

**VEN-150  
SLOPE STABILIZATION AND EROSION CONTROL  
PROJECT**

*07-VEN-150 PM 27.37 and PM 29.4*

**Initial Study  
with Mitigated Negative Declaration**



Prepared by the  
State of California Department of Transportation

October 2012



The State of California Department of Transportation proposes to stabilize the slope along the State Route 150 highway embankment at post mile (PM) 27.37 near Sisar Creek and PM 29.4 near Santa Paula Creek

## INITIAL STUDY with Proposed Negative Declaration

Submitted Pursuant to: (State) Division 13, California Resources Code

THE STATE OF CALIFORNIA  
Department of Transportation

July 19, 2012

Date of Approval



Ron Kosinski  
Deputy District Director  
Division of Environmental Planning, District 7  
California Department of Transportation

## Mitigated Negative Declaration

Pursuant to: Division 13, Public Resources Code

### ***Project Description***

The California Department of Transportation (Caltrans) proposes a slope stabilization and erosion control project at two locations on State Route-150 (SR-150), near the City of Santa Paula within Ventura County. The first location is at SR-150 Post Mile (PM) 27.37 and the second is at SR-150 PM 29.4. The purpose of this project is to protect public safety by addressing the structural deficiencies at these two locations. Specifically, the project will stabilize the slopes by installing type 736 erosion control barriers along the road shoulder at both locations with the addition of a retaining wall at the bottom of the embankment at PM 29.4.

### ***Determination***

Caltrans has prepared a focused Initial Study for this project and, following public review, has determined from this study that the proposed project would not have a significant effect on the environment for the following reasons:

- The proposed project would have minimal or no effect on land use, agricultural resources, air quality, hazardous waste, noise, socio-economic features, cultural resources, scenic resources, population and housing, visual/ aesthetics, utilities/ service systems, seismic exposure, and transportation/ traffic.
- The proposed project would have a less than significant effect on topography, hydrology/ water quality, open space or parklands, floodplains and wetlands.
- The proposed project would have a less than significant effect on biological resources with the appropriate avoidance, minimization, and mitigation measures incorporated.



Ron Kosinski  
Deputy District Director  
Division of Environmental Planning, District 7

Oct 24, 2012  
Date

California Department of Transportation

Initial Study with Mitigated Negative Declaration

**Project Title**

VEN-150 Slope Stabilization and Erosion Control Project

**Lead Agency Name, Address and Contact Person**

California Department of Transportation  
100 S. Main St.  
Los Angeles, CA 90012

Ron Kosinski, Deputy District Director  
Div. of Environmental Planning, District 7  
(213) 897-0703

**Project Location**

The proposed project site is located in Ventura County north of the City of Santa Paula on State Route 150 (SR-150). The work is located at Post mile (PM) 27.37 and 29.4.

**Purpose and Need**

The purpose of this project is to restore and strengthen the embankments that were previously damaged in 2010 storm events. The need is to protect safety of the traveling public by addressing the structural deficiencies at SR-150, PM 27.37 and PM 29.4, in Ventura County.

**Description of Project**

This document is the Mitigated Negative Declaration (MND) for the project. Comments have been received and addressed from all public and reviewing agencies. The MND includes responses to comments received on the Initial Study (IS). A vertical line in the margin indicates that there were changes in the text from the Initial Study after the public circulation process.

The highway embankments were damaged as a result of the storm events of 2010. Field investigations by Caltrans office of geotechnical design have revealed damage to the roadbed support slopes and heavily saturated soil. Caltrans proposes to stabilize the slope at two locations on SR-150, near the City of Santa Paula within Ventura County.

The proposed project is a slope stabilization and erosion control project along the highway embankment and at the bottom of the slope on SR-150, at PM 27.37 and PM 29.4. The proposed construction activities are located on the creek side of SR-150. The purpose of this project is to stabilize the slopes by installing type 736 erosion control barriers along the road, removal and replacement of cracked roadway pavement, and installation of a retaining wall at the bottom of the embankment at PM 29.4. Water diversion and/or work within the creek

is not expected. Upon completion, the slope stabilization project will provide the necessary support to prevent further erosion of the highway embankments.

### ***Surrounding Land Uses and Setting***

The project sites are located along Sisar and Santa Paula Creek, Ventura County. This is a mountainous location, on the east slope of Sulfur Mountain. It is in a rural setting with agriculture use and very scattered homes being the most prevalent land uses. A small private college, Saint Thomas Aquinas, is within half a mile of the project site. Santa Paula Creek is a tributary of Santa Clara River in the vicinity of Santa Paula, Ventura County, about sixteen (16) miles from the ocean and approximately sixty (60) miles northwest of Los Angeles.

### ***Permits and Approvals Needed***

- United States Army Corps of Engineers (USACE), Section 404 Permit
- Regional Water Quality Control Board (RWQCB), Section 401 Certification
- California Department of Fish and Game (CDFG), 1602 Streambed Alteration Agreement
- National Marine Fisheries Service (NMFS), Letter of Concurrence
- U.S Fish and Wildlife Service (USFWS), Biological Opinion (B.O.)

### ***Zoning***

The area is a transportation corridor through the County of Ventura, along SR-150. The land in the study area for the access road and staging area at PM 29.4 is beyond Caltrans right-of-way, and is property of the County of Ventura. The County of Ventura has granted a right-of-entry permit to Caltrans for the purpose of this project.

### ***Regional Area Map***



**Project Location Map**  
**Aerial PM 29.4**



**Project Vicinity Map  
Aerial PM 27.37**



# Environmental Factors Potentially Affected

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

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Hazards and 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

# Impacts Checklist

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The impacts checklist starting on the next page identifies physical, biological, social, and economic factors that might be affected by the proposed project. The California Environmental Quality Act impact levels include “potentially significant impact,” “less than significant impact with mitigation,” “less than significant impact,” and “no impact.”

A brief explanation of each California Environmental Quality Act checklist determination follows each checklist item.

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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**I. AESTHETICS** — Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

*The proposed project will install type 736 erosion control barriers along the road shoulder at both locations with the addition of a retaining wall at the bottom of the embankment at PM 29.4 which will not be visible from the existing highway or from adjacent land uses. There is no potential for impact to scenic resources or the visual character of the area.*

**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 Dept. 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 non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

*The proposed project will place type 736 barriers at PM 27.37 and 29.4 as well as a retaining wall at the bottom of the slope at PM 29.4. No agricultural or farmland would be converted with the proposed project, therefore there is no potential for impacts to agricultural resources.*

**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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|--------------------------|

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
|  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

*The proposed project will type 736 erosion control barriers along the road, and a retaining wall at the bottom of the embankment at PM 29.4. No long-term air quality impacts will result from the project. The project will not increase highway capacity or alter the highway alignment.*

**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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?   | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 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?   | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 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?   | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

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?

*There will be tree removal, an access road, and staging area for the construction of the lower retaining wall at PM 29.4. A summary of recommended biological provisions have been attached as Appendix A. In addition, permits from the U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, California Department of Fish and Game, and Regional Water Quality Control Board will be obtained for the proposed project.*

**V. CULTURAL RESOURCES** — Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

d) Disturb any human remains, including those interred outside of formal cemeteries?

*The proposed project area was reviewed for Section 106 compliance in February 2012 and it was found to be a screened undertaking per the 2004 Programmatic Agreement. No cultural material was identified within the project area.*

*Minimization and avoidance measures to avoid impacts to cultural resources:*

- In the unlikely event that archaeological materials are encountered during project construction, all activities shall cease until a qualified archaeologist can assess the unanticipated discovery.*

**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:

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.

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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ii) Strong seismic ground shaking?

iii) Seismic-related ground failure, including liquefaction?

*Although relatively high intensity of ground shaking is probable at the job site, liquefaction potential is very low due to low groundwater table elevation and subsurface materials, which consist of mostly gravel, cobbles and boulders.*

iv) Landslides?

b) Result in substantial soil erosion or 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 onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?

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.

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

*The proposed project will install a Type 736 barrier along the highway shoulder and a retaining wall along the base of the highway embankment slope at SR-150 PM 29.4. Additionally a Type 736 barrier will be installed along the shoulder of the road at SR-150 PM 27.37. The proposed work will involve the clearing of an access road at the PM 29.4. The temporary impact area for the access road is calculated to be 0.275 acre, or 12000 square feet and would be re-vegetated post-construction.*

*The slope consists of alluvial sediments, which is susceptible to the erosion and washout and the proposed project would stabilize the slope by installing the Type 736 barriers and retaining wall at PM 29.4.*

**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?

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?

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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one-quarter mile of an existing or proposed school?

d) Be located on a site that 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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The project is located in a rural area and there would be no transportation of hazardous materials. There are no airports or private airstrips, or recorded hazardous materials sites in the project area. Based on the most recent Hazardous Waste Assessment, completed in May 2012, the concentrations of Title 22 metals in the soil samples were below their respective residential and industrial California Human Health Screening Levels with the exception of arsenic. The arsenic levels are consistent with published background levels in Los Angeles County.*

**VIII. HYDROLOGY AND WATER QUALITY —**

Would the project:

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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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 that would not support existing land uses or planned uses for which permits have been granted)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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course of a stream or river, in a manner that would result in substantial erosion or siltation on- or offsite?

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 that would result in flooding on- or offsite?

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

f) Otherwise substantially 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?

h) Place within a 100-year flood hazard area structures that would 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?

j) Result in inundation by a seiche, tsunami, or mudflow?

*"No Impact" determinations in this section are based on field reviews with the project development team and discussions with the Project Engineer. There would be no water diversion or work within the creek. Final Hydraulic report, April 2011.*

**IX. LAND USE AND PLANNING** — Would the project:

a) 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 ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

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

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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*“No Impact” determinations in this section are based on field visits and conversations with the project development team members, November 2011 and April 2012.*

**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?

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” determinations in this section are based on conversations with Project Engineer and the Geotechnical Design Report, March 2012.*

**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 noise ordinance, or applicable standards of other agencies?

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

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

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

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?

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?

*Based on the scope of the project, this project is not considered a Type I project as defined by 23 CFR 772. Therefore, no further study is required and the “No Impact” determinations would apply. (Noise study memo July, 2012).*

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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**XII. POPULATION AND HOUSING** — Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

*“No Impact” determinations in this section are based on the scope and location of the project. No relocations or displacements will occur in relation to this project.*

**XIII. PUBLIC SERVICES** —

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?         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Police protection?       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Schools?                 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Parks?                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

*“No Impact” determinations in this section are based on the scope and location of the project. VEN-150 would remain open for the duration of the project.*

**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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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*“No Impact” and “Less than Significant” determinations in this section are based on the scope and location of the project. Caltrans has acquired a right-of-entry permit and Section 4(f) de minimus concurrence letter (included in Appendix C) from the County of Ventura.*

**XV. TRANSPORTATION/TRAFFIC** — Would the project:

a) Cause an increase in traffic that 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)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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e) Result in inadequate emergency access?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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f) Result in inadequate parking capacity?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*“No Impact” determinations in this section are based on conversations with Project Engineer as well as the scope of the work. There will not be additional lanes, and the vertical and horizontal alignments of the road are not being altered.*

**XVI. UTILITY AND SERVICE SYSTEMS** — Would the project:

a) Exceed wastewater treatment requirements of the

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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applicable 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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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e) Result in a determination by the wastewater treatment provider that 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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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g) Comply with federal, state, and local statutes and regulations related to solid waste?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*"No Impact" determinations in this section are based on conversations with Project Engineer and Project Development Team as well as the scope of the project. The addition of retaining walls would not change the current wastewater requirements.*

**XVII. MANDATORY FINDINGS OF SIGNIFICANCE —**

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?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b) Does the project have impacts that are individually limited, but cumulatively considerable?

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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(“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)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*The potential for biological impacts are discussed below in the “Affected Environment, Environmental Consequences, and Mitigation Measures” section.*

# Affected Environment, Environmental Consequences, and Mitigation Measures

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This section focuses only on the Biological Environment, as that is the only environmental factor potentially affected by the proposed project. All other physical, biological, social, and economic factors have been determined to have no impact based on the checklist above and associated technical studies.

## ***Biology***

### ***Regulatory Setting***

This section of the document discusses natural communities and species of concern. The focus of this section is on biological communities and individual plant and animal species.

This section discusses potential impacts and permit requirements associated with these species, including CDFG fully protected species and species of special concern. The California Department of Fish and Game (CDFG) has regulatory responsibility for the protection of special-status plant and animal species. “Special-status” species are selected for protection because they are rare and/or subject to population and habitat declines. Special status is a general term for species that are afforded varying levels of regulatory protection. The highest level of protection is given to threatened and endangered species; these are species that are formally listed or proposed for listing as endangered or threatened under the Federal Endangered Species Act (FESA) and/or the California Endangered Species Act (CESA).

State laws and regulations pertaining to wildlife include the following:

- California Environmental Quality Act
- Sections 1600 – 1603 of the Fish and Game Code
- Section 4150 and 4152 of the Fish and Game Code

### ***Affected Environment***

A Natural Environment Study was prepared for the proposed project in July 2012. The environmental settings for both project locations are discussed together in this section due to the proximity of both locations and similar habitat types. The project sites are located along Sisar and Santa Paula Creek, Ventura County. This is a mountainous location, on the east slope of Sulfur Mountain. It is in a rural setting with agriculture use and very scattered homes being the most prevalent land uses. A small private college, Saint Thomas Aquinas, is within half a mile of the project site. Most of the area is covered with native vegetation, consisting of coastal scrub and oak woodlands. Santa Paula Creek is a tributary of Santa Clara River in the vicinity of Santa Paula, Ventura County, about sixteen (16) miles from the ocean and approximately sixty (60) miles northwest of Los Angeles. Santa Paula Creek is a perennial creek with high gradient that brings moderate to high flows.

### **Regional species and habitats of concern**

Regional species and habitats of concern obtained from the California Natural Diversity Database (CNDDDB) and the U.S. Fish and Wildlife Service (USFWS) Species List were used to determine species to study for the project. The California Endangered Species Act requires state lead agencies to consult with CDFG during the CEQA process to avoid jeopardy to Threatened or Endangered species. Caltrans determined that Direct Impacts to state-listed species from proposed project activities are not anticipated. However, coordination is needed for potential indirect impacts to Species of Special Concern in California.

### **Special Status Species**

Special status animal species that were listed in the CNDDDB or U.S. Fish and Wildlife Service species list, including southwestern pond turtle (*Actinemys marmorata pallida*), foothill yellow-legged frog (*Rana boylei*), Santa Ana sucker (*Catostomus santaanae*), arroyo chub (*Gila orcuttii*), southern steelhead (*Oncorhynchus mykiss irideus*), California red-legged frog (*Rana aurora draytonii*), and least Bell's vireo (*Vireo bellii pusillus*) were further studied to determine the potential impacts that the project may have and are discussed below.

### **Discussion of Southwestern Pond Turtle (*Clemmys marmorata pallida*)**

Southwestern pond turtle is listed as Species of Special Concern in California. They are often found in slow-moving waterways where movement to upland habitat and presence of basking sites is necessary. Upland habitat is necessary as that is where egg laying occurs. They also burrow underground over winter. Basking occurs in the warmer months on logs and boulders. They are aquatic and require a perennial water source. Their carapace is dark brown to olive colored, with a lack of prominent markings. They are known to move across terrestrial habitats to locate new water sources. Adults may live for 40 years or more and may persist for several years in poor aquatic conditions. This species is active year round in south coastal California.

Females lay eggs in open grassy areas adjacent to aquatic sites in May and June. The eggs are laid in a shallow nest excavated by the female. It is believed that most hatchlings overwinter in the nest site. Young turtles are often found under moist vegetation bordering suitable aquatic habitats. Both young and adult turtles fall prey to mammals, birds, reptiles, amphibians, and fish. Western pond turtles prey on aquatic plants, insects, and carrion.

### **Discussion of Foothill Yellow-Legged Frog (*Rana boylei*)**

Historically *R. boylei* occurred in most Pacific drainages west of the Sierra/Cascade Crest from the Santiam River, Marion Co., Oregon to the San Gabriel Drainage, Los Angeles Co., California (Ashton, D. T et al). Foothill yellow-legged frog is listed as Species of Special Concern in California. They are often found near perennial streams that have moderately high to high amounts of overhanging vegetation. They frequent rocky streams and rivers with rocky substrate and open, sunny banks in forest, chaparral, and woodlands. The timing of breeding is dependent on elevation. Documented breeding activities have been recorded as early as mid-April at low elevations, with breeding occurring 1-3 weeks later at higher elevations. Cobble and pebble are the preferred substrate for egg mass attachment, but egg masses have been found attached to aquatic vegetation, woody debris, and gravel (Ashton, D. T et al).

### **Discussion of Santa Ana Sucker (*Catostomus santaanae*)**

Santa Ana suckers are listed as Federally threatened species and they are endemic to the Los Angeles, San Gabriel, Santa Ana and Santa Clara River systems in southern California. Populations have been lost from several parts of the rivers, so that they now only live in the upper portion of the Los Angeles and San Gabriel drainages, and the lower part of the Santa Ana River, especially areas with additional water effluent from sewage treatment plants. There is an introduced population in the Santa Clara River, but it may have hybridized with another introduced sucker species.

Santa Ana sucker is a small fish, which reaches sexual maturity in its second year, and normally dies by its third year. It inhabits streams known for rapid rises in water levels due to floods, and near drought conditions much of the remainder of the year. Through adaptations such as short generation time and high fecundity, the species can survive well in these conditions. Spawning generally occurs from April through July. Santa Ana suckers feed mostly on algae, diatoms, and other detritus scraped from rocks on the drainage floor.

The Santa Ana sucker has potential habitat within, or directly downstream of the project area. The same barriers to Steelhead trout have also impeded this species' migration up Santa Paula Creek.

### **Discussion of Arroyo Chub (*Gila orcuttii*)**

Arroyo chub are listed as Species of Special Concern and can be found in slow moving, sand-bottomed streams. The arroyo chub are native to the Los Angeles and San Gabriel rivers, as well as a number of smaller coastal streams. It feeds on vegetation and insects. Breeding is fractured, and can occur anywhere from February to August. Spawning typically occurs in pools or quiet edge waters. After the embryos hatch, the next 3-4 months are spent in quiet water, among vegetation cover. Females reproduce after their first year, with lifespan not usually exceeding four years.

According to CNDDDB search, 13 arroyo chub were collected during an oil spill in 2000 near Santa Paula Creek, approximately five (5) miles upstream from the confluence of Santa Paula Creek and Sisar Creek, along Ojai Road.

### **Discussion of Steelhead trout (*Oncorhynchus mykiss*)**

The life cycle of steelhead generally involves rearing in freshwater for one to three years before migrating to the ocean and spending from one to four years maturing in the marine environment before returning to spawn in freshwater. The ocean phase provides a reproductive advantage because individuals that feed and mature in the ocean grow substantially larger than freshwater residents, and larger females produce proportionately more eggs; however, the freshwater phase provides protected rearing environment, relatively free of competition and predators. This life history strategy is referred to as "fluvial-anadromous". Out-migration to the ocean (i.e., emigration) usually occurs in the late winter and spring. In some watersheds, juveniles may rear in a lagoon or estuary for several weeks or months prior to entering the ocean. The timing of emigration is influenced by a variety of factors such as photoperiod, stream flow, temperature, and breaching of the sandbar at the river's mouth. These out-migrating juveniles, termed smolts, live and grow to

maturity in the ocean for two to four years before returning to freshwater to reproduce (NMFS 2011).

Steelhead trout are unique in their ability to spawn more than once before they die. The Southern California Steelhead distribution range stretches from the Santa Maria River at its north most extent to San Mateo Creek in San Diego County. Southern California Steelhead likely have great physiological tolerances to warmer water and more variable conditions. Federal listing refers to populations from Santa Maria River, South to the Southern extent of its range from San Mateo Creek in San Diego County (CNDDB).

Migration and life history patterns of southern California steelhead depend more strongly on rainfall and stream flow than is the case for steelhead populations farther north. River entry ranges from early November through June, with peaks in January and February. Spawning primarily begins in January and continues through early June, with peak spawning in February and March. Average rainfall is substantially lower and more variable in the southern California ESU than in regions to the north, resulting in increased duration of sand berms across the mouths of streams and rivers and, in some cases, complete dewatering of the marginal habitats.

Sisar Creek and Santa Paula Creek are known critical habitat for steelhead and support small populations of steelhead, with adults migrating into Sisar Creek and Santa Paula Creek from the Santa Clara River. However, the proposed project will not affect the specific area occupied by steelhead or the overhanging vegetation adjacent to the creek. At its closest, the creek is approximately 60 ft away from where it meanders towards the embankment.

#### **Discussion of California Red-Legged Frog (*Rana aurora draytonii*)**

The California red-legged frog (CRLF) was listed as Federally Threatened in 1996 (USFWS 2002). This subspecies of red-legged frog occurs from sea level to elevations of about 1,500 meters (5,200) feet. Nearly all sightings have occurred below 1,050 meters (3,500 feet) (Natural Diversity Database 2001). It has been extirpated from 70 percent of its former range and now is found primarily in coastal drainages of central California, from Marin County, California, south to northern Baja California, Mexico. Potential threats to the species include elimination or degradation of habitat from land development and land use activities and habitat invasion by non-native aquatic species.

The CRLF requires a variety of habitat elements with aquatic breeding areas embedded within a matrix of riparian and upland dispersal habitats. Breeding sites of the CRLF are in aquatic habitats including pools and backwaters within streams and creeks, ponds, marshes, springs, sag pond, dune ponds, and lagoons. Additionally, CRLF frequently breed in artificial impoundments such as stock ponds (USFWS 2002).

CRLF are primarily pond frogs, but they also inhabit marshes, streams, and lagoons during the breeding season. During other parts of the year, some frogs remain at breeding sites while others disperse to other areas. Non-breeding habitat includes nearly any area within 1.2-1.8 miles (2–3 km) of a breeding site that stays moist and cool through the summer. This

includes coyote bush and California blackberry thickets, and root masses associated with willow and California bay trees (CNDDDB).

No critical surveys have been done at this location. Instead, Caltrans has assumed presence for CRLF in the project location. Presence of CRLF is assumed due to the proximity of known critical habitat, known populations and the presence of suitable Southern Willow Scrub habitat dominated by willows. Furthermore, during Informal Consultation between Caltrans and USFWS, the USFWS has indicated the project site habitat is only of “fair” quality in terms of its potential to support CRLF.

#### **Discussion of least Bell’s vireo (*Vireo bellii pusillus*)**

The least Bell's vireo (LBV) was listed as a state Endangered species by the California Fish and Game Commission in 1980, and as a Federally Endangered species in 1986. Critical habitat for the species was designated in 1994.

Originally when listed, LBV populations were limited to eight counties south of Santa Barbara, with the majority in San Diego County. A majority of the current vireo population still occurs in San Diego County (specifically, the Marine Corps Base Camp Pendleton), but they have since expanded into their historic range and are now recolonizing sections of the Santa Clara River in Ventura County, the Mojave River (San Bernardino County), and even near Gilroy (Santa Clara County).

In Southern California, LBV have strongly responded to brown-head cowbird control. In the decade since listing, least Bell's vireo numbers have increased 10-fold, and the species is expanding into its historic range. In 2006, there were 2,968 known territories. Stable or increasing vireo populations, including those along the Santa Clara River in Los Angeles and Ventura Counties, now number 119 territories (in 2001), close to the total number of 117 estimated territories in Ventura County from 2001 to 2005 (USFWS LBV 5-Year Review, 2006).

Breeding habitat for the LBV consists primarily of lowland riparian habitats from near sea level on the coast to 4,000 feet (approximately 1,200 meters) above mean sea level in the interior (CDFG 2005). The most critical structural component of breeding habitat is a dense shrub layer approximately 3.3 to 6.6 feet (approximately 1 to 2 meters) above ground level, where nests are typically built within 3.2 feet (1 meter) of the ground in the fork of willows (*Salix spp.*), roses (*Rosa spp.*), mulefat (*Baccharis salicifolia*), or other low-growing cover (USFWS 1994). Desert breeders may nest along dry washes where mesquite (*Prosopis spp.*) and arrow-weed (*Pluchea sericea*) are located nearby (Small 1994). Vegetation surrounding nests in low, dense shrubs is generally moderately open midstory with an overstory of willow, cottonwood (*Populus spp.*), California sycamore (*Platanus racemosa*), or oak (*Quercus spp.*). Canopy cover of LBV breeding habitat is usually more than 50 percent.

The LBV may arrive on its breeding grounds as early as mid-March and depart by September, although some individuals have been observed into late November (Kus B, 2002). Male LBVs generally arrive before females and tend to relocate in the same territory, showing a high degree of nest-site fidelity. Most LBV pairs are monogamous. Nest building

begins soon after the pair arrives in late March, with peak egg laying beginning in May and continuing into early June (Zeiner 1990). Egg-laying begins one to two days after nest completion and lasts for four days. The white, non-glossy eggs are on average 0.69 inches (17.5 millimeters) in length. Most have fine brown, black, or reddish-brown dots concentrated on the egg's larger end, but may lack spots. Clutch size ranges from 3 to 5, with 4 being the most common. Loss of eggs because of nest parasitism by brown-headed cowbird is not compensated by laying additional eggs. Incubation begins with the laying of the first egg and usually lasts 14 days. Both genders incubate eggs, brood young, and feed young in the nest and for an additional 20 days post-fledging (Brown 1993).

Most young fledge 10 to 12 days after hatching. Two broods per season are normal. Nests are generally used only once, with construction of a new nest occurring after the first clutch fledges or new predation occurs (Brown 1993).

Critical surveys were not performed at this location. Instead, Caltrans has assumed presence for LBV in the project location. Presence of LBV is assumed due to the proximity of known critical habitat, known populations and LBV's expanding habitat range. Furthermore, during Informal Consultation between Caltrans and USFWS, the USFWS has indicated the project site habitat is only of "fair" quality in terms of its potential to support LBV.

## **Impacts**

### **The Area of Impact**

The total area of impact is 0.386 acre (impacts from the top barrier, retaining wall footing and temporary access road). Construction of the bottom retaining wall will require a temporary access road for the project location at PM 29.4. The temporary impact area for the access road is calculated to be 0.275 acre, or 12000 square feet. The permanent impact from the retaining wall will be 0.111 acre.

A total of two erosion control barriers will be built at PM 29.4 and at 27.37. The proposed erosion control barrier at PM 29.4 has a dimension of 122 linear ft with a width of 3.33 ft. The proposed erosion control barrier at PM 27.37 has a dimension of 60 linear ft with a width of 3.33 ft. The top barriers will prevent surface runoff from flowing over the slope and direct it towards down drains. Construction of the top barriers will not require an access road as construction will be done from the roadway.

### **Project Impacts**

Approximately six old growth coast live oaks (*Quercus agrifolia*) will be removed. Additionally, three old growth California Sycamore trees will be impacted in the installation of the lower retaining wall. The six old growth coast live oaks and three California Sycamores appear to have a DBH approximately 10 inches or greater based on visual analysis.

The total area of impact is 0.386 acre (impacts from the top barrier, retaining wall footing and temporary access road). Construction of the bottom retaining wall will require a temporary access road for the project location at PM 29.4. The temporary impact area for the

access road is calculated to be 0.275 acre, or 12,000 square feet. The permanent impact from the retaining wall will be 0.111 acre.

The following Trees and Saplings will be impacted as part of the 0.386 acre impact:

Sycamore Trees: 3

Sycamore Sapling Shrubs: 64

Cottonwood Trees: 2

Cottonwood Sapling Shrubs: 268

Willow Trees: 0

Willow Sapling Shrubs: 434

Least Bell's Vireo. Although potential habitat is present for least Bell's vireo (LBV), the proposed project is not likely to adversely affect this species. Construction is scheduled outside of the bird nesting season and strict adherence to the biological provisions will be followed.

California Red-legged frog. The proposed project is likely to adversely affect this species due to the disturbance of potential habitat. Suitable California Red-legged frog (CRLF) habitat was observed in the study areas adjacent to Santa Paula and Sisar Creek. Construction activities may require capture and relocation of CRLF to suitable habitat. However, relocation if any should be minimal due to the fact that the project site is not located within critical habitat.

Steelhead Trout. While the proposed project is located outside of the geographical area occupied by steelhead, it is not unlikely that an elevated creek flow resulting in the washout of infill or debris from the project area could occur. Therefore, due to a reasonable probability of this occurrence, the proposed project may affect, and is likely to adversely affect this species even if the proposed biological provisions are adhered to.

Southwestern Pond Turtle. Direct impacts are not expected since all work will be away from the creek and overhanging vegetation. Indirect impacts from a storm event have the potential to wash away fill material from the project site and temporarily impact the water quality downstream. Construction noise impacts are also a potential temporary impact. These noise impacts could cause adjacent individuals to stay off basking sites, and cause problems for individuals with regard to thermal regulation. This could in turn lower overall fitness, and increase the chance for mortality.

Santa Ana Sucker. The project will not require water diversion, and will not encroach into the low flow portion of the creek. However, since work will occur adjacent to the low flow channel, there is the potential for indirect, temporary impacts. Direct mortality of Santa Ana sucker could occur as a result of a washout of infill or debris from the project area. A washout would have a temporary effect on turbidity and sedimentation in Santa Paula Creek.

The proposed project will not affect the specific area occupied by Santa Ana sucker or the overhanging vegetation adjacent to the creek. At its closest, the creek is approximately 60 ft away from where it meanders towards the embankment.

Arroyo Chub. The project will not require water diversion, and will not encroach into the low flow portion of the creek. However, since work will occur adjacent to the low flow channel, there is the potential for indirect, temporary impacts. Direct mortality of arroyo chub could occur as a result of a washout of infill or debris from the project area. A washout would have a temporary effect on turbidity and sedimentation in Santa Paula Creek.

Foothill Yellow-Legged Frog. Direct impacts are not expected since all work will be away from the creek and overhanging vegetation. Indirect impacts from a storm event have the potential to wash away fill material from the project site and temporarily impact the water quality downstream. Construction noise impacts are also a potential temporary impact. This could in turn lower overall fitness, and increase the chance for mortality.

### ***Avoidance, Minimization, and/or Mitigation Measures***

No water diversion is proposed for this project, and construction within the floodplain of the stream will be restricted to June 1 through October 30 of each year. Construction outside of this window will be restricted to installing the erosion-control barriers along the side of SR-150 (at least 60 horizontal feet from each stream channel).

Best management practices will be implemented during construction to minimize impacts to steelhead and aquatic habitat in Santa Paula and Sisar creeks. These practices include sediment-control measures to minimize erosion, concrete-containment measures, and fueling, maintaining, and parking heavy machinery away from the creek channel and sensitive habitats. Short-term increases in turbidity owing to the proposed action are anticipated to last a few hours after the first rain event of the winter, but the magnitude of the increase is not expected to be greater than background concentrations. Noise and vibration resulting from drilling and installation of the CIDH piles are not expected to affect steelhead because drilling will occur on land, about 45-feet distant from the wetted channel. Thus, indirect effects to steelhead and aquatic habitat from temporary elevated turbidity levels, runoff, or noise are not expected.

Construction equipment will be positioned on the shoulder of SR-150 or on access paths that closely follow the embankment terraces, avoiding mature trees and staying at least 25-feet from stream channels. Project construction would not require construction equipment to access the floodplain or stream channels. In addition, access paths would be restored to their original condition following construction. Thus, adverse impacts to the stream channels, floodplains, and floodplain connectivity from the proposed action are not expected.

The current failed slopes are nearly vertical and are mostly devoid of shade-providing vegetation. While some vegetation is proposed for removal from the top and side of some parts of the banks, this vegetation is at least 15-feet distant from the stream channels and does not provide shade to aquatic habitat. Vegetation will not be removed from the toe of the low-flow channel in either stream. Following construction, project areas will be replanted with native vegetation, including 50 California sycamores, 150 black cottonwoods, 200 arroyo willows, and 200 sandbar willows. This vegetation is expected to quickly recolonize the slopes following the stabilization project. Thus, impacts to riparian vegetation within the action area are expected to be discountable

Environmentally Sensitive Area (ESA) fencing will be used to avoid impacts to sensitive areas. The ESA limits will be shown on the final plan sheets and prior to construction the Resident Engineer shall contact the District 7 Construction Liaison in order to set up the ESA limits in the field.

### **Species Protection**

Red-legged frog. It is anticipated that red-legged frog may be present in streams impacted through construction activities. All construction activities shall take place outside the low-flow area of the creek when flow is present in the identified stream.

Steelhead Trout. Different steelhead populations migrate upriver at various times of the year. "Summer-run steel head" migrate between May and October and "winter-run steel head" mature fully in the ocean before migrating, between November and April, and spawn shortly after returning. It is anticipated that "winter-run steel head" may potentially be impacted through project-related activities. For this reason all activities shall take place when there is no flow present in the identified stream course. No use of visqueen, or any other plastic tarps or draping materials are authorized in a wetted stream. If it becomes necessary to work in a wetted portion of a stream, a diversion plan will be submitted PRIOR to implementation that will be approved by the DFG in writing prior to the diversion's placement.

Southwestern Willow Flycatcher. This species has been recognized for using marginal habitat throughout multiple watersheds in Ventura and Los Angeles Counties. Protocol level surveys shall be conducted in areas where marginal willow and mulefat scrub habitat may be affected by permanent or temporary impacts. If construction activities are proposed to commence during the nesting season, protocol level nesting bird surveys within the DFG's jurisdiction must be conducted, during appropriate migration and nesting periods, and be concluded within three-days of the onset of any site preparation, construction, or other project-related activities.

Least Bell's Vireo. This species has been recognized for using marginal habitat throughout multiple watersheds in Ventura and Los Angeles Counties. Protocol level surveys shall be conducted in areas where marginal willow and mulefat scrub habitat exist if there is potential for permanent or temporary impacts. If construction activities commence during the nesting season, protocol level nesting bird surveys within the DFG's jurisdiction must be conducted, during appropriate migration and nesting periods, and be concluded within three-days of the onset of any site preparation, construction, or other project-related activities.

Southwestern Pond Turtle. Pre-construction trapping surveys shall be conducted by a qualified biologist for the southwestern pond turtle (in areas of ponded water only) within the proposed impact areas within the boundaries of DFG jurisdiction.

Two-Striped Garter Snake. Pre-construction trapping surveys shall be conducted for the two-striped garter snake (in areas of ponded water only) within the proposed impact areas within the boundaries of the DFGs jurisdiction.

Swallows. It is anticipated that swallows may nest on bridges and other structures between February 15th and September 1st. Swallows shall be allowed to nest on portions of the bridges where conflicts are not anticipated.

Bats. It is anticipated that roosting big brown bats and Brazilian free-tailed bats may be present on structures identified in the project footprint. To prevent harm or death to any adult bat or its young, work on or near bridges or other structures will be avoided when it would disturb roosting bats (February 15<sup>th</sup> - September 30<sup>th</sup>). A qualified biologist familiar with the life history of bats shall conduct, at minimum, a presence/absence survey of the bridge hinges and joints within the proposed work area.

Presence/Absence Surveys. Due to the potential occurrence, or locally known presence of: steelhead, red-legged frog, southwestern pond turtle (trapping surveys only in areas with annual ponded water), two-striped garter snake, southwestern willow flycatcher, least Bell's vireo, big brown bat, and Brazilian free-tailed bat pre-construction presence/absence surveys by a qualified biologist shall be conducted for these species in work areas no more than 30 days prior to any site preparation, clearing, or project related activities. If any of the above stated species are identified in project work areas, activities shall cease until the species has moved to a different location on its own accord or until the biological monitor has successfully relocated the species to an area out of harm's way.

Special Status Species. If special-status species are observed within harm's way, the following protection measures shall be implemented at the discretion of the monitoring biologist: 1) Utilize shovel, rake, or similar hand tool to gently re-direct the animal out of work area; 2) Install silt fence or other exclusionary fencing to prevent species from re-entering disturbance area; and 3) Capture/relocate species to appropriate habitat outside the disturbance area. All required authorizations and permits must be obtained prior to such activities. The biological monitor will have authority to temporarily stop construction activities until the species is determined to be out of harm's way.

## List of Preparers

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The following Caltrans District 7 staff contributed to the preparation of this Initial Study:

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# Appendix A

<b>Biological Provisions</b>	<b>Description</b>
<b>BIO-01</b>	<b>Pre-Construction Surveys:</b> Biological surveys of the project area shall be performed in locations having increased biological sensitivity as determined by the District Biologist. Surveys shall be conducted at most two weeks prior to the clearing and grubbing of vegetation.
<b>BIO-02</b>	<b>Nesting Bird Surveys:</b> Surveys for nesting birds shall be conducted when clearing and grubbing of vegetation.
<b>BIO-03</b>	<b>Water Quality BMPs:</b> All applicable Construction Best Management Practices for water quality shall be implemented to minimize project affects to jurisdictional drainages. All Federal and State litter laws shall be followed by the contractors.
<b>BIO-04</b>	<b>Native Tree Replacement:</b> Naturally existing native trees shall be replaced at a ratio of 1:1 onsite. Additional biological provisions shall be replaced at a negotiated rate with jurisdictional agencies.
<b>BIO-05</b>	<b>Access Path:</b> Access will be limited to one pathway only. The designed pathway will have the least impact to the native plants and riparian habitat. Access limit will be flagged or marked out. Access path will be blocked so as not to allow public access upon project completion.
<b>BIO-06</b>	<b>Construction Window:</b> Work will be conducted during September 1 <sup>st</sup> to February 14 <sup>th</sup> . This is a biological provision for Least Bell's Vireo. Work will occur during daylight hours only, to minimize impacts on nocturnal wildlife activity.
<b>BIO-07</b>	<b>Staging Area:</b> Vehicle maintenance will not be conducted in the streambed, herein defined as the channel through which a natural stream of water runs or used to run.
<b>BIO-08</b>	<b>Environmental Sensitive Area:</b> An environmental sensitive area (ESA) shall consist of an area within and near the limits of construction where access is prohibited or limited for the preservation of archeological site or existing vegetation, or protection of biological habitat as shown on the plans.

<b>BIO-09</b>	<b>Riparian Habitat/ Waters of the U.S. Impacts:</b> Regulatory permits from the U.S. Army Corps of Engineers, Los Angeles Regional Water Quality Control Board and the California Department of Fish and Game shall be obtained for project impacts to jurisdictional drainages. Impacts to riparian habitat will be avoided in consultation with the regulatory agencies once drainages design details are finalized.
<b>BIO-10</b>	<b>Ground Water</b> Ground water seepage within the project area will be containerized and taken offsite to prevent sediments from entering the lagoon downstream.
<b>BIO-11</b>	<b>LBV – Work Outside Bird Nesting Season</b> Caltrans will schedule construction outside of the bird nesting season (September 2 through February 14) in order to avoid impacts to LBV. Any sighting of an LBV in the construction limits or directly adjacent will trigger a notification to USFWS, for purposes of additional guidance.
<b>BIO-12</b>	<b>LBV-Pre-construction Protocol level surveys</b> Pre-construction surveys following the appropriate protocols for locating and identifying LBV will be done by a qualified ornithologist, approved by USFWS prior to initiation of work. If least Bell's vireo is found within 500 ft of the construction site, work will stop until the nesting has been completed and the birds have left the area.
<b>BIO-13</b>	<b>ESA fencing</b> Construction limits will be marked in the field and indicated by flagging, stakes and construction ESA fencing. Construction personnel would be instructed on the ecological sensitivity of the area.
<b>BIO-14</b>	<b>CRLF - Pre-construction Protocol level surveys</b> Pre-construction surveys will be done by a qualified herpetologist with experience in locating and identifying CRLF and approved by USFWS, prior to initiation of work. If any CRLF are located work will not commence until coordination with USFWS has occurred.
<b>BIO-15</b>	<b>Biological Monitor</b> A biological monitor with experience in locating and identifying specific sensitive species will be on-site at all times throughout the duration of construction activities within the riparian zone. If any sensitive species are observed during construction work, all work will halt until such time as a permitted biological monitor can be present to help relocate any individuals found and USFWS has been notified.

<b>BIO-16</b>	Caltrans will adhere to all biological provisions listed in the FHWA programmatic BO for CRLF. “Programmatic Biological Opinion for Projects Funded or Approved under Federal Aid Program (HAD-CA, File#: Section 7 with Ventura USFWS, Document #: S38192) (1-8-02-F-68)”
<b>BIO-17</b>	<b>Do not work in flowing water</b>
<b>BIO-18</b>	<b>Sedimentation Control Measures</b> Typical sediment control devices include siltation curtains, sandbags, hay bales, filter fabrics, and fiber rolls. Caltrans and CDFG manuals provide instruction and appropriate methodologies for deployment of sediment control devices.
<b>BIO-19</b>	<b>Prevent spills and leakage from heavy equipment:</b> Any heavy equipment used in the project area will be removed at the end of each workday. All heavy equipment will be checked for oil leaks, gas, hydraulic fluid and any other pollutant which could impact water quality and instream habitat each workday prior to being deployed into the project area. Drip pans should be installed on all equipment working in the project area to control leaks and for the purpose of avoiding water-quality impacts to surface waters.

# Appendix B

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## **Comments Received during the Public Circulation Process**

**NATIVE AMERICAN HERITAGE COMMISSION**

915 CAPITOL MALL, ROOM 364  
SACRAMENTO, CA 95814  
(916) 653-6251  
Fax (916) 657-5390  
Web Site [www.nahc.ca.gov](http://www.nahc.ca.gov)  
ds\_nahc@pacbell.net



August 13, 2012

Ms. Natalie Hill, Environmental Planner

**California Department of Transportation - District 7**

100 S. Main Street  
Los Angeles, CA 90012

Re: SCH#2012071089 CEQA Notice of Completion; proposed Negative Declaration for the "State Route 150 Slope Stabilization and Erosion Control Project;" located near the City of Santa Paula; Ventura County, California.

Dear Ms. Hill:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3<sup>rd</sup> 604).

This letter includes state and federal statutes relating to Native American historic properties or resources of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9. This project is also subject to California Government Code Section 65352.3 *et seq.* This project is also subject to California Government Code Section 65352.3 *et seq.* This project is also subject to California Government Code Section 65352.3 *et seq.*

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC recommends that the lead agency request that the NAHC do a Sacred Lands File search as part of the careful planning for the proposed project. This area is known to the NAHC to be very culturally sensitive.

The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties, including archaeological studies. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 requires documentation, data recovery of cultural resources.

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254( r) and may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

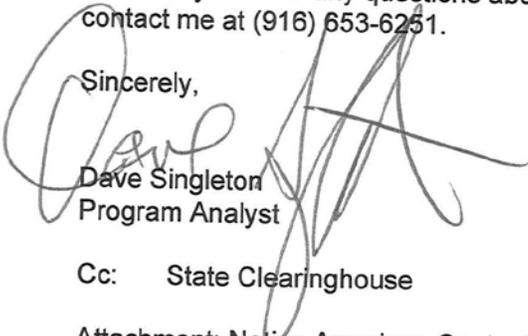
Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,



Dave Singleton  
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

- NAHC-1:** The project was reviewed using the screening criteria contained in the January 1, 2004 Programmatic Agreement among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation regarding Compliance with Section 106 of the National Historic Preservation Act (106 Programmatic Agreement). Background research also consulted, includes the information contained in the National Register of Historic Properties (current), the California Register of Historical Resources (current), the California Inventory of Historic Landmarks (1976), and the California Historical Landmarks (1992).
- NAHC- 2:** The Final Environmental Document will be mailed to the Native American contacts provided on the list.
- NAHC- 3:** It was determined that there is zero possibility that any cultural resources eligible for or listed on either the National Register of Historic Places or the California Register of Historical Resources will be affected by the proposed undertaking, and this project is exempt from further review pursuant to Stipulation VII and Attachment 2 (Class # 1, 11, and 13) of the 106 Programmatic Agreement.
- NAHC- 4:** There were no historical sites found in the screening of the project site and surrounding area. In the event that any resources are found, all avoidance and minimization measures would be taken to avoid the site.

**VENTURA COUNTY**  
**AIR POLLUTION CONTROL DISTRICT**  
Memorandum

TO: Carlos J. Montez, Branch Chief  
Division of Environmental Planning

DATE: August 22, 2012

FROM: Alicia Stratton

SUBJECT: Request for Review of Initial Study for the Slope Stabilization and Erosion Control Project, State Route 150

Air Pollution Control District staff has reviewed the subject initial study, which is a proposal for construction activities to stabilize slopes along highway embankments damaged from storm events in 2010. Field investigations have revealed damage to roadbed support sloped and heavily saturated soil. Caltrans proposes to stabilize the slope at two locations on State Route 150, near the City of Santa Paula.

Air quality was not identified as an issue of significant environmental impact in the initial study. We concur with this finding. Significant air quality impacts will not result from the project. Because the project is considered short-term and temporary in nature, any air quality impacts from the project will be less than significant. The following conditions are recommended to minimize any fugitive dust and particulate matter that may result from construction activities:

**1. Construction and Grading**

In order to ensure that fugitive dust and particulate matter that may result from any site preparation and construction activities are minimized., the Permittee shall comply with the provisions of applicable VCAPCD Rules and Regulations, which include but are not limited to, Rule 50 (Opacity), Rule 51 (Nuisance), and Rule 55 (Fugitive Dust) and Rule 55.1 (Public paved and unpaved roads), as applicable.

If you have any questions, please call me at (805) 645-1426.

**VCAPCD-1:** Caltrans will include the applicable VCAPCD rules and regulations into the construction phase of the project.

VCAPCD-1

# Appendix C

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## Section 4(f) *de minimus* Findings

# county of ventura

September 17, 2012

Natalie Hill  
Associate Environmental Planner  
California Department of Transportation  
District 7, Division of Environmental Planning  
100 S. Main Street, MS-16A  
Los Angeles, CA 90012

Subject: Concurrence on Impacts to Steckel Park of VEN-150 Slope Stabilization and Erosion Control Project

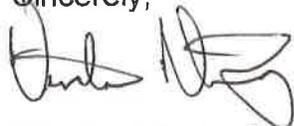
Dear Natalie,

I am writing this letter regarding concurrence for the Section 4(f) *de minimis* determination for the Ventura County Route 150 Slope Stabilization and Erosion Control Project. As the official with jurisdiction over Steckel Park, I hereby confirm that I have been informed of Caltrans' intent to make a determination of *de minimis* impact to Steckel Park. I concur that the referenced project would not adversely affect the activities, features, and attributes that qualify Steckel Park for protection under Section 4(f). The project would utilize land that is along the boundary of the park and there would be no impact to access to the park. A memo from the Parks Department has been provided to the Planning Division indicating that there would be no impairment to the use of Steckel Park because of the project (see attached).

The proposed project includes all appropriate measures to minimize harm and to preserve and enhance those features and values of the property that originally qualified the property for Section 4(f) protection. Post-construction, the area will be re-vegetated and no long-term impacts are anticipated.

If you have any questions, please contact me at 805-654-2468 or via e-mail at [Winston.wright@ventura.org](mailto:Winston.wright@ventura.org).

Sincerely,



Winston Wright, Permit Coordinator

C: Theresa Lubin, GSA Program Administrator

Attachment: Memo from Teresa Lubin, GSA Program Administrator





# county of ventura

**Paul S. Grossgold**  
Director

---

## GENERAL SERVICES AGENCY

Hall of Administration  
800 South Victoria Avenue, L#1000  
Ventura, CA 93009  
(805) 654-3700

August 24, 2012

TO: Winston Wright, Planning Division - L#1740

FROM: Theresa Lubin, Program Administrator - L#1030 *TL*

SUBJECT: Caltrans Project on VEN-150 at Steckel Park

The California Department of Transportation has been issued a right of entry permit from the Ventura County Parks Department to make repairs to the creek side of State Route - 150 at Steckel Park. The park is adjacent to the highway along the entire west boundary. The project as proposed will stabilize the slopes of the highway with erosion control barriers and a retaining wall along two sections at the toe of the slope. As described, the work will support the highway preventing additional erosion and slope failure.

According to the scope of work, the project will not require water diversion and all work will be completed outside the channel. The site is heavily vegetated and separated from the public use areas within the park by the maintenance yard. There will be a temporary staging area located in a portion of the park maintenance yard directly adjacent to the work area. As a result, the work will not adversely affect the existing recreational use of the property as long as the land will be restored to the pre-construction condition once the project is complete.

Based on the project scope and use of the property it is unlikely that the repair and stabilization of the highway would adversely affect the activities, features or attributes of the park.

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