

Comment Set 4**Letter from Robert Joseph, District 12 Chief, Caltrans, dated April 8, 2004**

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION

DISTRICT 12
 3337 MICHELSON DRIVE SUITE 380
 IRVINE, CA 92612-8894
 PHONE (949) 724-2255
 FAX (949) 724-2592
 TTY (949) 756-7813



*Flex your power!
 Be energy efficient!*

FAX AND MAIL

April 08, 2004

Mr. Michael Rosauer,
 Project Manager – Energy Division
 California Public Utilities Commission
 505 Van Ness Avenue, Fourth Floor
 San Francisco, CA 94102

File: IGR/CEQA
 SCH#: 2004031044
 Log #: 1359A
 SR: 241

Subject: **Viejo System Project**

Dear Mr. Rosauer,

Thank you for the opportunity to comment on the **Mitigated Negative Declaration for the Viejo System Project** received March 15, 2004. The project location for the substation is within the Foothill Ranch Planned Community of the City of Lake Forest and the transmission corridor is located within the Cities of Lake Forest and Mission Viejo. The project consists of construction of the new substation (Viejo Substation) with 220/66 Kilovolt (kV) and 66/12kV transformation, four 12 kV distribution lines, and one 66 kV subtransmission line to meet projected 2005 electrical loads.

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

1. As expressed in the IS/MND, an encroachment permit would be required and environmental concerns must be adequately addressed. A fee may apply. Allow 2-4 weeks for a complete submittal to be reviewed and for a permit to be issued. 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 beyond the submittal of the IS/MND with the application. 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*) More information regarding Caltrans Encroachment Permits may be accessed at: www.dot.ca.gov/h/traffops/developserv/permits.
2. In addition, when an Encroachment Permit from Caltrans is required the applicant should submit a copy of the Storm Water Pollution Prevention Plan for the project to Environmental

4-1

4-2

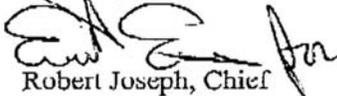
"Caltrans improves mobility across California"

Planning for review as part of the encroachment permit application. All activities or consequences from activities within Caltrans Right of Way must fully conform to the Caltrans Statewide NPDES Permit (Order No. 99-06-DWQ, NPDES No. CAS000003) in addition to the Statewide NPDES Permit for General Construction Activities (Permit No. CAS000002) – Please see Attachment.

3. Any runoff draining into Caltrans Right of Way for construction operations or from the resulting project must fully conform to the current discharge requirements of the Regional Water Quality Control Board to avoid impacting water quality. 4-3
4. Impacts may occur to the State Right of Way (ROW) through the usage of heavy trucks and equipment in order to complete the proposed work and move loads. A Transportation Management Plan (TMP) detailing measures to reduce/eliminate impacts to LOS and circulation during peak periods should be included in both the Department's Encroachment Permit and SCE's *Work Area Protection and Traffic Control Manual* (Mitigation Monitoring p.C-15, APMT-1). This should also include measures to contain all vehicle loads and avoid any tracking of materials that may fall or blow onto Caltrans ROW or facilities. 4-4
5. Any anticipated closure(s) to the SR-241 Toll Road shall be coordinated with both Caltrans (the Department of Transportation) District 12 and the Transportation Corridor Agencies (TCA). The contact at Caltrans District 12 Toll Road Traffic Operations is Joe Harake at (949) 440-3422. Any work within Caltrans ROW shall meet Caltrans Standards and Specifications Sec. 7-1.09 Public Safety requirements. 4-5

Please continue to keep us informed of this project and other future developments, which could potentially impact our transportation facilities. If you have any questions or need to contact us, please do not hesitate to call Maureen El Harake at (949) 724-2086.

Sincerely,



Robert Joseph, Chief
District 12
IGR/Community Planning Branch

c: Terry Pencovic, HQ IGR/CEQA
Terry Roberts, OPR
Joe Harake, Traffic Operations – Toll Roads
Leslie Manderscheid, Environmental Planning Branch B

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, Chapter 1, 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) 663 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).

ATTACHMENT CALTRANS DISTRICT 12

WATER POLLUTION CONTROL PROVISIONS

Any runoff draining into Caltrans Right of Way must fully conform to the current discharge requirements of the Regional Water Quality Control Board (RWQCB) to avoid impacting water quality. Permittee shall fully conform to the requirements of the Caltrans Statewide National Pollutant Discharge Elimination System (NPDES) Storm Water Permit, Order No. 99-06-DWQ, NPDES No. CAS000003, adopted by the State Water Resources Control Board (SWRCB) on July 15, 1999, in addition to the BMPs specified in the Caltrans Storm Water Management Plan (SWMP). When applicable, the Permittee will also conform to the requirements of the General NPDES Permit for Construction Activities, Order No. 99-08-DWQ, NPDES No. CAS000002, and any subsequent General Permit in effect at the time of issuance of this Encroachment Permit. These permits regulate storm water and non-storm water discharges associated with year-round construction activities.

Please note that project activities should pay extra attention to storm water pollution control during the "Rainy Season" (October 1st – May 1st) and follow the Water Pollution Control BMPs to minimize impact to receiving waters. Measures must be incorporated to contain all vehicle loads and avoid any tracking of materials, which may fall or blow onto Caltrans Right of Way.

For all projects resulting in 0.4 hectares (1 acre) or more of soil disturbance or otherwise subject to the NPDES program, the Contractor will develop, implement, and maintain a Storm Water Pollution Prevention Plan (SWPPP) conforming to the requirements of the Caltrans Specification Section 7-1.01G "Water Pollution Control", the Department's Statewide NPDES Permit, the General NPDES Permit for Construction Activities, and the Storm Water Quality Handbooks "Storm Water Pollution Prevention Plan (SWPPP) and Water Pollution Control Program (WPCP) Preparation Manual", and "Construction Site Best Management Practices (BMPs) Manual" effective November 2000, and subsequent revisions. In addition, the SWPPP must conform to the requirements of the SWRCB Resolution No. 2001-046, the Sampling and Analytical Procedures (SAP) Plan.

For all projects resulting in less than 0.4 hectares (1 acre) of soil disturbance or not otherwise subject to the requirements of the NPDES program, the Contractor shall develop, implement, and maintain a Water Pollution Control Program (WPCP) conforming to the requirements of the Department's Specifications Section 7-1-.01G (Water Pollution Control), and the Storm Water Quality Handbooks: "Storm Water Pollution Prevention Plan (SWPPP) and Water Pollution Control Program (WPCP) Preparation Manual" and "Construction Site Best Management Practices (BMPs) Manual" effective March 2003, and subsequent revisions.

Copies of the Permits and the Construction Contractor's Guide and Specifications of the Caltrans Storm Water Quality Handbook may be obtained from the Department of Transportation, Material Operations Branch, Publication Distribution Unit, 1900 Royal Oaks Drive, Sacramento, California 95815, Telephone: (916) 445-3520. Copies of the Permits and Handbook are also available for review at Caltrans District 12, 3347 Michelson Drive, Suite 100, Irvine, California 92612, Telephone: (949) 724-2260. Electronic copies can be found at <http://www.dot.ca.gov/hq/construc/stormwater.html>

Revised 10/23/01

Response to Comment Set 4
Letter from Robert Joseph, District 12 Chief, Caltrans, dated April 8, 2004

- 4-1 Thank you for the information. This requirement is already reflected in Section B.1.11 of the MND/IS.
- 4-2 Thank you for the information. This additional information has been incorporated into Section B.1.11 of the MND/IS.
- 4-3 Thank you for the information.
- 4-4 Thank you for the information. This additional information has been incorporated into Section B.1.11 of the MND/IS.
- 4-5 Thank you for the information.