COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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IN REPLY PLEASE
REFER TO FILE: PD-3

September 30, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

HARBOR BOULEVARD-WILDLIFE UNDERPASS (REVISED)
NEGATIVE DECLARATION AND AUTHORITY TO PROCEED
SUPERVISORIAL DISTRICT 4
3 VOTES

IT IS RECOMMENDED THAT YOUR BOARD:

1. Consider the Negative Declaration for the proposed project to construct a wildlife underpass on Harbor Boulevard in the City of La Habra Heights, concur that the project will not have a significant effect on the environment, find that the Negative Declaration reflects the independent judgment of the County, and approve the Negative Declaration.

2. Adopt the enclosed Reporting Program to ensure compliance with the project and conditions adopted to mitigate or avoid significant effects on the environment.

3. Approve the project and authorize Public Works to carry out the project.

4. Authorize Public Works to pay the $1,250 fee to the State Department of Fish and Game as required by the Department of Fish and Game and the Public Resources Codes.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the proposed project is to reduce wildlife mortality caused by vehicles on Harbor Boulevard by providing a safe habitat linkage passage for wildlife through construction of an underpass between the open space habitats on either side of Harbor Boulevard.

The proposed project consists of constructing a wildlife corridor underpass on Harbor Boulevard in the vicinity of Fullerton Road. The proposed underpass consists of an approximately 18-feet-high by 20-feet-wide by 150-feet-long metal pipe. The proposed project also includes replacing an approximately 0.016 acre concrete V-ditch with a natural ditch and associated grading on the west side of Harbor Boulevard.

An environmental impact analysis/documentation is a California Environmental Quality Act requirement that is to be used in evaluating the environmental impacts of this project and should be considered in the approval of this project. As the project administrator, we are also the lead agency in terms of meeting the requirements of the California Environmental Quality Act.

The Initial Study of Environmental Factors indicated that the proposed project with the incorporation of mitigation measures would not have a significant effect on the environment. Therefore, in accordance with the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, a Negative Declaration was prepared and circulated for public review.

Implementation of Strategic Plan Goals

This action is consistent with the County's Strategic Plan Goal of Service Excellence by providing a wildlife corridor that will benefit users of Harbor Boulevard by reducing potential motorist-wildlife conflicts.

FISCAL IMPACT/FINANCING

There will be no impact to the County's General Fund. Funds for the proposed wildlife underpass project are available through the Los Angeles County Metropolitan Transportation Authority grant funds, Statewide Transportation Enhancement Activity grant funds, and Puente Hills Landfill Native Habitat Preservation Authority's local funds.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Under the California Environmental Quality Act, any lead agency preparing a Negative Declaration must provide a public notice within a reasonable period of time prior to certification of the Negative Declaration. To comply with this requirement, a Public Notice pursuant to Section 21092 of the Public Resources Code was published in the San Gabriel Valley Tribune on August 5, 2004. Copies of the Negative Declaration were sent to the La Habra Library, the Rowland Heights Library, the City of La Habra Heights, and the State Clearinghouse for public review. Notices were mailed to residents in the vicinity of the project.

Comments were received during the public review from the State Department of Fish and Game; the City of La Habra Heights; Aera Energy, LLC; and the Wildlife Corridor Conservation Authority. The responses to those comments are included as Attachment B of the Negative Declaration.

Based upon the Initial Study of Environmental Factors, the Negative Declaration determined that the project will not have a significant effect on the environment. Therefore, approval of the Negative Declaration is requested at this time.

ENVIRONMENTAL DOCUMENTATION

The California Environmental Quality Act requires public agency decision makers to document and consider the environmental implications of their action.

Mitigation measures have been included as part of the project. We have prepared the enclosed reporting and monitoring program that includes maintaining records to ensure compliance with environmental mitigation measures adopted as part of this project. Your Board is being asked to approve and authorize Public Works to carry out this project.

A fee must be paid to the State Department of Fish and Game when certain notices required by the California Environmental Quality Act are filed with the County Clerk. Upon approval of the Negative Declaration by your Board, Public Works will submit a check in the amount of $1,250 to the County Clerk to pay the fee. In addition, a $25 handling fee will be paid to the County Clerk for processing. We will also file a Notice of Determination in accordance with the requirements of Section 21152(a) of the California Public Resources Code.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The project will not have a significant impact on current road services or projects currently planned.

CONCLUSION

Please return one approved copy of this letter to Public Works.

Respectfully submitted,

Donald L Wolfe

DONALD L. WOLFE
Interim Director of Public Works

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Enc.

cc: Chief Administrative Office
County Counsel

PROGRAM FOR REPORTING AND MONITORING THE IMPLEMENTATION OF ENVIRONMENTAL IMPACT MITIGATION MEASURES

HARBOR BOULEVARD-WILDLIFE UNDERPASS

The following program will be used to monitor and implement the mitigation measures discussed in Section XVIII of the Negative Declaration.

1.0 **Program Management**

1.1 After adoption of environmental mitigation measures by the Board of Supervisors, the Public Works shall designate responsibility for monitoring and reporting compliance with each mitigation measure.

1.2 To facilitate implementation and enforcement of this program, Public Works shall ensure that the obligation to monitor and report compliance with environmental mitigation measures is required by all project-related contracts between the County and the Consultant, prime construction contractor, and any other person or entity who is designated to monitor and/or report compliance under this program during the preconstruction and construction phases.

1.3 Public Works, as appropriate, shall take all necessary and appropriate measures to ensure that each project-related environmental mitigation measure, which was adopted, is implemented and maintained.

2.0 **Preconstruction**

2.1 Public Works or Consultant for project design is responsible for incorporating mitigation measures into project design and confirming in writing that final construction drawings include all design-related mitigation measures.

2.2 Public Works or Consultant for design of project-related off-site improvements is responsible for incorporating mitigation measures and confirming in writing that final construction drawings include all design-related mitigation measures.

3.0 **Construction**

3.1 Public Works or prime construction contractor for project and/or for project-related off-site improvements is responsible for constructing and/or monitoring the construction of mitigation measures incorporated in final construction documents and reporting instances of noncompliance in writing.

3.2 Public Works or prime construction contractor for project and/or for project-related off-site improvements is responsible for implementation and/or monitoring the implementation of mitigation measures affecting methods and practices of construction (e.g., hours of operation, noise control of machinery) and reporting instances of noncompliance in writing.

3.3 Public Works is responsible for monitoring compliance of prime construction contractor(s) with responsibility set forth in 3.1 above and reporting noncompliance in writing.

4.0 **Project Operation**

4.1 After completion and final acceptance of the project, Public Works is responsible for monitoring and maintaining compliance with adopted mitigation measures, which affect project operation.

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

NEGATIVE DECLARATION

FOR

HARBOR BOULEVARD-WILDLIFE UNDERPASS

I. Location and Brief Description

The proposed project is located in the City of La Habra Heights. The proposed project consists of constructing a wildlife corridor underpass on Harbor Boulevard in the vicinity of Fullerton Road. The proposed underpass consists of an approximately 18-feet-high by 20-feet-wide and 150-feet-long metal pipe. The proposed project includes replacing an approximately 0.016 acre concrete V-ditch with a natural ditch and associated grading on the west side of Harbor Boulevard.

The purpose of the proposed project is to reduce wildlife mortality caused by vehicles on Harbor Boulevard by providing a safe habitat linkage passage for wildlife through construction of an underpass between the open space habitats on either sides of Harbor Boulevard.

II. Mitigation Measures Included in the Project to Avoid Potentially Significant Effects

No significant environmental effects were identified. However, mitigation measures are discussed in Section XVIII of the Initial Study.

III. Finding of No Significant Effect

Based on the attached Initial Study, it has been determined that the project would not have a significant effect on the environment.

INITIAL STUDY OF ENVIRONMENTAL FACTORS

1. **Project Title**: Harbor Boulevard-Wildlife Underpass

2. **Lead Agency Name and Address**: County of Los Angeles Department of Public Works, 900 South Fremont Avenue, Alhambra, CA 91803

3. **Contact Person and Phone Number**: Mr. Albert E. Anidi, (626) 458-5199

4. **Project Location**: City of La Habra Heights

5. **Project Sponsor's Name and Address**: County of Los Angeles Department of Public Works, 900 South Fremont Avenue, Alhambra, CA 91803

6. **General Plan Designation**: Rural/Residential

7. **Zoning**: RA1 (Residential Agricultural/single family residence)

8. **Description of Project**: The proposed project consists of constructing a wildlife corridor underpass on Harbor Boulevard in the vicinity of Fullerton Road. The proposed underpass consists of an approximately 18-feet-high by 20-feet-wide and 150-feet-long metal pipe. The proposed project includes replacing an approximately 0.016 acre concrete V-ditch with natural ditch and associated grading on the west side of Harbor Boulevard.

9. **Surrounding Land Use and Settings**:

   A. **Project Site** - Harbor Boulevard crosses a wildlife corridor at this location. Medium dense residential areas surround the corridor.

   B. **Surrounding Properties** - The topography of the surrounding project area is hilly. The project surrounding consists of open fields and brush land. Animal life includes rodents, birds, insects, etc. No known endangered species or species of special concern exist within the project limit.

10. **Other agencies whose approval is required (and permits needed)**:

    - Streambed Alteration Agreement from the Department of Fish and Game
    - Army Corps of Engineers 404 Permit
    - Regional Water Quality Control Board's 401 Certification

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Potentially Significant Unless Mitigated," as indicated by the checklist on the following pages.

___ Aesthetics	___ Agriculture Resources	___ Air Quality
___ Biological Resources	___ Cultural Resources	___ Geology/Soils
___ Hazards & Hazardous Materials	___ Hydrology/Water Quality	___ Land Use/Planning
___ Mineral Resources	___ Noise	___ Population/Housing
___ Public Services	___ Recreation	___ Transportation/Traffic
___ Utilities/Service Systems	___ Mandatory Findings of Significance	

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

_X_ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

___ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

___ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

___ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

___ I find that although the proposed project would have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Albert Emek Anidi — 7/22/04
Signature — Date

Albert E. Anidi — LACDPW
Printed Name — For

AA:yr
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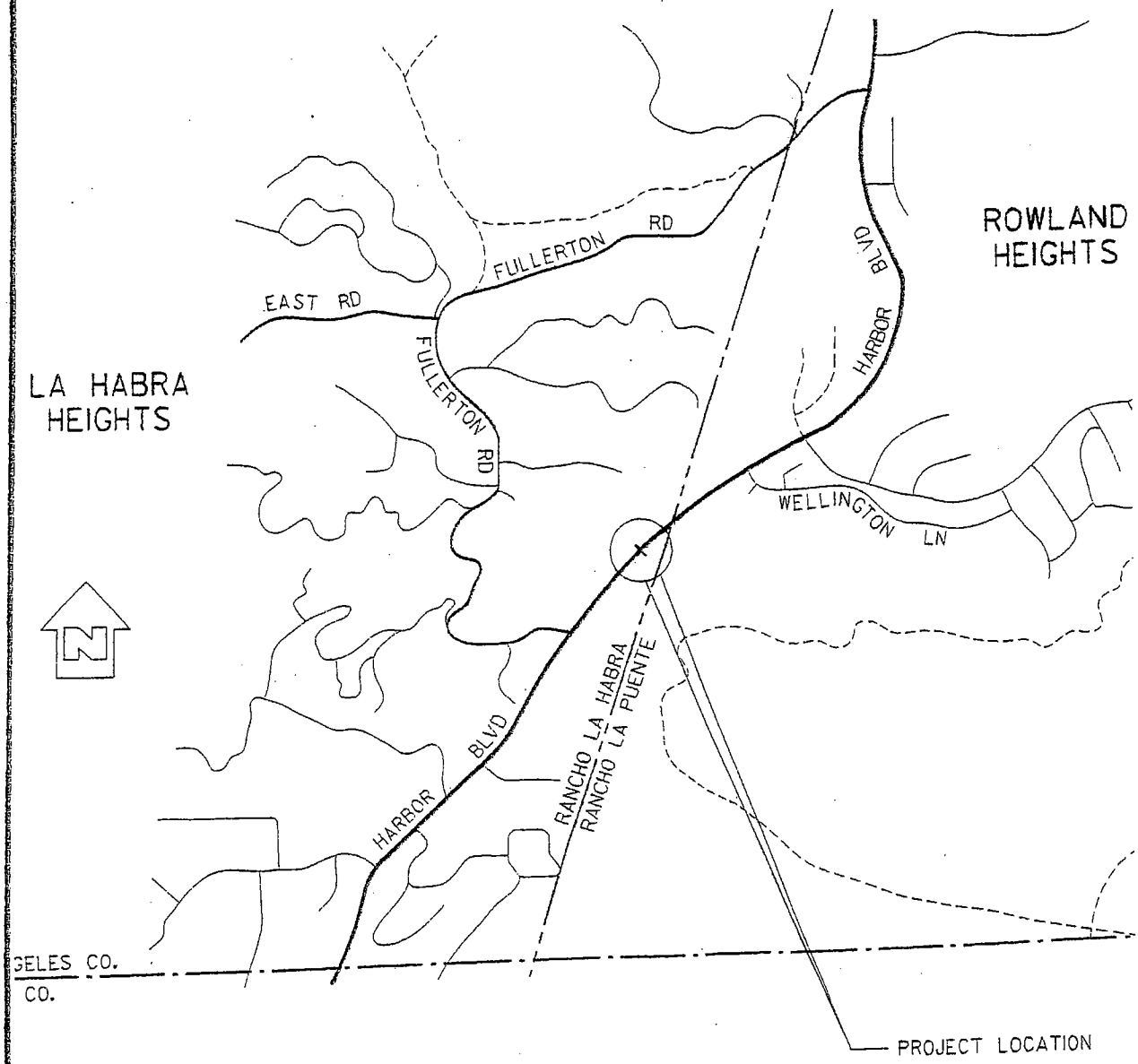
Attach.

LOS ANGELES COUNTY

DEPARTMENT OF PUBLIC WORKS

HARBOR BOULEVARD



VICINITY MAP

NOT TO SCALE

EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project level, indirect as well as direct, and construction as well as operational impacts.

3) "Potential Significant Impact" is appropriate if an effect is significant or potentially significant, or if the lead agency lacks information to make a finding of insignificance. If there are one or more "Potential Significant Impact" entries when the determination is made, an Environmental Impact Report (EIR) is required.

4) "Less Than Significant With Mitigation Incorporation" applies where the incorporation of mitigation measures has reduced an effect from "Potential Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVIII, "Earlier Analysis," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR or other California Environmental Quality Act process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D). Earlier analyses are discussed in Section XVIII at the end of the checklist.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). See the sample question below. A source list should be attached and other sources used or individuals contacted should be cited in the discussion.

HARBOR BOULEVARD–WILDLIFE UNDERPASS
ENVIRONMENTAL CHECKLIST FORM

			Potential Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
I.	**AESTHETICS - Would the project:**					
	a)	Have a substantial adverse effect on a scenic vista?			X	
	b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?				X
	c)	Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
	d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X
II.	**AGRICULTURE RESOURCES** - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:					
	a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?				X
	b)	Conflict with existing zoning for agricultural use or a Williamson Act contract?				X
	c)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use?				X
III.	**AIR QUALITY** - Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:					
	a)	Conflict with or obstruct implementation of the applicable air quality plan?				X
	b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
	c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable Federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for zone precursors)?				X
	d)	Expose sensitive receptors to substantial pollutant concentrations?				X

			Potential Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	e)	Create objectionable odors affecting a substantial number of people?			X	
IV.	**BIOLOGICAL RESOURCES - Would the project:**					
	a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
	b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
	c)	Have a substantial adverse effect on Federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
	d)	Interfere substantially with the movement of any native resident, migratory fish, or wildlife species; or with established native resident or migratory wildlife corridors; or impede the use of native wildlife nursery sites?				X
	e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
	f)	Conflict with the provisions of an adopted Habitat Conservation Plan; Natural Community Conservation Plan; or other approved local, regional, or State habitat conservation plan?				X
V.	**CULTURAL RESOURCES - Would the project:**					
	a)	Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?				X
	b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?				X
	c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
	d)	Disturb any human remains, including those interred outside of formal cemeteries?				X
VI.	**GEOLOGY AND SOILS - Would the project:**					
	a)	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				X
		i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State				X

			Potential Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
		Geologist for the area or based on other substantial evidence of a know fault? Refer to Division of Mines and Geology Special Publication 42.				
		ii) Strong seismic ground shaking?				X
		iii) Seismic-related ground failure, including liquefaction?				X
		iv) Landslides?				X
	b)	Result in substantial soil erosion or the loss of topsoil?				X
	c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?				X
	d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
	e)	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
VII.	**HAZARDS AND HAZARDOUS MATERIALS - Would the project:**					
	a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
	b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
	c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
	d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code, Section 65962.5, and, as a result, would it create a significant hazard to the public or the environment?				X
	e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
	f)	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
	g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	

			Potential Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	h)	Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	
VIII.	**HYDROLOGY AND WATER QUALITY - Would the project:**					
	a)	Violate any water quality standards or waste discharge requirements?				X
	b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
	c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
	d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
	e)	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X
	f)	Otherwise substantially degrade water quality?				X
	g)	Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
	h)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
	i)	Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
	j)	Inundation by seiche, tsunami, or mudflow?				X
IX.	**LAND USE AND PLANNING - Would the project:**					
	a)	Physically divide an established community?				X
	b)	Conflict with any applicable land use plan, policy, or regulation of any agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
	c)	Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

			Potential Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
X.	**MINERAL RESOURCES - Would the project:**					
	a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
	b)	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X
XI.	**NOISE - Would the project result in:**					
	a)	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or ordinance or applicable standards of other agencies?			X	
	b)	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
	c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
	d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
	e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
	f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
XII.	**POPULATION AND HOUSING - Would the project:**					
	a)	Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?				X
	b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
	c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
XIII.	**PUBLIC SERVICES -**					
	a)	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
		Fire protection?				X
		Police protection?				X

			Potential Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
		Schools?				X
		Parks?				X
		Other public facilities?				X
XIV. RECREATION -						
	a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
	b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
XV. TRANSPORTATION/TRAFFIC - Would the project:						
	a)	Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	
	b)	Exceed, either individually or cumulatively, a level of service standard established by the County Congestion Management Agency for designated roads or highways?			X	
	c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
	d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
	e)	Result in inadequate emergency access?			X	
	f)	Result in inadequate parking capacity?				X
	g)	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X
XVI. UTILITIES AND SERVICE SYSTEMS - Would the project:						
	a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
	b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
	c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
	d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X

			Potential Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	e)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
	f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
	g)	Comply with Federal, State, and local statutes and regulations related to solid waste?				X
XVII. <u>MANDATORY FINDINGS OF SIGNIFICANCE</u> -						
	a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?				X
	b)	Does the project have impacts that are individually limited, but cumulatively Considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)				X
	c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

XVIII. DISCUSSION OF WAYS TO MITIGATE SIGNIFICANT EFFECTS -

Section 15041 (a) of the State California Environmental Quality Act guidelines states that a lead agency for a project has authority to require changes in any or all activities involved in the project in order to lessen or avoid significant effects on the environment. No significant effects have been identified. However, the following standard mitigation measures have been included.

Air Quality
• Compliance with applicable air pollution control regulations.

Biological Resources
• Wildlife monitoring by biologists before and after construction of the project, totaling two years.

Hydrology and Water Quality
• Construction of drainage ditch to control erosion.

Noise
• Compliance with all applicable noise and ordinances during construction.
• Construction activities would be restricted to County-appointed construction times.

Transportation
•Advance notification of all street and/or lane closures and detours to all emergency service agencies and affected residents.
• Clear delineations and barricades to designate through traffic lanes.
• Two thru traffic lanes during construction.

ATTACHMENT A

HARBOR BOULEVARD - WILDLIFE UNDERPASS

DISCUSSION OF ENVIRONMENTAL FACTORS

I. AESTHETICS - Would the proposal:

a) Have a substantial adverse effect on a scenic vista?

Less than significant impact. The proposed project consists of constructing a wildlife passage underpass on Harbor Boulevard. The underpass would not be visible from Harbor Boulevard. The proposed project also includes the installation of roadside guardrails for vehicular safety along the shoulder of the road in the vicinity the wildlife underpass. The impact on the scenic vista from the guardrail would be minimal. Therefore, the proposed project would have less than significant impact on the scenic vista.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

No impact. The proposed project will not damage any trees, rock outcroppings, historic buildings, or any other scenic resource within a State scenic highway. Therefore, the project would have no impact on scenic resources.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

Less than significant impact. The proposed underpass would not be visible from Harbor Boulevard. The underpass would allow wildlife safe access to both sides of Harbor Boulevard, increasing the quality of the wildlife corridor. The proposed project also includes the installation of guardrail to provide vehicular safety. Although the guardrails would be visible, the visual character of the site would not be significantly degraded. Thus, the proposed project would not have a significant impact on the existing visual character or quality of the site and its surroundings.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

No impact. The project does not include any additional lighting systems. Therefore, the proposed project will have no impact on day or nighttime views in the area.

II. AGRICULTURE RESOURCES - Would the proposal*:*

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?

No impact. The location of the proposed project is not used for agricultural purposes nor as farmland. Therefore, the proposed project would have no impact on the conversion of farmland to nonagricultural use.

b) Conflict with existing zoning for agricultural use or a Williamson Act contract?

No impact. The proposed project will not conflict with a Williamson Act contract. The proposed project will not impact any existing zoning for agricultural use.

c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use?

No impact. The proposed project does not involve changes in the existing environment that could result in the conversion of farmland to nonagricultural use.

III. AIR QUALITY - Would the proposal:

a) Conflict with or obstruct implementation of the applicable air quality plan?

No impact. The County of Los Angeles Department of Public Works currently complies with dust control measures enforced by the South Coast Air Quality Management District. Therefore, the proposed project will not conflict with current implementation of the applicable air quality plan.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Less than significant impact. Construction-related emissions and dust would be emitted during project construction. However, these effects would be temporary and would not significantly alter the ambient air quality of the area. Construction activities are restricted to the construction times allowed by the County of Los Angeles except during emergency situations. These impacts on air quality are temporary and less than significant.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable Federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

No impact. The proposed project will not result in a permanent increase in vehicle trips to the project location. The proposed project construction will not lead to emissions, which exceed thresholds for ozone precursors. Therefore, the proposed project would have no impact on ambient air quality standards.

d) Expose sensitive receptors to substantial pollutant concentrations?

No impact. The proposed project will not result in substantial pollutant concentrations and would have no impact on sensitive receptors.

e) Create objectionable odors affecting a substantial number of people?

Less than significant impact. Objectionable odors would be generated from diesel trucks and other construction equipment during construction activities. The proposed project construction period would be approximately seven months. Thus, due to the short-term and temporary nature of the construction activities, the impact of the proposed project from objectionable odors is considered less than significant.

IV. <u>BIOLOGICAL RESOURCES - Would the proposal</u>:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

No impact. No candidate, sensitive, or special status were observed on the project site. The proposed project would result in the enhanced habitat onsite as well as provide enhanced wildlife movement.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Less than significant impact. The proposed project includes replacing an approximately 0.016 acre concrete V-ditch with a natural ditch and associated grading on the west side of Harbor Boulevard. Replacing the concrete V-ditch

with a soft bottom natural swale will create an additional approximately 0.17 acres of willow/mulefat scrub and sycamore/cottonwood woodland habitat to complement the existing 0.004 acre of mixed riparian and 0.017 acre of existing freshwater marsh at the site. Specific permit conditions would be determined by the permitting agencies (U.S. Army Corps of Engineers, Department of Fish and Game, and the Regional Water Quality Control Board) in accordance with their standards. Therefore, the impacts to riparian habitat by the proposed project would be considered less than significant.

c) Have a substantial adverse effect on Federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Less than significant impact. The proposed project impacts an approximately 0.016-acre of concrete V-ditch, which is a United States Army Corps of Engineers jurisdictional drainage. The project would replace the 0.016 acre concrete V-ditch with approximately 0.17 acre of willow/mulefat scrub and sycamore/cottonwood woodland habitat, a greater than tenfold increase. Specific permit conditions would be determined by the permitting agencies in accordance with their standards. Therefore, the proposed project impact on riparian habitat would be considered less than significant.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

No impact. The biological and planning study taken by Cal Poly Pomona indicated that the underpass would greatly improve the existing barrier at Harbor Boulevard and would assure the continued vitality of wildlife population by allowing them to continue to move through the area. Securing safe passage for wildlife at this chokepoint will help improve traffic safety along Habor Boulevard and ensures a healthy and sustainable ecosystem in the Puente-Chino Hills area. Animals detected or observed included mule deer, coyote, bobcat, fox, raccoon, opossum, and skunk.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No impact. The proposed project does not conflict with any local policies or ordinances protecting biological resources. Approximately three trees will be removed with the implementation of the proposed project. Furthermore, the project will not require removal of any oak tree.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No impact. The proposed project will not conflict with provisions of a Habitat Conservation, Natural Community Conservation, or any other habitat conservation plans.

V. CULTURAL RESOURCES - Would the proposal:

a-d) Cause a substantial adverse change in the significance of an historical or archaeological resource, directly or indirectly destroy a unique paleontological resource, site or geologic feature, or disturb any human remains, including those interred outside formal cemeteries?

No impact. No known historical, archaeological, or paleontological resources exist in the project area, which is largely fill placed with the construction of Harbor Boulevard. However, if any cultural resources, including human remains, are discovered during construction, the contractor will cease all construction activities and contact a specialist to examine the project site as required by project specifications. Thus, the effects of the proposed project will have no impact on these resources.

VI. GEOLOGY AND SOILS - Would the proposal:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

No impact. There are no known active faults underlying the project site, and a fault rupture occurring at the project site would not be anticipated.

ii) Strong seismic ground shaking?

No impact. The project area has not been the epicenter of any known earthquake. The activities related to the project will not trigger strong seismic ground shaking.

iii) Seismic-related ground failure, including liquefaction?

No impact. The project area is not known to have suffered any liquefaction nor has it been identified as a potential liquefaction area. Thus, the proposed project will have no impact on liquefaction.

iv) Landslides?

No impact. The project location is in a wildlife corridor. Although the project is located on a steep slope, it is placed fill with drainage ditches; therefore, the potential for landslides is minimal and would not expose people or structures to adverse effects. Therefore, the proposed project will have no impact on landslides.

b) Result in substantial soil erosion or the loss of topsoil?

No impact. The proposed project includes drainage ditches to prevent soil erosion around the wildlife underpass. Therefore, the proposed project will not result in the loss of topsoil.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

No impact. The proposed project site is not known to be on soil that is unstable or would become unstable as a result of the project.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

No impact. The soil at the proposed project location is not considered expansive. Therefore, the proposed project would have no impact on creating significant risk to life or property.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No impact. There are no septic tanks or alternative waste water disposal systems at the proposed project site. Therefore, the proposed project will have no impact on the use of septic tanks or alternative waste water disposal systems.

VII. HAZARDS AND HAZARDOUS MATERIALS - Would the proposal:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

No impact. The proposed project does not involve the routine transport, use, or disposal of hazardous materials. Therefore, the proposed project will have no impact on the transport, use, or disposal of hazardous materials.

b-c) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment or emit hazardous emissions or handle hazardous materials, substances or wastes within one quarter mile of an existing or proposed school?

Less than significant impact. Combustible engine fluids from the construction equipment are potentially hazardous substances. Necessary precautions will be taken to prevent the spillage of any hazardous substances that may affect the public or the environment at the project site. It is unlikely that an explosion, emission, or release of hazardous or acutely hazardous substances will occur as a result of the proposed project. Project specifications would require the contractor to properly maintain all equipment during construction. In the event of any spills of fluids, the contractor is required to remediate according to all applicable laws regarding chemical cleanups, and the nearby school officials would be notified of the spill and any precautions to be taken. Thus, the proposed project impact on the public or the environment is considered less than significant.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code, Section 65962.5, and, as a result, would it create a significant hazard to the public or the environment?

No impact. The proposed project site is not known to be located on a listed hazardous material's site.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

No impact. The proposed project is not located within an airport land use plan nor within two miles of a public use airport. Thus, the proposed project will not result in safety hazards for people residing or working in the project area.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

No impact. The proposed project is not located within the vicinity of a private airstrip. Thus, the proposed project will not result in safety hazards for people residing or working in the project area.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less than significant impact. During construction, emergency access will be maintained at all times. The project specifications will require the contractor to give advance notice of all street closures and detours to all emergency service agencies. However, project construction will be temporary, and therefore, the impact to emergency response or evacuation plans will be less than significant.

h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Less than significant impact. The proposed project is located outside of residential areas and within a wildland corridor. Open fire will not be allowed at the project site during construction. Precautions will be taken by the contractor to prevent fire resulting from construction of the proposed project. Therefore, the proposed project will have less than significant impact on exposing people or structures to risk involving wildland fires.

VIII. <u>HYDROLOGY AND WATER QUALITY - Would the proposal</u>:

a) Violate any water quality standards or waste discharge requirements?

No impact. The contractor is required to implement Best Management Practices as required by the National Pollutant Discharge Elimination System permit issued to the County by the Regional Water Quality Control Board to minimize construction impacts on water quality. Therefore, the project will have no impact on the water quality standards or waste discharge requirements.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

No impact. The proposed project would not involve the use of any water that would result in a net deficit in aquifer volume or a lowering of the local groundwater table level. Therefore, the proposed project will have no impact on groundwater supplies or groundwater recharge.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

Less than significant impact. The proposed project would alter the existing drainage pattern of the project site. However, the proposed project also includes measures to prevent erosion and siltation. These measures include the construction of drainage ditches and revegetation of the affected areas. Therefore, the proposed project will have less than significant impact on erosion or siltation on- or off-site.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

Less than significant impact. The existing concrete V-ditch will be changed to a natural ditch, however, the proposed change would not alter the drainage path or drainage area, so there will be no increase in the rate or amount of surface runoff in a manner that would result in flooding on- or off-site. Therefore, the impact will be less than significant.

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

No impact. The construction of the proposed project will not result in additional surface water runoff. The contractor will take precautions to ensure that any hazardous chemical spills are properly cleaned up. Thus, the proposed project will have no impact on the capacity of the stormwater drainage systems and will not provide substantial additional sources of polluted runoff.

f) Otherwise substantially degrade water quality?

No impact. The proposed project will not impact or degrade water quality.

g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

No impact. The proposed project will not place any housing within a 100-year flood hazard area.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

No impact. The proposed project will not place any structures within a 100-year flood hazard area, which may impede or redirect flood flows.

i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?

No impact. The proposed project will not expose people or structures to a significant risk of loss, injury, or death involving flooding.

j) Inundation by seiche, tsunami, or mudflow?

No impact. The proposed project will not cause inundation by seiche, tsunami, or mudflow.

IX. <u>LAND USE AND PLANNING - Would the proposal</u>:

a) Physically divide an established community?

No impact. The proposed project will not physically divide an established community.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinances) adopted for the purpose of avoiding or mitigating an environmental effect?

No impact. The proposed project does not conflict with any applicable land use plan, policy, or regulation of agencies with jurisdiction over the project.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

No impact. The proposed project will not conflict with habitat conservation or natural community conservation plans.

X. MINERAL RESOURCES - Would the proposal:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No impact. The construction of the proposed project would not deplete any known mineral resources. Therefore, the proposed project will have no impact resulting in the loss of availability of a known mineral resource.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

No impact. The project site is not identified as a mineral resource recovery site in the local general plan, specific plan, or other land use plan. Therefore, the proposed project will have no impact on locally-important mineral resource recovery sites.

XI. NOISE - Would the proposal result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less than significant impact. Noise levels within the proposed project site would increase during construction. However, the impact is temporary and will be subject to existing noise ordinances and standards set by U.S. Occupational Safety and Health Administration. The construction will not expose people to any significant increase in noise levels. Thus, the impact from severe noise levels is considered less than significant.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

No impact. The project would not generate excessive groundborne vibration or noise. Therefore, the proposed project will have no impact on the exposure of persons to groundborne noise and vibration.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

No impact. There will be no substantial permanent increase in the ambient noise level due to the proposed project. Therefore, the proposed project will have no impact on permanent noise increases.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Less than significant impact. During the construction phase of the project, there will be a nominal increase in existing noise levels due to construction and transportation of material to and from the project site. Construction activities will be limited to normal County and/or City regulated hours. Due to the short-term nature of the project, the impact from ambient noise levels will be less than significant.

e-f) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels or for a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

No impact. The proposed project is not located within an airport land use plan nor within two miles of a public use airport.

XII. <u>POPULATION AND HOUSING - Would the proposal</u>:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

No impact. The proposed project will not induce a population growth, either directly or indirectly. Therefore, the project will not induce a significant population growth.

b-c) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere, or displace substantial numbers of people necessitating the construction of replacement housing elsewhere?

No impact. The proposed project will not displace existing houses or people, creating a demand for replacement housing. Therefore, the project will have no impact on the construction of replacement housing.

XIII. PUBLIC SERVICE - Would the proposal:

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection, police protection, schools, parks, other public facilities?

No impact. The project will not affect public service and will not result in a need for new or altered governmental services in fire protection, police protection, schools, parks, or other public facilities. The project will not have an impact on fire or police protection services as a result of new or physically-altered governmental facilities.

XIV. RECREATION - Would the proposal:

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

No impact. The proposed project would not increase the use of existing neighborhood or regional parks.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

No impact. The proposed project does not include recreational facilities and does not require the construction or expansion of any recreational facilities.

XV. TRANSPORTATION/TRAFFIC - Would the proposal:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

Less than significant impact. The proposed project will require lane closure, which would reduce traffic capacity and increase traffic congestion during construction. Two lanes of through traffic, one lane in each direction, would be provided at all times during construction. There will be advanced notification of all street and/or lane closures and detours to all emergency service agencies and affected residents. There will be clear delineations and barricades to designate through traffic lanes during construction. The impact would be

temporary and only during construction of the project. Thus, the impact of the proposed project on substantial traffic increases is considered to be less than significant.

b) Exceed, either individually or cumulatively, a level of service standard established by the County Congestion Management Agency for designated roads or highways?

Less than significant impact. A traffic study prepared for the proposed project considered the level of service at the major intersections north and south of the project site on Harbor Boulevard. The existing levels of service within the intersections are currently at severe congested conditions during the peak traffic hours. The proposed project would provide two through traffic lanes with one lane in each direction during construction. There will be advanced notification of street and/or lane closures and detours to all emergency service and affected residents. There will be clear delineations and barricades to designate through traffic lanes during construction. Temporary traffic signals at the Harbor Boulevard/Fullerton Road intersection north and south of the project may be installed to facilitate circulation during construction. Therefore, the proposed project impact on level of service established by the County Congestion Management Agency for roads or highways in the project area is considered less than significant.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks?

No impact. The proposed project will have no impact on air traffic patterns.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No impact. The proposed project does not involve any design features or incompatible uses constituting safety hazards.

e) Result in inadequate emergency access?

Less than significant impact. Emergency access will be maintained at all times. The Contractor will be required to notify all emergency facilities and emergency service providers of any road closure. Therefore, the proposed project will have less than significant impact on emergency access.

f) Result in inadequate parking capacity?

No impact. The proposed project will not result in the need for more parking. Therefore, the proposed project will have no impact on inadequate parking capacity?

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

No impact. The proposed project would not conflict with adopted policies, plans, or programs supporting alternative transportation.

XVI. UTILITIES AND SERVICE SYSTEMS - Would the proposal:

a) Exceed wastewater treatment requirements of the applicable RWQCB?

No impact. The project will not result in contamination or an increase in discharge of wastewater that might affect wastewater treatment. Thus, the proposed project will have no impact on the wastewater treatment requirements of the Regional Water Quality Control Board.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

No impact. The proposed project will not require the construction or expansion of new water or wastewater treatment facilities.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

No impact. The proposed project will not require or result in the construction or expansion of new storm water drainage facilities.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

No impact. The proposed project will not result in a need for additional water entitlements. Therefore, the project will have no impact on existing water resources.

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

No impact. No increase in the amount of wastewater discharged will occur as a result of the proposed project. Therefore, the proposed project will have no impact on wastewater treatment capacity.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Less than significant impact. The proposed project will require excavation of approximately 7,600 cubic yards of soil. The excavated soil will be used for all necessary fill, and the excess would be transported and properly disposed in surrounding landfills. The landfills within the proposed project area have the capacity to contain all the excess excavated material. Therefore, the proposed project impact on solid waste disposal is considered less than significant.

g) Comply with Federal, State, and local statutes and regulations related to solid waste?

No impact. The project would comply with all Federal, State, and local statutes and regulations related to solid waste.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE - Would the proposal:

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

No impact. Based on findings in this environmental review, the proposed project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish and wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or eliminate important examples of California history. The proposed project will increase the amount and quality of accessible wild life habitats.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects?)

No impact. The proposed project would not have impacts that are individually limited but cumulatively considerable.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

No impact. The proposed project would not have a direct or indirect detrimental environmental impact on human beings.

ATTACHMENT B

HARBOR BOULEVARD-WILDLIFE UNDERPASS

COMMENTS AND RESPONSES TO WRITTEN COMMENTS

RECEIVED ON THE INITIAL STUDY AND NEGATIVE DECLARATION

Presented below are responses to written comments received during the circulation of the Initial Study/Negative Declaration regarding the proposed Harbor Boulevard Wildlife Crossing project. Responses are provided to all comments that raise environmental issues as required by the State of California Environmental Quality Act guidelines. A copy of each comment letter is included.

<u>Response to letter of comments from the State Department of Fish and Game</u>

1-1 Regarding the biological information provided in the Negative Declaration, a biological survey of the project site was conducted by Ms. Amy Henderson (qualified biologist) for the Puente Hills Landfill Native Habitat Preservation Authority. The biological report was considered and was used as the basis for discussion in the Negative Declaration. That report was prepared at a time when two alternatives were being considered for the project; however, since then, the project design has been refined and the alternative, which included possible impacts to a riparian/wetland habitat, has been deleted. A revised biological report has been prepared for the current project design and will be forwarded to the Department of Fish and Game along with our streambed alteration agreement application.

1-2 The application for the streambed alteration agreement for the proposed project and associated revised biological report will fully identify the impacts to any streambed affected and will discuss necessary mitigations and monitoring. The application would also provide information on vegetative communities present, any impacts to such, and proposed revegetation plans.

1-3 The application for the streambed alteration agreement would discuss any impacts to riparian/wetland habitat. However, the current project design avoids impacts to any sensitive habitat.

<u>Response to letter of comments from Wildlife Corridor Conservation Authority</u>

2-1 Comments noted.

<u>Response to letter of comments from Aera Energy, LLC</u>

3-1 The construction of the proposed underpass will provide safe access for wildlife movement under Harbor Boulevard. The underpass will provide an alternative

for crossing a barrier to movement on the wildlife corridor extending through the Puente-Chino Hills area, which is currently utilized by wildlife accessing the open space habitats on either side of Harbor Boulevard. The same is true for human access; the underpass is an alternative to existing possible movement through the area. The Department of Parks and Recreation is aware of the underpass project and would plan for its use and incorporate mitigation measures to address impacts to the wildlife corridor from their possible soccer fields. As regards to cattle, the measures Aera takes to provide safe containment of cattle on their lands will suffice to keep the cattle away from adjacent public right of way and private property where the project is located.

3-2 The proposed construction takes place entirely on County or Puente Hills Habitat Authority property. Neither Aera's property nor ability to develop their property for access is affected by the project including temporary access for construction purposes.

Response to letter of comments from the City of La Habra Heights

4-1 Comments noted.

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HARBOR BOULEVARD-WILDLIFE UNDERPASS

ADDITIONAL RESPONSES TO WRITTEN COMMENTS

Presented below is an additional response to written comments received from Aera Energy, LLC., regarding the proposed Harbor Boulevard Wildlife Crossing project.

Additional Response to letter of comments from Aera Energy, LLC

3-2 On April 21, 2003, the County of Los Angeles issued a Notice of Preparation for the Aera Specific Plan, a large-scale, master-planned development and open-space project, which proposes future residential and commercial construction on land located immediately adjacent to the proposed underpass project. Aera's project application indicates that its proposed circulation element will include a proposal to provide access from proposed developed areas to Harbor Boulevard. Aera has proposed two potential locations for a Harbor Boulevard connection, one which would cross County-owned lands approximately 1,600 feet from the proposed underpass project and the second would be located immediately adjacent to the proposed underpass project. The proposed Harbor Boulevard undercrossing will be carried out with the understanding that the Harbor Boulevard access location alternatives for the proposed Aera Master-Planned Community will be reviewed as part of the California Environmental Quality Act process for the Aera Specific Plan including potential impacts on wildlife movement and the consideration of mitigation measures appropriate for protecting wildlife movement. Aera submitted written comments on the proposed underpass project, which cited the possibility of a roadway immediately adjacent to the proposed underpass project as indicated in the Aera project application. The initial study for the proposed underpass project did not identify cumulatively considerable impacts, which would have resulted in a mandatory finding of significance

State of California – The Resources Agency ARNOLD SCHWARZENEGGER, *Governor*

DEPARTMENT OF FISH AND GAME
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August 31, 2004

Mr. Albert Anidi
County of Los Angeles Department of Public Works
900 South Fremont Avenue
Alhambra, California 91803

Comments on the Draft Mitigated Negative Declaration for the Harbor Boulevard-Wildlife Underpass Project City of La Habra Heights, Los Angeles County, California (SCH# 2004081008)

Dear Mr. Anidi:

The Department of Fish and Game (Department) has reviewed the above-referenced draft Mitigated Negative Declaration (MND) that was received on August 4, 2004. The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (CEQA Section 15386) and pursuant to our authority as a Responsible Agency under CEQA Section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (Fish and Game Code Section 2050 *et seq.*) and Fish and Game Code Section 1600 *et seq.*

The proposed project area is located in the City of La Habra Heights, County of Los Angeles. The project proposes to construct a wildlife corridor underpass on Harbor Boulevard in the vicinity of Fullerton Road. The proposed underpass consists of an approximately 18-feet-high by 20-feet-wide and 150-feet-long metal pipe. The MND states that the proposed wildlife underpass and associated grading on the west side of Harbor Boulevard would impact a concrete v-ditch and that the project would replace the 0.016-acre concrete v-ditch with approximately 0.17-acre of willow/mulefat scrub and sycamore/cottonwood woodland habitat.

The Department offers the following comments and recommendations:

1-1 Over the last few years, the Department has worked with the Puente Hills Landfill Native Habitat Authority and the Wildlife Conservation Board to secure funding for this project. We

1-1 Cont.

continue to support efforts to maintain and improve habitat linkages in the Puente/Chino Hills. However, the biological information provided in the MND is not of sufficient detail for the Department to adequately assess the potential impacts of the project. The project as proposed requires notification to the Department pursuant to 1600 *et seq.* of the Fish and Game Code, and may require a Lake or Streambed Alteration Agreement with the applicant prior to the applicant's commencement of any activity that will substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank (which may include associated riparian resources) of a river, stream or lake, or use material from a streambed. The Department's issuance of a Lake or Streambed Alteration Agreement for a project that is subject to CEQA will require CEQA compliance actions by the Department as a responsible agency. Because the Department's issuance of a Streambed Alteration Agreement for the project will depend upon the Applicant's CEQA documentation, full disclosure of the impacts should be included in the MND. For example, no biological survey information has been provided along with the MND.

1-2

To minimize additional requirements by the Department pursuant to Section 1600 *et seq.* and/or under CEQA, the document should fully identify the potential impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the agreement[1]. Therefore the Department requests that you provide information regarding the amount of jurisdictional stream associated with the project site, acreage of vegetation communities present and an analysis of anticipated impacts by vegetation type. A biological assessment of the project should be performed by a qualified biologist with the results included in the final MND. In addition, the final MND should provide additional detail regarding the site's potential to support special status species.

1-3

The Department recommends that any losses of riparian/wetland habitat are mitigated at an acreage ratio of no less than 3:1 for permanent impacts to riparian/wetland habitat and 1:1 for temporary impacts to riparian/wetland habitat, to mitigate potential impacts below a level of significance pursuant to CEQA. Mitigation should be accomplished on-site or within the local vicinity, and should include a wetland creation element of no less than 1:1 for permanent impacts to ensure that the State's "no net loss policy" of wetland acreage and/or values has been met. Plans for the mitigation site should be prepared by persons with expertise in southern California ecosystems and native plant revegetation techniques. Each plan should include, at a minimum: (a) the location of the mitigation site; (b) the plant species to be used; (c) a schematic depicting the mitigation area; (d) time of year that planting will occur; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the entity(ies) that will guarantee achieving the success criteria and provide for conservation of the mitigation site in perpetuity.

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[1] A Streambed Alteration Agreement form may be obtained by writing to: Department of Fish and Game, 4949 Viewridge Avenue, San Diego, CA 92123, by calling (858) 636-3160, or by accessing the Department's web site at www.dfg.ca.gov/1600 .

The Department has determined that the proposed project would not be de minimus in its effects on fish and wildlife resources per Section 711.4 of the California Fish and Game Code.

The Department appreciates the opportunity to comment on your project. Please contact Donna Cobb of the Department at (858) 637-5510 if you have any questions or comments concerning this letter.

Sincerely,

Donald R. Chadwick
Habitat Conservation Supervisor

cc: Department of Fish and Game
Donna Cobb
File
San Diego

State Clearinghouse
Sacramento

WILDLIFE CORRIDOR CONSERVATION AUTHORITY

407 W. IMPERIAL HWY, SUITE H, PMB 230, BREA, CALIFORNIA 92821
TELEPHONE: (310) 589-3230
FAX: (310) 589-2408

STEVE FELD
CHAIR
PUBLIC MEMBER
LOS ANGELES COUNTY

BOB HENDERSON
VICE-CHAIR
CITY OF WHITTIER

GLENN PARKER
PUBLIC MEMBER
ORANGE COUNTY

FRED KLEIN
CITY OF LA HABRA HEIGHTS

CAROL HERRERA
CITY OF DIAMOND BAR

BEV PERRY
CITY OF BREA

ELIZABETH CHEADLE
SANTA MONICA MOUNTAINS CONSERVANCY

GARY WATTS
CALIFORNIA STATE PARKS

JAMES HARTL
LOS ANGELES COUNTY
BOARD OF SUPERVISORS

September 1, 2004

Mr. Albert Anidi
County of Los Angeles
Department of Public Works
900 South Fremont Avenue
Alhambra, California 91803

Comments on Negative Declaration for Harbor Boulevard-Wildlife Underpass

Dear Mr. Anidi:

2-1

The Wildlife Corridor Conservation Authority (WCCA) supports the proposed construction of a wildlife corridor underpass on Harbor Boulevard in the vicinity of Fullerton Road, in the City of La Habra Heights. WCCA was created to provide for the proper planning, conservation, environmental protection and maintenance of the habitat and wildlife corridor between the Whittier-Puente Hills and the Cleveland National Forest in the Santa Ana Mountains.

According to the Negative Declaration (ND), the project consists of an approximately 18-foot-high by 20-foot-wide and 150-foot-long metal pipe. An approximately 0.016 acre concrete V-ditch would be replaced by a natural ditch and associated grading on the west side of Harbor Boulevard. Approximately 0.17 acre of willow/mulefat scrub and sycamore/cottonwood woodland habitat would be created. As the ND states, the underpass would greatly improve the existing barrier at Harbor Boulevard and would help assure the continued vitality of wildlife by allowing them to continue to move through the area. Securing safe passage for wildlife at this chokepoint ensures a healthy and sustainable ecosystem in the Puente-Chino Hills area.

We look forward to swift implementation of this important project. Please contact Judi Tamasi of our staff at (310) 589-3230 ext. 121 if you have any questions.

Sincerely,

Steven A. Feld
Chairperson

AERA

September 3, 2004

Mr. Albert E. Anidi
County of Los Angeles
Department of Public Works
900 South Fremont Avenue
Alhambra, CA 91803

SUBJECT: HARBOR BOULEVARD WILDLIFE UNDERPASS

Thank you for the opportunity to provide comment on the Proposed Harbor Boulevard-Wildlife Underpass. We believe that there are two potentially significant environmental impact issues that were not been reviewed in the "Discussion of Environmental Factors, Harbor Boulevard – Wildlife Underpass" document which this office first received via e-mail from Robin Phillips, County of Los Angeles Department of Public Works on August 30, 2004 (copy attached as Exhibit 1) . For future reference, we respectfully request to be included on your interest list for distribution of all materials related to this project with mailings and notices sent to the address below.

These environmental impact issues are summarized as follows:

3-1

(1) Management of Wildlife Movement East of Harbor Boulevard – Aera Energy LLC ("Aera") is presently in the process of working with Los Angeles County and Orange County with regard to environmental and land use processing for the landholding illustrated on Exhibit 2 attached. On April 21, 2003, the County of Los Angeles issued an NOP for the Aera Master Planned Community ("AMPC"). A key element of the environmental planning for the AMPC is providing for wildlife movement, both terrestrial and avian, across the project site as shown in Exhibit 3. The proposed underpass would provide for connection with a portion of Aera's landholding. However, the "Discussion of Environmental Factors" does not indicate what measures have been evaluated and can be taken to assure that wildlife movement will be channeled easterly from the underpass to the riparian corridor shown on Exhibit 4. The County of Los Angeles Department of Parks and Recreation has shown an interest in utilizing a parcel of land just to the south of the eastern side of the underpass for a sports park. It is not at all clear from the discussion of the Harbor Boulevard Wildlife Underpass project what measures will be taken to assure that wildlife movement and likely recreational uses do not conflict. In addition, for more than a century cattle grazing and oil production operations have been conducted and continue to exist across all of Aera's contiguous lands. What measures have been reviewed and are contemplated to preclude cattle from accessing the underpass? It would seem appropriate to have the proposed project provide specific physical improvements to assure that wildlife movement is channeled from the underpass as it

Aera Energy LLC • 3030 Saturn Street, Suite 101 • Brea, CA 92821 • (714) 577-9154

emerges in an acceptably controlled manner to the riparian corridor shown on Exhibit 4 rather than allowing unrestricted wildlife movement potentially conflicting with urban uses such as a sports park or our proposed AMPC development sites.

3-1 Cont.

Given the size (i.e. 18 feet x 20 feet x 150 feet) of the potential underpass, an additional management consideration that apparently has not been addressed is the management of unauthorized or undesired human uses such as trespassing hikers or bikers onto our cattle grazing and oil production lands. Further, since the underpass is located under such a heavily traveled roadway and in an urban setting, we are concerned that the scale of the underpass could also lead to nuisance use of the underpass by individuals. What measures are envisioned to deal with those possibilities?

The above-summarized management issues appear to warrant environmental review and disclosure in a CEQA document.

3-2

(2) Providing assurances that Aera's potential road access to Harbor Boulevard will not be limited or in any way be constrained or in any way limited by the construction and long-term use of the wildlife underpass. The AMPC project has two potential means of accessing Harbor Boulevard: (a) through the County property presently under consideration for use as a sports park; and (b) through a portion of the Aera land ownership that would require road construction in the vicinity of, and potentially in conflict with, the site of the proposed wildlife underpass. Aera has expressed its preference for gaining road access to Harbor Boulevard through County-owned property as depicted in Exhibit 3. However, the County of Los Angeles owns the property through which road access to Harbor Boulevard would be attained. Although the County has expressed its willingness to work with Aera on this preferred access route, the ability to use this access route has not yet been assured. As a consequence, the only potential access route under Aera's ownership is at a location just north of the proposed underpass. At the latter location, there is a conflict between the proposed wildlife underpass and Aera's future road access needs. Furthermore, in the event the underpass is installed at the proposed location, will there be a need or desire to encroach onto our property for construction purposes? What is envisioned for removal and placement excavated soils?

It should be possible to plan for both the wildlife underpass and Aera's Harbor Boulevard access needs requiring the potential use of Aera property. However, there is no indication in the "Discussion of Environmental Factors" that Aera's road access requirements have been considered or addressed in any way. Thus, there is an apparently significant environmental impact issue that should be addressed substantively and in a CEQA review document.

We cannot over-emphasize our desire to cooperate with the planning for the proposed underpass project. Our studies and planning in support of the AMPC envision the proposed underpass location to be a logical point of connection with adjacent open space. At the same time, be

mindful of Aera's need to assure that meaningful Harbor Boulevard access cannot and will not be constrained or limited in any way by the proposed project. In addition, addressing our concerns regarding the safety and security of our private property is important as well. We would suggest that further environmental processing of the proposed project should be held in abeyance until Aera has an opportunity to address the planning issues raised in this letter. We stand ready to discuss these matters at your earliest convenience.

Sincerely,

George L. Basye
Vice President

GLB:mep

Exhibits

cc: Robin Phillips
County of Los Angeles
Department of Public Works
900 South Fremont Avenue
Alhambra, CA 91803

Dickie Simmons
Deputy
Fourth District County of Los Angeles
P.O. Box 744
Walnut, CA 91789

William Boyd, Esq.
1111 Walnut St.
Berkeley, CA 94707

Exhibit 1

Basye GL (George) at Aera

From: Phillips, Robin [rphillips@ladpw.org]
Sent: Monday, August 30, 2004 3:18 PM
To: Basye GL (George) at Aera
Subject: FW: Harbor Boulevard - Wildlife Underpass

-----Original Message-----

From: **Phillips, Robin**

Sent: Monday, August 30, 2004 3:15 PM

To: 'glbasye@aeraenergy.com'

Subject: Harbor Boulevard - Wildlife Underpass

George – As we discussed earlier today, the Draft Negative Declaration consists of the three attached files. I look forward to receiving your comments by September 7, 2004. Please call me at (626) 458-3953 if you have any questions. – Robin

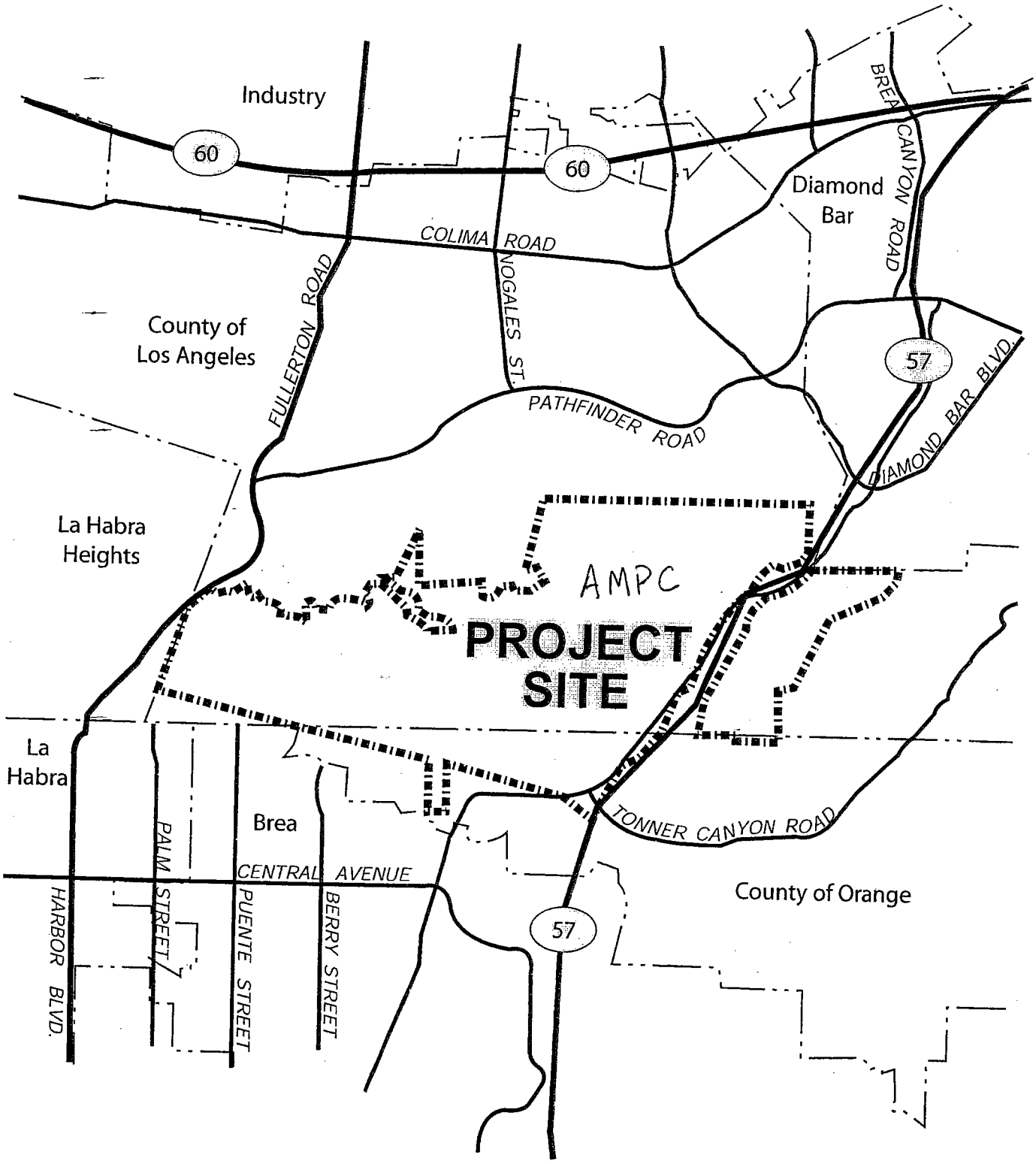
<<Negative Declaration.doc>> <<ENVIROCHECKLIST(WORDFRMT).DOC>> <<discussion.doc>>

Robin Phillips

Senior Civil Engineer

Programs Development Division

County of Los Angeles Department of Public Works

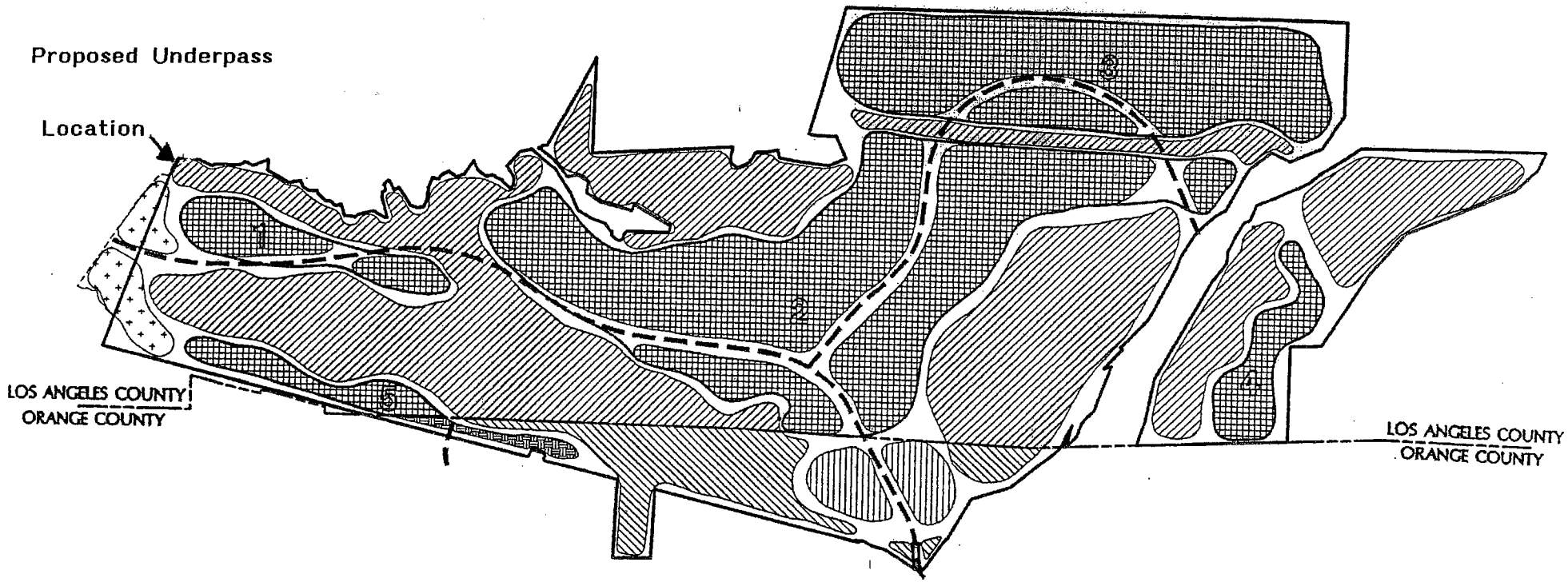


Aera Master Planned Community EIR

Exhibit 2
VICINITY MAP

TEMPLETON PLANNING GROUP

NO SCALE



Legend

LOS ANGELES COUNTY

- Urban Development (Planning Areas 1-5)
- Open Space
- Parks

Acreage Subtotal 2614

- COLLECTOR ROADWAYS
- ADDITIONAL AREA OWNED BY LOS ANGELES COUNTY

ORANGE COUNTY

- Residential
- Open Space
- Mixed Use

Acreage Subtotal 321

Acreage Grand Total 2935

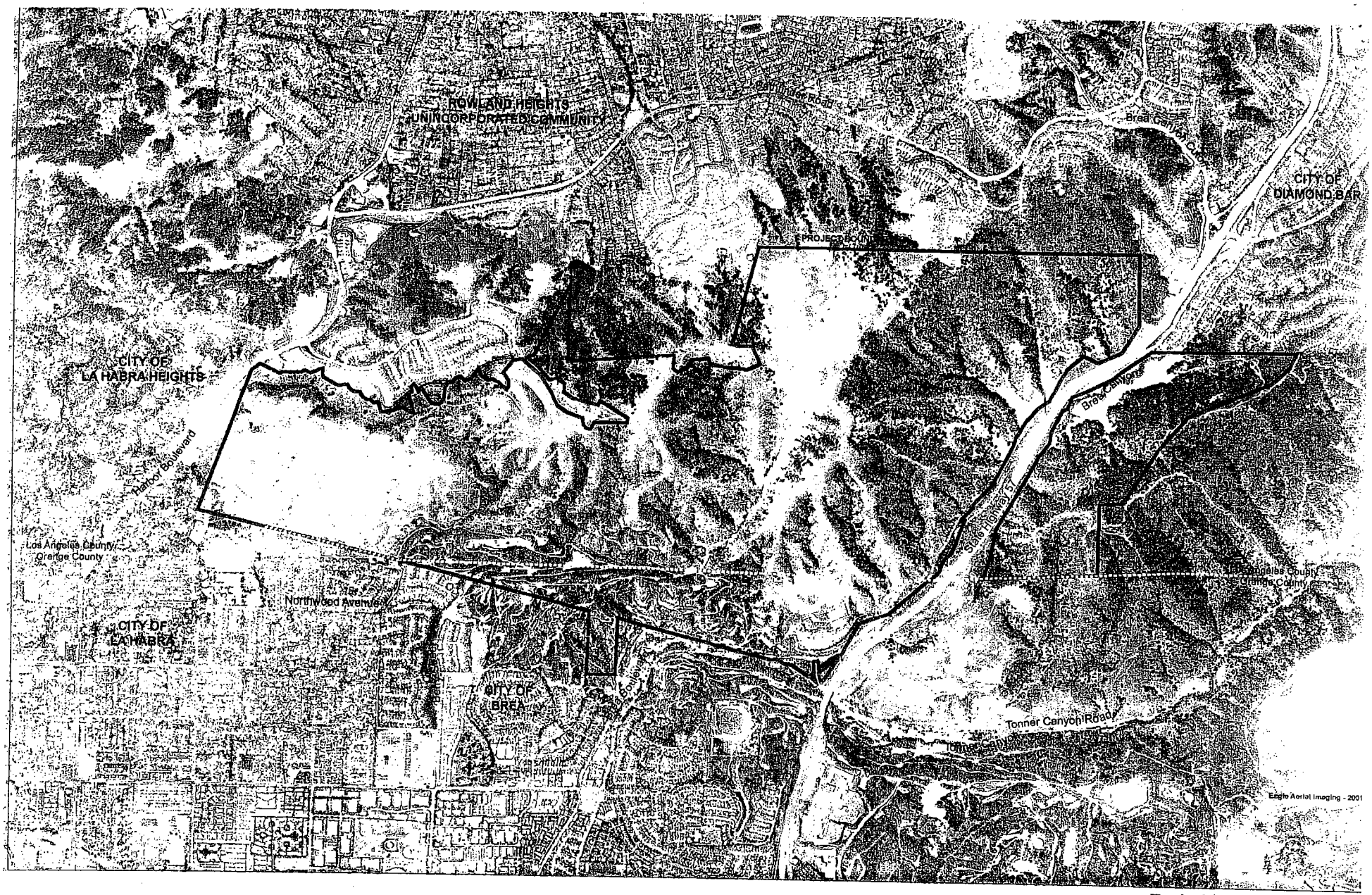
Source: Hunsaker & Associates

Aera Master Planned Community EIR

Exhibit 3
CONCEPT PLAN

TEMPLETON PLANNING GROUP

NO SCALE



Eagle Aerial Imaging - 2001

Aera Master Planned Community EIR

Exhibit 4

AERIAL PHOTOGRAPH

TEMPLETON PLANNING GROUP

0 1,500 ft 3,000 ft

CITY OF LA HABRA HEIGHTS

1245 No. Hacienda Road
La Habra Heights, CA 90631
(562) 694-0302

August 24, 2004

Dominic Osmena, P.E.
County of Los Angeles
Department of Public Works
900 South Freemont Avenue, 11th Floor
Alhambra, CA 91803-1331

RE: Negative Declaration for Harbor Boulevard
Wildlife Undercrossing

Dear Mr. Osmena:

4-1

Thank you for allowing the City of La Habra Heights to comment on the Negative Declaration prepared for the wildlife undercrossing located in the City of La Habra Heights. The City concurs with your evaluation of no impacts as stated in the document.

We hope the undercrossing will proceed in a timely manner and provide the necessary facility for wildlife to remain safe while passing through the Habitat Conservation Authority property. The City reserves the right to review the landscape plan for the tree replacement.

Thank you for the opportunity to review the draft Initial Study/Negative Declaration, we are available to answer questions or clarify our comments.

Sincerely,

Sandra Massa-Lavitt
Community Development Director