biologist determines that the young have fledged or the nest is no longer active. Work may only occur during the breeding season if nesting bird surveys indicate the absence of any active nests within the work area. No work will occur if listed or fully protected bird species are found to be actively nesting within or adjacent to the areas subject to construction activities.	Resident Engineer/ Caltrans Project Biologist	During PS&E and construction	No

Avoidance, Minimization, and/or Mitigation Measures Summary

Measure	Resource Area	Task and Brief Description	Responsible Branch, Staff	Timing / Phase	NSSP Required
PF-BIO-13	Biological Resources	Trash and Waste Removal. During construction, trash and food waste will be removed from work sites on a daily basis to avoid the attraction of predators that prey on sensitive wildlife species	Resident Engineer/ Caltrans Project Biologist	During PS&E and construction	No
BIO-14	Biological Resources	Night Work Lighting. If night work (i.e., between dusk and dawn) is anticipated within 100 ft of structures where bat roosting is confirmed, night lighting will be used only in areas of active work, and focused on the direct area(s) of work and away from the culvert entrances to the greatest extent practicable.	Resident Engineer/ Caltrans Project Biologist	During PS&E and construction	No
BIO-15	Biological Resources	Construction Equipment Staging. To the extent practicable, internal combustion equipment, such as generators and vehicles, is not to be parked or operated beneath or adjacent to the structures unless it is required for project-related work on that structure.	Resident Engineer/ Caltrans Project Biologist	During PS&E and construction	No
BIO-16	Biological Resources	Replacement Lighting Locations. The proposed project includes the replacement of lighting in various areas. Siting of these lights should avoid overspill into bat-roosting sites to avoid permanent impacts to roosting and foraging bats.	Resident Engineer/ Caltrans Project Biologist	During PS&E and construction	No
BIO-17	Biological Resources	Tree Trimming and Removal. To the greatest extent feasible, tree trimming/removal activities will be performed outside the bat maternity season (April 1–August 31) to avoid direct impacts to non-volant (flightless) young that may roost in trees within the study area. This period also coincides with the typical bird nesting season. If trimming or removal of trees during the bat maternity season cannot be avoided, a qualified biologist will monitor tree trimming and removal activities.	Resident Engineer/ Caltrans Project Biologist	During PS&E and construction	No
BIO-18	Biological Resources	Pre-Construction California Legless Lizard Surveys. A qualified biologist will conduct pre-construction surveys for California legless lizards no more than 48 hours before initial grading and ground-disturbing activities in or near areas of sandy, friable soil. This survey will include systematic subsurface searching, as legless lizards are fossorial (burrowing), and staking and fencing the limits of the survey areas with small-mesh construction fencing buried to a minimum depth of 6 to 10 inches below grade would reduce the likelihood of lizards reentering the construction zone.	Resident Engineer/ Caltrans Project Biologist	During PS&E and construction	No
Compensatory Mitigation	Biological Resources	ESHA – Compensatory Mitigation. Sensitive natural vegetation communities within the project area are documented as ESHA under the California Coastal Act and other regulatory agencies.	Resident Engineer/ Caltrans Project Biologist	During PS&E, construction, and post construction	No

Avoidance, Minimization, and/or Mitigation Measures Summary

Measure	Resource Area	Task and Brief Description	Responsible Branch, Staff	Timing / Phase	NSSP Required
BIO-CM-1		Permanent impacts to vegetation communities (coastal sage scrub, coastal strands, disturbed coastal strands, and goldenbush scrub) that are considered as sensitive under ESHA be mitigated through contributing funds for restoration projects. There is ongoing coordination and discussions between Caltrans and the CCC regarding ESHA impacts and potential mitigation locations. Some suggested mitigation locations include, but are not limited to, the Bolsa Chica Ecological Reserve owned by State Parks and/or within parcels managed/owned by The Huntington Beach Wetlands Conservancy and are considered on-site mitigation. ESHA temporarily impacted will be hydroseeded with native seed mix at a 1:1 ratio. As the project advances to design, Caltrans, CCC, USFWS, and all other appropriate and authorized agencies will collaborate to solidify mitigation ratios and sites prior to permitting and/or construction.			
PF-CULT-1	Cultural Resources	If cultural materials are discovered during site preparation, grading, or excavation, the construction Contractor will divert all earthmoving activity within and around the immediate discovery area until a qualified archaeologist can assess the nature and significance of the find. At that time, coordination will be maintained with the California Department of Transportation (Caltrans) District 12 Environmental Branch Chief or the District 12 Native American Coordinator to determine an appropriate course of action. In addition, the final disposition of archaeological, historical, and paleontological resources recovered on State land under the jurisdiction of the California State Lands Commission must be approved by the Commission.	Caltrans Project Engineer and Resident Engineer	During PS&E and construction	No
PF-CULT-2	Cultural Resources	If human remains are discovered during site preparation, grading, or excavation, California State Health and Safety Code (H&SC) Section 7050.5 states that further disturbances and activities shall cease in any area or nearby area suspected to overlie remains, and the Orange County Coroner shall be contacted. If the remains are thought to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC), who pursuant to California Public Resources Code (PRC) Section 5097.98, will then notify the Most Likely Descendant (MLD). At that time, the persons who discovered the remains will contact the Caltrans District 12 Environmental Branch Chief or the District 12 Native American	Caltrans Project Engineer and Resident Engineer	During PS&E and construction	No

Avoidance, Minimization, and/or Mitigation Measures Summary

Measure	Resource Area	Task and Brief Description	Responsible Branch, Staff	Timing / Phase	NSSP Required
		Coordinator so that they may work with the MLD on the respectful treatment and disposition of the remains. Further provisions of California PRC 5097.98 are to be followed as applicable.			
CULT-1	Cultural Resources	Should any cultural resources be discovered on State land under the jurisdiction of the California State Lands Commission (SLC), Caltrans District 12 will consult with Staff Attorney Jamie Garrett of the SLC. Final disposition of archeological, historical, and paleontological resources recovered from SLC jurisdiction will be coordinated with the Commission.	Caltrans Project Engineer and Resident Engineer	During PS&E and construction	No
PF-GEO-1	Geology	The project will comply with the most current Caltrans procedures and design criteria regarding seismic design to mitigate any adverse effects related to seismic ground shaking. Earthwork will be performed in accordance with Caltrans Standard Specifications, Section 19, which require standardized measures related to compacted fill, over-excavation, and re-compaction, among other requirements. Moreover, Caltrans Highway Design Manual (HDM) Topic 113, requires the project engineer to review a Geotechnical Design Report, if any, to ascertain the scope of geotechnical involvement for a project.	Caltrans Project Engineer and Resident Engineer	During PS&E and construction	No
GEO-1	Geology	During Design, Caltrans will seek an agreement with California State Parks about future roadway sand removal needs.	Caltrans Project Engineer and Traffic Maintenance	During PS&E	No
PF-GHG-1	Greenhouse Gas	Emissions Reduction. Comply with Caltrans Standard Specification Section 7-1.02C	Caltrans Project Engineer/Caltrans Project Engineer	During PS&E and construction	No
GHG-1	Greenhouse Gas	Vehicle Idle time. Limit idling to 5 minutes for delivery and dump trucks and other diesel-powered equipment [California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.	Caltrans Project Engineer/Caltrans Project Engineer	During construction	No
GHG-2	Greenhouse Gas	Truck Schedule. Schedule truck trips outside of peak morning and evening commute hours.	Caltrans Project Engineer/Caltrans Project Engineer	During construction	No

Avoidance, Minimization, and/or Mitigation Measures Summary

Measure	Resource Area	Task and Brief Description	Responsible Branch, Staff	Timing / Phase	NSSP Required
GHG-3	Greenhouse Gas	Construction Waste. Reduce construction waste and maximize the use of recycled materials (reduces consumption of raw materials, reduces landfill waste, and encourages cost savings).	Caltrans Project Engineer/Caltrans Project Engineer	During construction	No
GHG-4	Greenhouse Gas	Recycled Materials. Maximize use of recycled materials (e.g., tire rubber).	Caltrans Project Engineer/Caltrans Project Engineer	During PS&E and construction	No
GHG-5	Greenhouse Gas	Earthwork Balance. Reduce the need for transport of earthen materials by balancing cut and fill quantities.	Caltrans Project Engineer/Caltrans Project Engineer	During construction	No
GHG-6	Greenhouse Gas	Fuel Efficiency. Encourage Improved fuel efficiency from construction equipment: <ul style="list-style-type: none"> - Maintain equipment in proper tune and working condition - Right size equipment for the job 	Caltrans Project Engineer/Caltrans Project Engineer	During construction	No
GHG-7	Greenhouse Gas	Construction Environmental Training. Supplement existing training with information regarding methods to reduce GHG emissions related to construction.	Caltrans Project Engineer/Caltrans Project Engineer	During construction	No
PF-HAZ-1	Hazardous Waste	An Aerially Deposited Lead (ADL) Investigation will be conducted at the excavation areas for lead contamination; and then ADL report will be prepared. Based on the ADL contain in the soil, an appropriate Special Provisions will be prepared to provide an instruction to construction contractor on how to handle the ADL impacted soil during construction.	Caltrans Project Engineer, Certified Specialist	During PS&E	No
PF-HAZ-2	Hazardous Waste	During construction, the construction contractor will monitor soil excavation for visible soil staining, odor, and the possible presence of unknown hazardous material sources. If hazardous material contamination or sources are suspected or identified during project construction activities, the construction contractor will be required to cease work in the area and to have an environmental professional evaluate the soils and materials to determine the appropriate course of action required, consistent with the Unknown Hazards Procedures in Chapter 7 of the Caltrans' Construction Manual.	Caltrans Project Engineer, Certified Specialist	During PS&E	No

Avoidance, Minimization, and/or Mitigation Measures Summary

Measure	Resource Area	Task and Brief Description	Responsible Branch, Staff	Timing / Phase	NSSP Required
PF-HAZ-3	Hazardous Waste	During construction, the construction contractor is required to store treated wood waste (TWW) in metal containers approved by the US Department of Transportation for the transportation and temporary storage of hazardous waste until disposal. In addition, TWW could only be disposed at a permitted TWW Resource Conservation and Recovery Act (RCRA) Subtitle C disposal facilities.	Construction Contractor	During PS&E and construction (if necessary)	No
PF-WQ-1	Water Quality	The project will comply with the provisions of the National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for the State of California, Department of Transportation, Order No. 2012-0011-DWQ, NPDES No. CAS00003 and the and any subsequent permits in effect at the time of construction.	Caltrans Resident Engineer/ Construction Contractor	Prior to construction	No
PF-WQ-2	Water Quality	A Water Pollution Control Program (WPCP) will be prepared and implemented to address all construction-related activities, equipment, and materials that have the potential impact water quality. The WPCP will identify the sources of pollutants that may affect the quality of storm water and include BMPs to control the pollutants, such as sediment control, catch basin inlet protection, construction materials management and non-storm water BMPs. All work must conform to the Construction Site BMP requirements specified in the latest edition of the Storm Water Quality Handbooks: Construction Site Best Management Practices Manual to control and minimize the impacts of construction and construction related activities, material and pollutants on the watershed. These include, but are not limited to temporary sediment control, temporary soil stabilization, scheduling, waste management, materials handling, and other non-storm water BMPs.	Caltrans Resident Engineer/ Construction Contractor	Prior to construction	No
PF-WQ-3	Water Quality	Design Pollution Prevention Best Management Practices (BMPs) will be implemented such as preservation of existing vegetation, slope/ surface protection systems (permanent soil stabilization), concentrated flow conveyance systems such as ditches, berms, dikes and swales, overside drains, flared end sections, and outlet protection/ velocity dissipation devices.	Caltrans Resident Engineer/ Construction Contractor	Prior to and during construction	No

Avoidance, Minimization, and/or Mitigation Measures Summary

Measure	Resource Area	Task and Brief Description	Responsible Branch, Staff	Timing / Phase	NSSP Required
PF-WQ-4	Water Quality	Construction site dewatering discharges must comply with the General Waste Discharge Requirements for Discharges to Surface Waters that Pose an Insignificant (de minimis) Threat to Water Quality (Order No. R8-2020-0006, NPDES No. CAG998001) and any subsequent updates to the permit at the time of construction. This Permit addresses temporary dewatering operations during construction. Dewatering BMPs will be used to control sediment and pollutants, and the discharges must comply with the WDRs issued by the Santa Ana RWQCB.	Caltrans Resident Engineer/ Construction Contractor	Prior to and during construction	No
CZ-1	Coastal Zone	This project lies within the coastal zone. Construction or maintenance activities shall not commence until a coastal permit exemption determination or coastal development permit has been obtained from the California Coastal Commission, and/or the Certified Local Coastal Program agency(s) that hold jurisdiction. This should be completed during the PS&E phase for delivery projects.	Caltrans Project Engineer/Resident Engineer/ Construction Contractor	Prior to and during construction	No
CZ-2	Coastal Zone	Construction must be completed between Labor Day weekend and Memorial Day weekend to avoid impacts to coastal access during the high season.	Caltrans Project Engineer/Resident Engineer/ Construction Contractor	Prior to and during construction	No
CZ-3	Coastal Zone	Equipment/materials shall not be stored within unpaved areas.	Caltrans Project Engineer/Resident Engineer/ Construction Contractor	Prior to and during construction	No
PF-N-1	Noise	During construction of the Project, noise from construction activities may intermittently dominate the noise environment in the immediate area of construction. Noise associated with construction is controlled by 2018 Caltrans Standard Specification Section 14-8.02, "Noise Control," which states the following: Control and monitor noise resulting from work activities. Do not exceed 86 dBA L _{max} at 50 feet from the job site from 9 p.m. to 6 a.m. No mitigation required.	Caltrans Project Engineer/Caltrans Resident Engineer/ Construction Contractor	During PS&E and construction	No

Avoidance, Minimization, and/or Mitigation Measures Summary

Measure	Resource Area	Task and Brief Description	Responsible Branch, Staff	Timing / Phase	NSSP Required
PF-REC-1	Recreation	The property used for temporary construction easement will be restored to a condition at least as good as it was prior to easement being granted.	Caltrans Project Engineer/Caltrans Resident Engineer/ Construction Contractor	During PS&E and construction	No
PF-TRA-1	Traffic	Transportation Management Plan (TMP) shall be included in the design plans for implementation by the contractor prior to and during construction of any improvements. The TMP shall consist of prior notices, adequate sign posting, detours, phased construction, and temporary driveways where necessary. The TMP shall specify implementation timing of each plan element (e.g., prior notices, sign posting, detours) as determined appropriate by Caltrans. Adequate local emergency access shall always be provided to adjacent uses. Proper detours and warning signs shall be established to ensure public safety. The TMP shall be devised so that construction shall not interfere with any emergency response or evacuation plans. Construction activities shall proceed in a timely manner to reduce impacts.	Caltrans Project Engineer/Resident Engineer/ Construction Contractor	Prior to and during construction	No
4F-1	Section 4(f)	CDFW and State Lands Commission shall be notified at least seven business days prior to commencing operations within BCER and no more than five days after terminating operations with BCER.	Caltrans Project Engineer/Resident Engineer/ Construction Contractor	Prior to and post construction	No
4F-2	Section 4(f)	No activities shall occur within the TCE during the bird nesting season (March 1 to September 1; January 1 for raptors).	Caltrans Project Engineer/Resident Engineer/ Construction Contractor	Prior to and during construction	No
4F-3	Section 4(f)	Activities shall be limited to two consecutive weeks of operations within the TCE.	Caltrans Project Engineer/Resident Engineer/ Construction Contractor	Prior to and during construction	No
4F-4	Section 4(f)	A Biological Monitor shall be onsite daily during operations within BCER.	Caltrans Project Engineer/Resident Engineer/ Construction Contractor	Prior to and during construction	No

NSSP = Non-Standard Special Provision