

US EPA ARCHIVE DOCUMENT

Chapter 4 List of Preparers

This Environmental Assessment/Initial Study (EA/IS) was prepared by the City of Chino Hills in cooperation with the District 08 of the California Department of Transportation. The following individuals were involved in the preparation of this EA/IS:

Consultant Team

Bruce R. Grove Jr. R.E.A., Project Manager, Environmental Services, RBF Consulting. B.A., Environmental Planning, California State University, Chico; **8 years of experience.** *Contribution: Environmental Documentation Project Manager and Special Studies.*

Youji R. Yasui, Environmental Analyst, RBF Consulting. B.A., Environmental Analysis and Design, University of California, Irvine; 4 years of experience. *Contribution: Environmental Analysis.*

Stephanie Melton, Environmental Analyst, RBF Consulting. B.A., Environmental Analysis and Design, University of California, Berkeley; 2 years of experience. *Contribution: Environmental Analysis.*

Bob Matson, Vice President, Transportation Planning, RBF Consulting. B.S., California State Polytechnic University, Pomona; 20 years of experience. *Contribution: Traffic Study.*

Anthony Ng, P.E., Project Engineer, RBF Consulting. B.S., Civil Engineering, California State Polytechnic University, Pomona; 8 years of experience. *Contribution: Project Design Engineering.*

Chad Costello, P.E., Project Engineer, RBF Consulting. B.S., Civil Engineering, California State Polytechnic University, Pomona; 10 years of experience. *Contribution: Project Design Engineering*

Richard Beck, Regulatory Manager, RBF Consulting. B.A., Environmental Studies, University of California, Santa Cruz. 6 years of experience. *Contribution: Jurisdictional/Wetland Delineation.*

Kevin Thomas, Environmental Services Manager, RBF Consulting. B.A., Environmental Engineering, University of California, Los Angeles. 20 years of experience. *Contribution: Environmental Assessment/Initial Study*

Pamela Foxley, Environmental Planner, RBF Consulting. B.A., 2001, Sociology, Colby College, Waterville, Maine. 2 years of experience. *Contribution: Environmental Assessment/Initial Study*

Noel Legaspi, LSA Associates, Inc. B.A. Environmental Analysis and Design, University of California, Irvine. *Contribution: Community Impact Assessment, Relocation Impact Statement*

Jack Easton, Principal Biologist, LSA Associates, Inc. *Contribution: Natural Environment Study, Assessment of Wetlands and Other Waters Report, Biological Assessment*

Tony Chung, Principal, Director of Acoustical and Air Quality Services, LSA Associates, Inc. P.h.D, Mechanical Engineering, University of California, Los Angeles. *Contribution: Air Quality Analysis, Noise Impact Analysis.*

Wendy Walters, Biologist, LSA Associates, Inc. Contribution: *Natural Environment Study, Biological Assessment*

Caltrans District 08 Staff

Marie J. Petry, Office Chief, Environmental Studies/Support B

Alicia Colburn, Associate Environmental Planner, Local Assistance

Aaron Burton, Biologist, Environmental Studies

Tony Louka, Office Chief, Environmental Engineering (Air/Acoustical/Hazmat)

David Bricker, Office Chief, Environmental Support/Cultural Studies



Chapter 5 Distribution List

California Department of Fish and Game Attn: Office Technician 3602 Inland Empire Blvd., Suite C-220 Ontario, CA 91764	State Clearinghouse Governor's Office of Ranning and Research Attn: Director P.O. Box 3044 Sacramento, CA 95812-3044	California Department of Fish & Game Habitat Conservation Program Region 6 Attn: Regional Manager 4665 Lampson Ave., Suite J Los Alamitos, CA 90720
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Southern California Association of Governments Attn: Manager of Environmental Ranning 818 W. 7 th Street, 12 th Floor Los Angeles, CA 90017	Intergovernmental Review Caltrans Districts Attn: Director 464 W. Fourth Street, 6 th Floor, MS 722 San Bernardino, CA 92401-1400	Regional Water Quality Control Board Santa Ana Region Attn: Executive Director 3737 Main Street, Suite 500 Riverside, CA 92501-3339
Santa Ana Watershed Project Authority Attn: General Manager 11615 Sterling Avenue Riverside, CA 92503	South Coast Air Quality Management District CEQA Section Attn: Program Supervisor 21865 E. Copley Drive Diamond Bar, CA 91765-4182	Los Angeles County Department of Public Works Attn: Director 900 S. Fremont Avenue Alhambra, CA 91803
County of San Bernardino Attn: Clerk of the Board 385 N. Arrowhead Avenue San Bernardino, CA 92415	Department of Regional Ranning Hall of Records (13 th Floor) Attn: Director 320 W. Temple Street Los Angeles, CA 90012	County of San Bernardino Environmental Health Services Land Use Program Attn: Program Manager 385 N. Arrowhead Avenue San Bernardino, CA 91415-0160
County of San Bernardino Land Use Services Division Attn: Director 385 N. Arrowhead Avenue, 1 st Floor San Bernardino, CA 92415-0182	County of San Bernardino Pubic Works/Transportation/Flood Control Attn: Director 825 E. Third Street San Bernardino, CA 92415-0835	County of Riverside Transportation and Land Use Development Department Attn: Ranning Director 4080 Lemon Street, 7 th Floor Riverside, CA 92502-1090
County of Orange Sanitation District Environmental Compliance Division Attn: General Manager 10844 Bliss Avenue Fountain Valley, CA 91708	San Bernardino Associated Governments Attn: Director of Planning and Programming 1170 W. 3 rd Street San Bernardino, GA 92410-1715	County of Orange Ranning and Development Services Department Attn: Manager P.O. Box 4048 Santa Ana, CA 92702-4048

Orange County Public Facilities and
Resources Department
Attn: Director
300 N. Rower Street, 7th Floor
Santa Ana, CA 92703-5000

Southern California Edison
Attn: Region Manager
1351 E. Francis Street
Ontario, CA 91761-5796

City of Yorba Linda
Attn: Community Development Director
4845 Casa Loma Avenue
P.O. Box 87014
Yorba Linda, CA 92886

City of Pomona
Community Development Department
Attn: Planning Manager
505 S. Garey Avenue
Pomona, CA 91766

Cahuilla Band of Indians
Chairperson
P.O. Box 391760
Anza, CA 92539

Soboba Band of Mission Indians
Robert J. Salgado, ST., Chairperson
P.O. Box 487
San Jasinto, CA 92581

Hills for Everyone
Attn: Claire Schlotterbeck
P.O. Box 9835
Brea, CA 92622-1835

Building Industry Association
Baldy View Chapter
Attn: Executive Officer
8711 Monroe Ct, Suite B
Rancho Cucamonga, CA 91730

Chino Valley Chamber of Commerce
13150 7th Street
Chino, CA 91710

Chino Hills Branch Library
Reference Section
2003 Grand Avenue
Chino Hills, CA 91709

Range County Water District
Attn: District Manager
P.O. Box 8300
Fountain Valley, CA 92728-8300

Richard W. Atwater
Chief Executive Officer/District Mgr.
Inland Empire Utilities Agency
6075 Kimball Avenue
Chino, CA 91710

Adelphia Communications
Attn: General Manager
1500 S. Auto Center Drive
Ontario, CA 91761

The Gas Company
Attn: Project Manager
13525 12th Street
Chino, CA 91710

Chino Valley Unified School District
Attn: Director of Facilities/Planning
5130 Riverside Drive
Chino, CA 91710-4130

City of Chino
Community Development Department
Attn: Community Development Director
P.O. Box 667
Chino, CA 91708-0667

City of Brea
Development Services Department.
Attn: City Planner
1 Civic Center Circle
Brea, CA 92821-5732

Gabrieleno/Tongva Tribal Council
Anthony Morales, Chairperson
P.O. Box 693
San Gabriel, CA 91778

Serrano Band of Indians
Gddie Walker
6588 Valeria Drive
Highland, CA 92346

Sierra Club, Los Serranos Group
San Gorgonio Chapter
Attn: Conservation Chair
P.O. Box 906
daremont, CA 91711

Omnitrans
Attn: General Manager
1700 W. Fifth Street
San Bernardino, CA 92411

Chino Hills Disposal
Attn: Mr. Ric Collett
P.O. Box 309
Anaheim, CA 92815

Verizon
Attn: Mr. Raul Chavez, Engineer
1400 E. Philips Boulevard
Pomona, CA 91766

Chino Valley Independent Fire District
Attn: Fire Chief
2005 Grand Avenue
Chino Hills, CA 91709

City of Corona
Community Development Department
Attn: Planning Director
815 W. Sixth Street
Corona, CA 91720

City of Diamond Bar
Community Development Department
Attn: Community Development Director
21825 E. Copley Drive
Diamond Bar, CA 91765

San Manuel Band of Mission Indians
Henry Duro, Chairperson
26569 Community Center Drive
Highland, CA 92346

Center for Biological Diversity
P.O. Box 493
Idyllwild, CA 92549

Wildlife Corridor Conservation Authority
Attn: Executive Director
5810 Ramirez Canyon Road
Malibu, CA 90265

California Polytechnic University
Reference Library
3801 W. Temple Avenue
Pomona, CA 91768

MEMBERS OF THE CITY COUNCIL (5)

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MEMBERS OF THE PLANNING COMMISSION
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CHINO HILLS, CA 91710

DY, JIMMIE T
14724 LOST TRAIL DR
CHINO HILLS, CA 91709

SIXSMITH, WALTER A
3359DYNEL0 AVE
CHINO HILLS, CA 91709

LE, NGUYEN
3354DYNEL0 AVE
CHINO HILLS, CA 91709

LEE, BARBARA G
3358 BUCKINGHAM RD
CHINO HILLS, CA 91709

SLOAN, RON
3324WHIRLAWAYLN
CHINO HILLS, CA 91710

EDEM, MARY
3350 TACT CT
CHINO HILLS, CA 91709

ROJAS, SYLMAY
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CHINO HILLS, CA 91709

SCHAFFER, KENNETH L
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CHINO HILLS, CA 91709

GONZALES, ANGELA R
3254 FOREST MEADOW DR
CHINO HILLS, CA 91709

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3274 COTTONTAIL CIR
CHINO HILLS, CA 91709

GOULET, LOUIS L
2299AVENIDALAPAZ
CHINO HILLS, CA 91709

ALIZA-ABOOTORAB REV
3330 GRAND AVE
CHINO HILLS, CA 91709

ALMADA, ALBERT
3231 GIANT FOREST LOOP
CHINO HILLS, CA 91709

LDC COUGAR LLC
3290 WEMBLEY AVE
CHINO HILLS, CA 91710

RYDELL, MICHAEL A
3314WHIRLAWAY LN
CHINO HILLS, CA 91710

MINOGUE, FRANK A
3351 TULIP AVE
CHINO HILLS, CA 91709

EQUILON ENTERPRISES
3310 GRAND AVE
CHINO HILLS, CA 91709

FEATHER, JEFFREY JAY
3241 GIANT FOREST LOOP
CHINO HILLS, CA 91709

TELWAR, SHIV D
3262 FOREST MEADOW DR
CHINO HILLS, CA 91709

VAUGHAN, ROBERT A
3357 TUPELO AVE
CHINO HILLS, CA 91709

PACIFIC COAST
3295 GRAND AVE
CHINO HILLS, CA 91709

LOVING SAVIOR/HILLS
14840 PEYTON DR
CHINO HILLS, CA 91709

CAZARES, OCTAVIO
3356 TUPELO AVE
CHINO HILLS, CA 91709

AGAJANIAN, STEVE M
3277 GRAND AVE
CHINO HILLS, CA 91709

KHUSHALANI, BHAGWAN J
3257 COTTONTAIL
CHINO HILLS, CA 91709

CABALLERO, MADALENE
14566 PEYTON DR
CHINO HILLS, CA 91710

KOO, MEEKYUNG
14700 LOST TRAIL DR
CHINO HILLS, CA 91709

CHINO UNIFIED SCHOOL
14155 PEYTON DR
CHINO HILLS, CA 91710

GOMES, NORMA F
3340 TACT CT
CHINO HILLS, CA 91709

LDC COUGAR LLC
3272 WEMBLEY AVE
CHINO HILLS, CA 91710

OAKMONTSL OF CHINO
14837 PEYTON DR
CHINO HILLS, CA 9170

LDC COUGAR LLC
14913 CAMDEN AVE
CHINO HILLS, CA 91710

PACIFIC COAST
3289 GRAND AVE
CHINO HILLS, CA 91709

INNOCENZI, LINO A
14715 PEYTON DR
CHINO HILLS, CA 91709

DAVIS FAMILY TRUST
3260 PEPPERTREE PT
CHINO HILLS, CA 91709

LDC COUGAR LLC
3278 WEMBLEY AVE
CHINO HILLS, CA 91710

LAKSANA, MARTIN
3239 PEPPERTREE PT
CHINO HILLS, CA 91709

LDC COUGAR LLC
3284 WEMBLEY AVE
CHINO HILLS, CA 91710

WANG, JENNIFER C
14740 LOST TRAIL DR
CHINO HILLS, CA 91709

FONTENETTE, JESSE R
3273 COTTONTAIL CIR
CHINO HILLS, CA 91709

ZUNIGA, CARLOS
3360 TACT CT
CHINO HILLS, CA 91709

LAWTON FAMILY
13815 PEYTON DR
CHINO HILLS, CA 91709

PACIFIC COAST
13870 PEYTON DR
CHINO HILLS, CA 91709

VASQUEZ, SALVADORE R
14037 PEYTON DR
CHINO HILLS, CA 91709

STEVENS, GEORGE D
3334 WHIRLAWAY LN
CHINO HILLS, CA 91710

AMERICAN STORES
14848 PEYTON DR
CHINO HILLS, CA 91709

SANCHEZ, FRANK C
14715 PEYTON DR
CHINO HILLS, CA 91709

PACIFIC COAST
13850 PEYTON DR
CHINO HILLS, CA 91709

SAN BERNARDINO CO FLOOD
CONTROL DIST
825E3RDST
SAN BERNARDINO, CA

CHINO VALLEY COMMUNITY
CHURCH
14601 PEYTON RD
CHINO HILLS, CA 91709

PATEL, RITESH
2793 LA SALLE PT
CHINO HILLS, CA 91709

PAYNE RANCH ESTATES
HOMEOWNERS ASSN
12630 CENTRAL AVE
CHINO, CA 91710

CABALLERO, MADALENE
14566 PEYTON DR
CHINO HILLS, CA 91709

HAWKINS, RALPH L JR
14612 PEYTON DR
CHINO HILLS, CA 91709

CHINO UNIFIED SCHOOL
5130 E RIVERSIDE DR
CHINO, CA 91710

CANAAN INVESTMENT
5470 W. PICO BLVD.
LOS ANGELES, CA 91119

DAVIS FAMILY TRUST
3260 PEPPERTREE PT
CHINO HILLS, CA 91709

TALWAR, SHIV D
3262 FOREST MEADOW DR
CHINO HILLS, CA 9170

LUJAN, ANDREW C
3142 ENGLISH RD
CHINO HILLS, CA 9171

ARNOLD, JERRY L
3365 TACT CT
CHINO HILLS, CA 91709

MOHAMED, RAFAEEK
3355 TACT CT
CHINO HILLS, CA 91709

NGUYEN, LYNN B
14732 LOST TRAIL DR
CHINO HILLS, CA 91709

PACIFIC COAST
13890 PEYTON DR
CHINO HILLS, CA 91709

HANARO CHURCH
3233 ENGLISH RD
CHINO HILLS, CA 91710

GOCHEZ, OSCAR A
3254 GIANT FOREST LOOP
CHINO HILLS, CA 91709

WILSON, RALPH
3251 PEPPERTREE PT
CHINO HILLS, CA 91709

MAYNARD, BENJAMIN
3362 TULIP AVE
CHINO HILLS, CA 91709

PICHA, DOUGLAS
14550 RESERVOIR PL
CHINO HILLS, CA 91709

AMERICAN STORES
3292 CARBON CANYON RD
CHINO HILLS, CA 91709

TURNER, THERESE M
3266 COTTONTAIL CIR
CHINO HILLS, CA 91709

LDC COUGAR LLC
14909 CAMDEN AVE
CHINO HILLS, CA 91710

HAWKINS, RALPH L JR
14612 PEYTON DR
CHINO HILLS, CA 91709

MOE, JAMES R
MOE, LOIS
14551 PEYTON DR
CHINO HILLS, CA 91710

OREWYLER, ROBERT E JR
3373 ALDER PL
CHINO HILLS, CA 91709

HAWKINS, RALPH L JR
14612 PEYTON DR
CHINO HILLS, CA 91710

DIAZ, RUBEN
3338 WHIRLAWAY LN
CHINO HILLS, CA 91709

TOSCH, BRADLEY E
3258 COTTONTAIL CIR
CHINO HILLS, CA 91709

M ANALAYSAY, JOEY G
14716 LOST TRAIL DR
CHINO HILLS, CA 91709

CORP PRES BISHOP CH
3354 EUCALYPTUS AVE
CHINO HILLS, CA 91709

UNDERHILL, JAMES R
3344 WHIRLAWAY LN
CHINO HILLS, CA 91709

BALYS, ROBERT A
14560 RESERVOIR PL
CHINO HILLS, CA 91709

SGHEENSTRA, AL
3242 GIANT FOREST LOOP
CHINO HILLS, CA 91709

CHINO VALLEY
14601 PEYTON DR
CHINO HILLS, CA 91709

CHINO UNIFIED SCHOOL
5130 E RIVERSIDE DR
CHINO, CA 91710

UNITED STATES POSTAL
14071 PEYTON DR
CHINO HILLS, CA 91709

KELLY, BRIAN
3354 WHIRLAWAY LN
CHINO HILLS, CA 91710

MARTEL, DARRYL
14708 LOST TRAIL DR
CHINO HILLS, CA 91709

LOERA, ELOY
3265 COTTONTAIL CIR
CHINO HILLS, CA 91709

Albertson's, Inc.
3255 Grand Avenue
Chino Hills, CA 91709

Corp Pres Bishop Church
3332 Eucalyptus Avenue
Chino Hills, CA 91709

una* D .+ « n • e
C^o H^fCA 9T709
Chino Hills, CA 91709

Nancy Dixon
2885 English Road
Chino Hills, CA 91709

Gary Tetone
3102 Forest Meadow
Chino Hills, CA 91709

Terry Foley
3233 English Road
Chino Hills, CA 91709

Madan Bhatia
17426 Maplewood Drive
Chino Hills, CA 91709

Michael McGowan
14645 Morning Field Drive
Chino Hills, CA 91709

Bob, Yvette and Cindy Howey
2951 English Road
Chino Hills, CA 91709

Peter Rogers
15338 Cinnabar Court
Chino Hills, CA 91709

Bill and Maryann Hughes
3217 English Road
Chino Hills, CA 91709

Chino Hills Champion
ATTN; Marianne Napoles
P.O. Box 607 Chino
Chino, California 91708

Joe Anderson
14697 Foxwood Road
Chino Hills, CA 91709

Jim Galbugher
15214 Green Valley Drive
Chino Hills, CA 91709

John Bruner
3130 Forest Meadow Drive
Chino Hills, CA 91709

Ralph De Guzman
14708 Foxwood Road
Chino Hills, CA 91709

Residents who've asked to be included in future mailings regarding Peyton Dr./Eucalyptus Ave/English Channel Improvements

1. Promise Vaughan
3357 Tupelo Street
Chino Hills, CA 91709
2. John Brunner
e-mail: john.bruner@adelphia.net
3. John Bauer
Vintage Management Consultants
for Payne Ranch Association
1235 E. Francis Ave., Ste. E
Ontario, CA 91761
(909) 923-2924



9/14/04



CITY OF CHINO HILLS

2001 GRAND AVENUE
CHINO HILLS, CALIFORNIA 91709
(909) 164-2600 > (909) 364-2695 FAX

City Council:
Ed M. Graham
W.C. "Bill" Kruger
Gary G. Larson
Gwenn E. Norton-Perry

NOTICE OF PUBLIC SCOPING MEETING

DATE: Wednesday - May 12, 2004
TIME: 6:30 - 8:30 p.m.
PLACE: McCoy Equestrian & Recreation Center
14280 Peyton Drive
Chino Hills, CA 91709

NOTICE IS HEREBY GIVEN that the City of Chino Hills will hold a public scoping meeting at the above-referenced time and place to provide information and solicit public comments on the proposed **Peyton Drive/Eucalyptus Avenue Improvement Project** and **English Channel Improvement Project** in the City of Chino Hills.

PROJECT DESCRIPTION:

The proposed improvements are as follows:

1. Widen Peyton Drive to six lanes (three lanes in each direction) between Eucalyptus Avenue and Grand Avenue;
2. Widen Peyton Drive to four lanes (two lanes in each direction) between Chino Hills Parkway and Eucalyptus Avenue;
3. Extend Eucalyptus Avenue from its current terminus at Peyton Drive west, approximately 1,800 feet, to the area near Galloping Hills Road;
4. Construct drainage improvements on English Channel in the vicinity of Peyton Drive and Eucalyptus Avenue to eliminate localized flooding.

NOTICE IS HEREBY FURTHER GIVEN that this project is in the preliminary design and preparation of environmental documentation stages. Final design and environmental determination have not yet been completed. The purpose of this meeting is to introduce the preliminary plan to the public and solicit public comments.

Signed:

GARRY COHOE
CITY ENGINEER

POST: Thursday - April 29, 2004
MAIL: Thursday - April 29, 2004
PUBLISH: Saturday - May 1, 2004
Saturday - May 8, 2004
Chino Hills Champion

US EPA ARCHIVE DOCUMENT

PROOF OF PUBLICATION

STATE OF CALIFORNIA
County of San Bernardino

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the publisher of the CHINO CHAMPION, a newspaper of general circulation, printed and published weekly in the City of Chino, County of San Bernardino, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Bernardino, State of California, under the date of August 5, 1952, Case Number 73453; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

May 11

all in the year 2000 11

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Chino, California, this 8 day of

May 2004
Calvin Paulson
Signature^

Champion

Serving Chino Valley & Chino Hills

9th & D Streets-P.O. Box 607
CHINO, CALIFORNIA 91708
Phone (909) 628-5501

Adjudicated August 5, 1952
Case No. 73453

This space is for the County Clerk's Filing Stamp

NOTICE OF PUBLIC SCOPING MEETING Peyton Drive/Eucalyptus Avenue Improvement Project and English Channel Improvement Project

NOTICE IS HEREBY GIVEN that the City of Chino Hills will hold a public scoping meeting **Wednesday, May 12, 2004 from 6:30 to 8:30 p.m. at the McCoy Equestrian Center, 14280 Peyton Drive Chino Hills** to provide information and solicit public comments on the proposed Peyton Drive/Eucalyptus Avenue Improvement Project and English Channel Improvement Project in the City of Chino Hills.

PROJECT DESCRIPTION: The proposed improvements are as follows: Widen Peyton Drive to six lanes (three lanes in each direction) between Eucalyptus Avenue and Grand Avenue; Widen Peyton Drive to four lanes (two lanes in each direction) between Chino Hills Parkway and Eucalyptus Avenue; Extend Eucalyptus Avenue to from its current terminus at Peyton Drive west approximately 1,800 feet to the area near Galloping Hills Road; Construct drainage improvements on English Channel in the vicinity of Peyton Drive and Eucalyptus Avenue to eliminate localized flooding.

NOTICE IS HEREBY FURTHER GIVEN this project is in the preliminary design and preparation of environmental documentation. Final design and environmental determination have not yet been completed. The purpose of this meeting is to introduce the preliminary plan to the public and solicit public comments.

Dated: April 28, 2004
S/ GARRY COHOE, CITY ENGINEER
Publish: Chino Hills Champion May 1,8. 2004

440-04

US EPA ARCHIVE DOCUMENT

**NOTICE OF PUBLIC SCOPING MEETING
Peyton Drive/Eucalyptus Avenue Improvement Project and
English Channel Improvement Project**

NOTICE IS HEREBY GIVEN that the City of Chino Hills will hold a public scoping meeting **Wednesday, May 12, 2004 from 6:30 to 8:30 p.m.** at the **McCoy Equestrian Center, 14280 Peyton Drive, Chino Hills** to provide information and solicit public comments on the proposed Peyton Drive/Eucalyptus Avenue Improvement Project and English Channel Improvement Project In the City of Chino Hills,

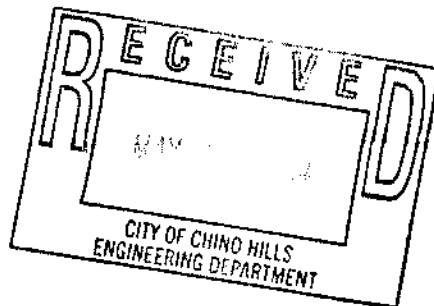
PROJECT DESCRIPTION: The proposed improvements are as follows; Widen Peyton Drive to six lanes (three lanes in each direction) between Eucalyptus Avenue and Grand Avenue; Widen Peyton Drive to four lanes (two lanes in each direction) between Chino Hills Parkway and Eucalyptus Avenue; Extend Eucalyptus Avenue to from its current terminus at Peyton Drive west approximately 1,800 feet to the area near Galloping Hills Road; Construct drainage improvements on English Channel in the vicinity of Peyton Drive and Eucalyptus Avenue to eliminate localized flooding.

NOTICE IS HEREBY FURTHER GIVEN this project is in the preliminary design and preparation of environmental documentation. Final design and environmental determination have not yet been completed. The purpose of this meeting is to introduce the preliminary plan to the public and solicit public comments.

Dated: April 28, 2004

S/ GARRY COHOE, CITY ENGINEER

Publish: Chino Hills Champion May 1,8. 2004 440-04



MAY - 5 2004

US EPA ARCHIVE DOCUMENT

Peyton Dr./Eucalyptus Ave. and English Channel Improvements
Public Scoping Meeting

Name	Address	Phone Number
Jim Moe	1yrri Peyton Dr.	597-4607
Louis Moe	14551 Peyton Dr	Tf 7-4603
BOB YVERTE - CINDY HOWEY	2951 ENGLISH RD	627-4729
PETER ROGERS	15338 CINNABAR EFF	597-4394
Bill & Mary Ann Hughes	3217 English Rd	627-2579
Marianne Napoles	Champion	628-5501
JOE ANDERSON	14697 Foxwood Rd	357-7073
Jim Gallagher	15214 Green Valley Dr	597-?/*/</
John Bruner	3180 Forest Meadow Dr	597-0188
Ralph DeGuzman	14708 FOXWOOD ROAD	597-9869
Andy Luggan	3142 English Rd	376-9884

05/12/2004

D
C
8

Peyton Dr./Eucalptus Ave. and English Channel Improvements
Public Scoping Meeting

Name	Address	Phone Number
1 Nancy Dixon	9885 English Rd Chino Hills	628 8712 606-9099
1	3233 ENGLISH RD	909 2276298
AL SCHEENSTRA	3242 GIANT FOREST LP	83 11 0
MADAN BHATIA	1726, MAPLEWOOD DR	to *&-Try?7
MICHAEL McGEHEAN	14645 MORNINGFIELD DR	606 4451

05/12/2004

PUBLIC SCOPING SESSION
SUGGESTIONS/COMMENTS

May 12, 2004

Peyton Drive Widening Project

Name: James K. Gallagher
Agency:
Mailing Address: 15214 Green Valley Dr.
Phone Number: 515/5144

- Comments:
- ① Like the scenic median proposed down the middle with trees/shrubs.
 - ② Please plant shade trees periodically along edges.
 - ③ Traffic light needed on English Road before construction starts please.
 - ④ Like trails along side ^{multi purpose}
 - ⑤ Incorporate traffic "calming" ^{measures}

Send To: CITY OF CHINO HILLS
2001 Grand Avenue
Chino Hills, California 91709
Attention: Ms. Anne R. Dutrey
Fax: 909/364-2795
while in maker sense.

⑥ Please report periodically on NEPA { ^eQA processes.

US EPA ARCHIVE DOCUMENT

**PUBLIC SCOPING SESSION
SUGGESTIONS/COMMENTS**

May 12, 2004

Peyton Drive Widening Project

Name: (3 ARV) TERONE

Agency:

Mailing Address: 14122 F-orre"SV MEADOW CR.

Phone Number 909 - 606 - 9099

Comments:

AGAINST THE EUCALYPTUS ARE
EXTENSION DUE TO THE HIGH VOLUME OF
TRAFFIC BEHIND MY RESIDENCE

Send To: CITY OF CHINO HILLS
2001 Grand Avenue
Chino Hills, California 91709
Attention: Ms. Anne R. Dutrey
Fax: 909/364-2795

PUBLIC SCOPING SESSION SUGGESTIONS/COMMENTS

May 12, 2004

Peyton Drive Widening Project

Name: *Ms. Ann Hishes*

Agency:

Mailing Address: *3307 E M St Rd*

Phone Number: *909-2579*

Comments:

We are in support of this project as long as a signal is put in at English Road and Peyton.

Would also like to see lower speed limit on Peyton & speed bumps on Eucalyptus to keep it from becoming a runway for the kids.

Send To: CITY OF CHINO HILLS
2001 Grand Avenue
Chino Hills, California 91709
Attention: Ms. Anne R. Dutrey
Fax: 909/364-2795

**PUBLIC SCOPING SESSION
SUGGESTIONS/COMMENTS**

May 12, 2004

Peyton Drive Widening Project

Name: J) ~+1 (ft o e)
Agency:
Mailing Address: 14551 A yton Dr.
Phone Number: 597-466-9

Comments:

Impact on the house.
Look at alignment of the road improve
and channel improvements to see if
house can be saved

Send To: CITY OF CHINO HILLS
2001 Grand Avenue
Chino Hills, California 91709
Attention: Ms. Anne R. Dutrey
Fax: 909/364-2795

Chino Valley BRIEFS *Champion 5/8/04*

Community meeting in Los Serranos

A community meeting for residents who live on Valle Vista Avenue, Descanso Avenue, and Val Verde Avenue in Los Serranos will be held at the Chino Hills Christian Fellowship Church, 15558 Avery St., on Thursday, May 13, at 6:30 p.m.

Engineers with the city of Chino Hills will explain the first phase of the Los Serranos infrastructure improvement project, which "will include storm drains, street improvements, curbs and gutters.

The installation of streetlights will take place if property owners agree to form a landscape and lighting district, where they would pay \$27.50 per year for ongoing energy costs.

The council has been setting aside Community Development Block Grant funds for many years to improve Los Serranos. Funding for the first phase, \$2.6 million, is available for the project.

The entire project, which will take at least a decade to complete all five phases, is estimated at \$18.4 million.

A Spanish-speaking interpreter will be on hand at the meeting.

Information: Tony Wang, senior engineer, 364-2783.

Peyton/Eucalyptus project to be discussed May 12

The widening of Peyton

Drive to six lanes* between Eucalyptus Drive and Grand Avenue and the extension of Eucalyptus Drive will be discussed Wednesday, May 12, from 6:30 to 8:30 p.m. at the McCoy Equestrian Center, 14280 Peyton Drive.

"The public* scoping, meeting, hosted by the city of Chino Hills, is intended to provide information about the project and gather community input.

Eucalyptus Avenue will be extended from its current terminus at Peyton Drive, west 1,800 feet to the area near Galloping Hills Road. The section of Peyton Drive between Chino Hills Parkway and Eucalyptus Avenue will be widened to four lanes.

Drainage improvements will be constructed on the English Channel, in the vicinity of Peyton Drive and Eucalyptus Avenue, to eliminate flooding.

The project and preparation of environmental documents are in the early stages.

Teen applications due May 19

Applications for teenagers to volunteer with the city of Chino Hills summer program must be submitted by 5:30 p.m. on Wednesday, May 19.

The Volunteer Program allows 13- to 17-year-olds to assist city staff with summer day camps, aquatics, and the Pee Wee sports program from June 21 to Aug. 13. Ap-

plications are available at the civic center community building, 2001 Grand Ave. *

Volunteers must be certified in first-aid and CPR. Information: 364-2700.

Don Lugo clubs help Iraqi schools

The Don Lugo "S" Club and Interact Club are holding a donation project called "Operation Iraqi- Children" through May 28.

School-related items are being collected to be sent to Iraqi people to help them rebuild their schools.

Items needed include note* books, rulers, pens, computer paper, crayons; pencils, erasers, backpacks, protractors and old clothes.

Information: 627-2607 or visit

www.operationiraqichildren.org.

Father and son fishing trip May 15

A father-and-son fishing trip will be held at the lake at Prado Regional Park in Chino on Saturday May 15, from 7 a.m. to noon.

The event, sponsored by the city of Chino Hills, costs \$40 and includes a fishing permit, California State Park fishing license, a parking permit, shacks and picnic games.

Participants must bring their own fishing gear. Reservations should be made at the civic center community building, 2001 Grand Ave. >

Information: 364-2700.

US EPA ARCHIVE DOCUMENT

Residents get first-hand look at Maps displayed for Peyton and Eucalyptus project

By Marianne Napoles

A large map and six displays were on exhibit Wednesday.

\$16.5 million improvement project for Peyton Drive and Eucalyptus Avenue.

Residents trickled into the McCoy Equestrian Center between 6:30 a.m. and 8:30 p.m. for the public open house, the first in a series of public meetings for the environmental approval process.

Construction is expected to begin in the summer of 2006 and will last approximately one year.

The project will be in conjunction with The Shoppes at Chino Hills on Peyton Drive, south of Grand Ave.

The street improvement project will include:

— Widening of Peyton Drive to six lanes from Grand Avenue to Eucalyptus Avenue.

— Widening of Peyton Drive to four lanes from Eucalyptus Avenue to Chino Hills Parkway.

— Extending Eucalyptus Avenue from where it ends at

Peyton Drive, west to Galloping Hills Road.

— Storm drain improvements at Peyton/Eucalyptus.

— Replacement of the English Channel drainage structure at Peyton Drive.

Robert and Yvette Howey of English Road attended the meeting with daughter Cindy Hbwey. The Howeys wondered how they're going to enter and exit Peyton Drive when it's widened.

Yvette Howey said traffic is bad enough on weekdays with Ayala High traffic, and on weekends with traffic from St. Paul the Apostle Catholic Church.

"If you want to go out to dinner on Saturdays, forget it,"



Yvette and Cindy Howey of English Road study a display board depicting the Peyton Drive and Eucalyptus Avenue project.

Mrs. Howey said a traffic signal is needed at Peyton Drive and English Road.

City engineer Gary Cohoe said a traffic signal will be studied as part of the project's design. City officials in-

ferred to meet with representatives of St. Paul the Apostle to discuss right-of-way and internal circulation issues that would have to be addressed to install a signal.

Other residents, such as Joe Anderson of Foxwood Drive,

Saturday, May 15, 2004

Champion - All

street-widening plan

south of Eucalyptus Avenue in the Galloping Hills Road area, said the extension of Eucalyptus will re-route vehicles into his neighborhood. "We're going to have 1,000 cars in the morning and 1,000 cars in the evening traversing through our neighborhood,"

Mr. Anderson said. Some of the 300 collected public comment forms to distribute to households that will be affected.

Ralph DeGuzman, also of Foxwood Drive, said he supports the widening of Peyton Drive but is concerned that vehicles will travel from Peyton to Eucalyptus in his neighborhood at high speeds. He said Eucalyptus is already used for drag racing every Friday and Saturday night between 1 and 3 a.m. from Galloping Hills to Maplewood.

City officials suggested the

residents make an official complaint with the sheriff's department or the city regarding the drag racing.

Traffic officials said the Peyton/Eucalyptus project will improve the major north-south corridor within the city, help relieve the existing congestion where a bottleneck is now occurring and ease traffic movement within the "heart" of the city.

RBF Consulting is providing the environmental clearance and preliminary engineering for the project.

Funding will come from development district fees, an in-lieu fee district and a grant from the Environmental Protection Agency (EPA), funds from the county flood control district, and expected federal funds totaling approximately \$7 million through Rep. Gary Miller (R-Brea).

US EPA ARCHIVE DOCUMENT



City of
Chino Hills

June 29, 2004

Mrs. and Mrs. James R. Moe
14551 Peyton Drive
Chino Hills, Ca 91709

Subject: Peyton Drive/Eucalyptus Avenue and English Channel Improvement Projects

Dear Mr. and Mrs. Moe:

Enclosed please find a plan drawing, 24" by 36", of the proposed street widening project and channel improvement project. This is an extract of the larger project overview presented at the Public Scoping Meeting held in May at the McCoy Equestrian Center.

I apologize for the delay in sending you this copy. The City asked the Consultant to clarify some of the existing property boundaries for this map product.

Should you have questions regarding the project, feel free to contact me at (909) 364-2856.

Sincerely,

Anne R. Dutrey
Senior Engineer

Enclosure

cc (w/out end.):
Garry Cohoe, City Engineer

City Council: Ed M. Graham W.C. "Bill" Kruger Gary G. Larson Rossana Mitchell Gwenn E. Norton-Perry
2001 Grand Avenue, Chino Hills, CA 91709 « (909) 364-2600 • FAX (909) 364-2695 •» www.chinohills.org



City of
Chino Hills

May 24, 2004

Ms. Debbie Hall
3529 Honeysuckle Avenue

Chino Hills, CA 91709

Subject: Peyton Drive/Eucalyptus Avenue Improvements

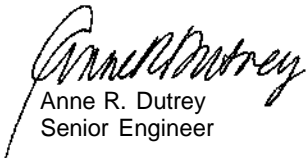
Dear Ms. Hall:

Thank you speaking with me regarding your concerns for equestrian access along Peyton Drive in the vicinity of Eucalyptus Avenue.

In answer to your questions, the preliminary plans for street improvements will create a multi-purpose trail along the extension Eucalyptus Ave. from Peyton west to the intersection of Galloping Hills Rd. The multi-purpose trail will also extend along the west side of Peyton Dr. north of Eucalyptus Ave. to connect with existing trails at the McCoy Equestrian and Recreation Center. I have enclosed an exhibit which shows the planned alignment.

As we discussed, the Public Scoping meeting held on May 12 was the first in a series of public meetings the City will hold regarding this project. I will add your name to our mailing list for notification of future meetings. In the meantime, feel free to contact me at (909) 364-2856 should you have further questions.

Sincerely,



Anne R. Dutrey
Senior Engineer

Enclosures

City Council: *Ed M. Graham W.C. "Bill" Kruger Gary G. Larson Rossana Mitchell Gwenn E. Norton-Perry*
2001 Grand Avenue, Chino Hills, CA 91709 • (909)364-2600 • FAX (909) 364-2695 « www.chinohills.org

US EPA ARCHIVE DOCUMENT



City of
Chino Hills

May 18, 2004

Mr. Steve Caballero
14566 Peyton Dr.
Chino Hills, CA 91709

Subject: Peyton Drive Improvements

Dear Steve:

Thank you for your phone call regarding the Peyton Drive Improvements. I am enclosing a copy of the "Tact Sheet" the City provided at last week's Public Scoping meeting. As I indicated in our conversation, this meeting was an opportunity to introduce the project to the Community and receive comments. There will be other public hearings as part of the approval process for the environmental documents associated with the project.

I am enclosing my business card for your information. You are welcome to contact me if you have additional questions about the project.

Sincerely,



Anne R. Dutrey
Senior Engineer

End.

City Council: Ed M. Graham W.C. "Bill" Kruger Gary G. Larson Rossana Mitchell Gwenn E. Norton-Perry
2001 Grand Avenue, Chino Hills, CA 91709 ◀ (909)364-2600 • FAX (909) 364-2695 • www.chinohills.org



Appendix A CEQA Checklist

Determining Significance Under CEQA

Information in this chapter is presented to clarify the requirements of the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). The proposed project could have an adverse impact on the environment, and must satisfy requirements of both laws, since both the Department of Transportation (Department) and the Federal Highway Administration (FHWA) must make project decisions. A combined Environmental Assessment/Initial Study (EA/IS) has been prepared in accordance with NEPA and CEQA.

CEQA requires that a determination of significant impacts be stated in the environmental document (IS), and this information is presented in this chapter. Under Section 15382 of the CEQA Guidelines, "significant effect" is defined as "... a substantial, or potentially substantial adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant."

NEPA does not require a determination of significant effects in an EA. Under NEPA, the term significant is used to describe Section 4(f) resources (Department of Transportation Act), Section 106 properties (National Historic Preservation Act), and floodplain impacts (Executive Order 11988).

2.2 CEQA Environmental Checklist

The following checklist identifies physical, biological, social, and economic factors that might be affected by or affect the proposed project. The CEQA impact levels are potentially significant impact, less than significant impact with mitigation, less than significant impact, and no impact. Please refer to the following for detailed discussions regarding impacts:

CEQA:

- Guidance: Title 14, Chapter 3, California Code of Regulations, Sections 15000 et seq.

- California Environmental Resources Evaluation System (CERES)
(http://www.ceres.ca.gov/topic/env_law/ceqa/guidelines/)
- Statutes: Division 13, California Public Resource Code, Sections 21000-21178.1
(http://www.ceres.ca.gov/topic/env_law/ceqa/stat/)

CEQA requires that environmental documents determine significant or potentially significant impacts. In many cases, background studies performed in connection with the project indicate no impacts. A "no impact" reflects this determination. Any needed discussion is included in the section following the checklist.

CEQA ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No impact
AESTHETICS - Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway?	<input type="checkbox"/>	•	•	[K]
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	•	•	DD	•
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	•	•	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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?	•	•	EH	<input type="checkbox"/>
--	---	---	----	--------------------------

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

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?

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?

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

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)?

d) Expose sensitive receptors to substantial pollutant concentration?

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

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?

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?

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?

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?

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?

COMMUNITY RESOURCES - Would the project:

a) Cause disruption of orderly planned development?

b) Be inconsistent with a Coastal Zone Management Plan?

c) Affect life-styles, or neighborhood character or stability?

d) Physically divide an established community?

e) Affect minority, low-income, elderly, disabled, transit-dependent, or other specific interest group?

f) Affect employment, industry, or commerce, or require the displacement of businesses or farms?

g) Affect property values or the local tax base?

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| h) Affect any community facilities (including medical, educational, scientific, or religious institutions, ceremonial sites or sacred shrines? | ● | <input type="checkbox"/> | <input checked="" type="checkbox"/> | ● |
| i) Result in alterations to waterborne, rail, or air traffic? | <input type="checkbox"/> | <input type="checkbox"/> | ● | <input checked="" type="checkbox"/> |
| j) Support large commercial or residential development? | <input type="checkbox"/> | ● | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| k) Affect wild or scenic rivers or natural landmarks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| l) Result in substantial impacts associated with construction activities (e.g., noise, dust, temporary drainage, traffic detours, and temporary access, etc.)? | ● | DD | ● | ● |
| CULTURAL RESOURCES - Would the project: | | | | |
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | ● | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | ● | <input type="checkbox"/> | ● | <input checked="" type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | ● | ● | ● | <input checked="" type="checkbox"/> |
| 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. | ● | ● | DD | ● |
| ii) Strong seismic ground shaking? | ● | ● | DD | ● |

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Appendix A - CEQA Checklist

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?

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?

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

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?

HYDROLOGY AND WATER QUALITY -

Would the project:

a) Violate any 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)?

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?

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?

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? ● ●

f) Otherwise substantially degrade water quality?

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazards Boundary or Flood Insurance Rate Map or other flood hazard delineation map? ● ● ● **IZ**

h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows? ● ● **S** **IZ**

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? ● ● ● **IZ**

j) Inundation by seiche, tsunamis, or mudflow?

LAND USE AND PLANNING - Would the project:

a) 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? ● **DD** ●

b) Conflict with any applicable habitat conservation plan or natural community conservation plan? ● **DD** ●

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? ● ● ●

NOISE - Would the project:

- | | | | | |
|---|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	QO	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks?		•	[!]	
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

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?

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

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
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Appendix A - CEQA Checklist

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 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 checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incomplete uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | ● | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access? | ● | ● | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Result in inadequate parking capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | ● | ● | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| UTILITY AND SERVICE SYSTEMS - | | | | |
| Would the project: | | | | |
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | ● | ● | ● | <input checked="" type="checkbox"/> |
| 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 checked="" type="checkbox"/> |
| 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 checked="" type="checkbox"/> | ● |
| 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 checked="" type="checkbox"/> |
| e) Result in 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? | ● | ● | ● | <input checked="" type="checkbox"/> |
| 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"/> |

g) Comply with federal, state, and local statutes and regulations related to solid waste?

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, or 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?

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)?

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

5.3 Discussion of CEQA Checklist Responses

In the course of this evaluation, certain impacts of the project were found to result in a "No Impact" determination under CEQA due to the inability of a project of this scope to create such impacts or the absence of project characteristics producing effects of this type. The following section reflects the proceeding checklist and provides a brief description of effects found to have no impact based on background studies performed in connection with the project and/or available information. It should be noted that several of the following areas are more fully analyzed within the appropriate section of this EA/IS to satisfy applicable NEPA requirements. The following responses are limited to those checklist items, which were determined to have "No Impact" only.

5.3.1 Aesthetics

- b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway?*

No scenic resources are located within the project site limits; therefore, no impacts are anticipated. The project proposes "at-grade" roadway and storm water conveyance improvements which do not have the potential to obstruct views of the surrounding area.

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

The proposed project would not involve any substantial lighting or glare that would adversely affect day or nighttime views in the area; therefore, no impacts are anticipated.

5.3.2 Agricultural Resources

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

As mentioned above the Farmland Conversion Impact Rating was submitted and concluded that no consideration for farmland protection be required and no additional sites be evaluated. There are no Williamson Act parcels within the affected areas. Therefore, the proposed project would not conflict with existing zoning or a Williamson Act contract.

- 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?*

As mentioned above, the Farmland Conversion Impact Rating concluded that no further consideration for farmland protection be given or considered. The proposed project includes 0.25-acres of Prime and Unique Farmland, Statewide and Local Important Farmland.

5.3.3 Community Resources

- a) *Cause disruption of orderly planned development?*

Implementation of the proposed project improvements is consistent with the *City of Chino Hills General Plan* Circulation Element and furthermore, does not have the potential to disrupt orderly planned development.

b) Be inconsistent with a Coastal Zone Management Plan?

The proposed project is not located within the State Coastal Zone and, therefore, is not considered inconsistent with a Coastal Zone Management Plan.

d) Physically divide an established community?

The proposal will not physically divide an established community.

i) Result in alterations to waterborne, rail, or air traffic?

The proposed project will not affect waterborne, rail, or air traffic.

j) Support large commercial or residential development?

Due to scope of the proposed project, large commercial or residential developments are not proposed.

k) Affect wild or scenic rivers or natural landmarks?

Due to the location of the proposed project, in the City of Chino Hills, away from wild, scenic rivers or natural landmarks, impacts are not anticipated.

5.3.4 Cultural Resources

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

Based upon the Historic Property Survey Report (HPSR) prepared for the project area, the current project design will not affect any known historical resources.

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

Based upon the Archaeological Survey Report (ASR) prepared for the project area, the current project design will not affect any known archaeological resources.

- c) *Disturb any human remains, including those interred outside of formal cemeteries?*

There are no known formal or informal gravesites within the project limits. No signs of human remains were detected during the field survey conducted for the proposed project.

5.3.5 Geology and Soils

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

The project area consists of relatively flat topography with surrounding flat areas with no unusual topographic features. The City of Chino Hills General Plan indicates the proposed project is within an area least susceptible to landslides. Landslides and features related to slope instability are rare to non-existent within this area and includes low-lying valley bottoms and floodplains, and broad, level areas along tops of ridges underlain by resistant bedrock. Impacts associated with landslides or mudslides are not anticipated to occur.

- 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?*

Septic tanks or alternative wastewater disposal systems are not needed or proposed as part of this transportation-related project.

5.3.6 Hazards and Hazardous Materials

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

The proposed project involves improvements that do not have the capacity to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. The United States Department of Transportation (DOT) has established regulatory criteria for safe handling and transportation of hazardous materials. It should be also noted that since that project will widen Peyton

Drive and improve circulation, it will likely reduce the number of accidents occurring along the roadway, thus improving the safe transport of any potential 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?*

An Initial Site Assessment (ISA) was conducted for the project site by RBF Consulting on December 16, 2003, and revised June 18, 2004 including immediate adjoining parcels. According to the results of the ISA, no visible evidence of a recognized environmental condition within the boundaries of the project site was observed during the site inspection. The presence of hazardous materials on the project site that may have been generated from adjacent properties was not reported. Also, the potential that adverse environmental conditions were created by previous uses of the project site is considered to be low.

- c) *Emit hazardous emissions or handle hazardous or acutely hazardous material substances, or waste within one-quarter mile of an existing or proposed school?*

The proposed project involves roadway widening which does not have the capacity to emit hazardous emissions and does not involve handling of hazardous materials.

- 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?*

Available public records were reviewed as part of the ISA. The lists, which were reviewed, identified that no listed regulatory sites are reported within the boundaries of the project site. Therefore, no impacts are anticipated in this regard.

- 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?*

The proposed project site is not located within an airport land use plan or within two miles of a public airport or public use airport. Therefore, no impacts are anticipated.

- 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?*

The proposed project site is not located within the vicinity of a private airstrip. Therefore, no impacts are anticipated.

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

The proposed project site is situated in an area of Chino Hills with relatively sparse wildland vegetation. No impacts with regards to wildland fires have been identified.

5.3.7 Hydrology and 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?*

The proposed project involves the widening of existing roadways and does not involve the development of housing. Therefore, housing would not be placed within a 100-year flood hazard area as a result of project implementation.

- 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?*

The proposed project does not have the potential to expose people or property to a significant risk of loss, injury or death involving flooding. Therefore, no impacts in this regard are anticipated.

- j) *Inundation by seiche, tsunami, or mudflow?*

Due to the location and nature of the proposed project, in San Bernardino County, well-removed from the Pacific Ocean and other large bodies of water, the potential for inundation by seiche, tsunami, or mudflow is not anticipated.

5.3.8 Mineral Resources

- 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?*

Project implementation would not result in the loss of availability of a known mineral resource. No significant mineral deposits are known to exist in the City of Chino Hills, according to the General Plan and the California Geological Survey.

- 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?*

Project implementation would not result in the loss of availability of a locally-important mineral resource recovery site. No sites designated as an area with significant mineral deposits are located within the project limits.

5.3.9 Noise

- 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?*

According to the *City of Chino Hills General Plan* the most common sources of noise in developed areas are transportation-related noise sources including automobiles, trucks, motorcycles, railroads, and aircrafts. The single greatest transportation-related noise generator within the City is State Highway 71. The proposed project area is located outside of any airport land use plan or within two miles of a public airport or public use airport.

- 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?*

As mentioned above, the proposed project is not within the vicinity of a private airstrip or expose people residing or working in the area to excessive noise levels. .

5.3.10 Population and Housing

- 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)?*

The proposed project is consistent with the recommended circulation element in the *Chino Hills Specific Plan* and *City of Chino Hills General Plan* Circulation Element, which designates Peyton Drive as a Major Arterial (6 lanes) from Grand Avenue to Eucalyptus Avenue and a two lane completion of Eucalyptus Avenue from Peyton Drive to Chino Hills. The project is not anticipated to increase or prohibit future developments along Peyton Drive. The project would be consistent with the goals and plans of the *Chino Hills Specific Plan* and *City of Chino Hills General Plan* Circulation Element, and therefore no growth related impacts are anticipated.

5.3.11 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:*

Parks?

Neither neighborhood nor regional park facilities would be directly or indirectly affected by implementation of the proposed project. The proposed project would improve access to and from the community facilities and services within the projects vicinity.

5.3.12 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?*

Neither neighborhood nor regional park facilities or other recreational facilities would be affected by implementation of the proposed project.

- 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?*

The project involves improvements to an existing roadway, which does not include recreational facilities or the expansion of existing facilities. Therefore, impacts in this regard are not anticipated.

5.3.13 Transportation/Traffic

- 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?*

Due to the nature and scope of the proposed improvements, project implementation would not have the capacity to result in a change in air traffic patterns.

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

The proposed project is subject to compliance with accepted traffic engineering standards, which are intended to reduce traffic hazards. There are no incompatible uses, which have been identified with this project.

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

Due to the nature and scope of the proposal, no conflicts with any adopted policies supporting alternative transportation will occur.

5.3.14 Utilities and Service Systems

- a) *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?*

Improvements associated with the proposed project do not have the capacity to generate wastewater or exceed wastewater treatment requirements.

- 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?*

Due to the nature and scope of the proposed improvements, project implementation would not require or result in the construction of new water or wastewater treatment facilities.

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

The construction of the underground storm drain and culvert improvements along Peyton Drive will include the relocation of utilities. The water line will need to be lowered beneath the proposed culvert at Peyton Drive. All utility relocations will be handled within the existing roadway and no right-of-way will be required. No impacts are anticipated.

- e) *Result in 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?*

Refer to Responses a) and b), above.

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

The proposed improvements would not have the capacity to generate solid waste over a long-term period and therefore would not impact landfill capacity.

- g) *Comply with federal, state, and local statutes and regulations related to solid waste?*

The proposed project does not involve a solid waste generating land use and therefore would not be subject to Federal, State, and local statutes and regulations related to solid waste.



Appendix B Title VI Policy Statement

STATE OF CALIFORNIA — BUSINESS, TRANSPORTATION AND HOUSING AGENCY

ARNOLD SCHWARZBAUM, Governor

DEPARTMENT OF TRANSPORTATION
OFFICE OF THE DIRECTOR
1200 N STREET
P. O. BOX 942873
SACRAMENTO, CA 94273-43001
PHONE (916) 654-4266
FAX (916) 654-6086
TTY (916) 654-4086



*Place your power
in energy efficient!*

January 14, 2005

TITLE VI POLICY STATEMENT

The California Department of Transportation under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person *in* the State of California shall, on the grounds of race, color, national origin, sex, disability, *and* age, be excluded from participation in, be *denied* the benefits of, or be otherwise subjected to discrimination under any program or activity it administers.


WEXKEMPTON
Director

"Civitas inprovo mainit; across CuOfruia"

US EPA ARCHIVE DOCUMENT



Appendix C Summary of Relocation Benefits

The City of Chino Hills does not have a formal relocation assistance program. Therefore, the City will implement and comply with the Caltrans Relocation Assistance Program. Furthermore, being a Federally funded project, the Caltrans Relocation Assistance Program would apply. A summary of the Caltrans Relocation Assistance Program is provided in the Community Impact Assessment prepared by LSA Associates.

RELOCATION ASSISTANCE ADVISORY SERVICES

The California Department of Transportation (the Department) will provide relocation advisory assistance to any person, business, farm or nonprofit organization displaced as a result of the Department's acquisition of real property for public use. The Department will assist residential displacees in obtaining comparable decent, safe and sanitary replacement housing by providing current and continuing information on sales price and rental rates of available housing. Nonresidential displacees will receive information on comparable properties for lease or purchase.

Residential replacement dwellings will be in equal or better neighborhoods, at prices within the financial means of the individuals and families displaced, and reasonably accessible to their places of employment. Before any displacement occurs, displacees will be offered comparable replacement dwellings that are open to all persons, regardless of race, color, religion, sex or national origin, and are consistent with the requirements of Title VIII of the Civil Rights Act of 1968. This assistance will also include supplying information concerning Federal and State-assisted housing programs, and any other known services being offered by public and private agencies in the area.

RESIDENTIAL RELOCATION PAYMENTS PROGRAM

The Relocation Payment program will assist eligible residential occupants by paying certain costs and expenses. These costs are limited to those necessary for, or incidental to, purchasing or renting a replacement dwelling, and actual reasonable expenses incurred in moving to a new location within 80 kilometers (50 miles) of displacee's property. Any actual moving costs in excess of 80 kilometers (50 miles) are the responsibility of the displacee. The Residential Relocation Program is summarized as follows:

Moving Costs

Any displaced person who is lawfully in occupancy of the acquired property, regardless of the length of occupancy in the property acquired will be eligible for reimbursement of moving costs. Displacees will receive either the actual reasonable costs involved in moving themselves and personal property up to a maximum of 80 kilometers (50 miles), a moving service authorization, or a fixed payment based on a fixed moving cost schedule that is determined by the number of furnished or unfurnished rooms of the displaced dwelling.

Purchase Supplement

In addition to moving and related expenses payments, fully eligible homeowners may be entitled to payments for increased costs of purchasing replacement housing.

Homeowners who have owned and occupied their property for at least 180 days prior to the date of the first written offer to purchase the property, may qualify to receive a price differential payment equal to the difference between the Department's offer to purchase their property and the price of a comparable replacement dwelling, and may qualify to receive reimbursement for certain nonrecurring costs incidental to the purchase of the replacement property. An interest differential payment is also available if the interest rate for the loan on the replacement dwelling is higher than the loan rate on the displaced dwelling, subject to certain limitations on reimbursement based upon the replacement property interest rate. Also the interest differential must be based upon the lesser of either the loan on the displaced property or the loan on the replacement property. The maximum combination of these three supplemental payments that the owner-occupants can receive is \$22,500. If the calculated total entitlement (without the moving payments) is in excess of \$22,500, the displacee may qualify for the Last Resort Housing, described below.

Rental Supplement

Tenants who have occupied the property to be acquired by the Department for 90 days or more and owner-occupants who have occupied the property from 90 to 180 days prior to the date of the first written offer to purchase may qualify to receive a rental differential payment. This payment is made when the Department determines that the cost to rent a comparable and "decent, safe and sanitary" replacement dwelling will be more than the present rent of the displacement dwelling. As an alternative, the eligible occupant may qualify for a down payment benefit designed to assist in the purchase of a replacement property and the payment of certain costs

incidental to the purchase, subject to certain limitation noted below under the "Down Payment" section (see below). The maximum amount of payment to any tenant of 90 days or more and any owner-occupant of 90 to 179 days, in addition to moving expenses, is \$5,250. If the calculated total entitlement for rental supplement exceeds \$5,250, the displacee may qualify for the Last Resort Housing Program described below.

The rental supplement of \$7,500 or less will be paid in a lump sum, unless the displacee requests that it be paid in installments. The displaced person must rent and occupy a "decent, safe and sanitary" replacement dwelling within one year of the date the Department takes legal possession of the property, or from the date the displacee vacates the Department-acquired property, whichever is later.

Down Payment

Displacees eligible to receive a rental differential payment may elect to apply it to a down payment for the purchase of a comparable replacement dwelling. The down payment and incidental expenses cannot exceed the maximum payment of \$5,250, unless the Last Resort Housing Program is indicated. The one-year eligibility period in which to purchase and occupy a "decent, safe and sanitary" replacement dwelling will apply.

Last Resort Housing

Federal regulations (49 CFR 24.404) contain the policy and procedure for implementing the Last Resort Housing Program on Federal aid projects. To maintain uniformity in the program, the Department has also adopted these federal guidelines on non-Federal-aid projects. Except for the amounts of payments and the methods in making them, last resort housing benefits are the same as those benefits for standard relocation as explained above. Last resort housing has been designed primarily to cover situations where available comparable replacement housing, or when their anticipated replacement housing payments, exceed the \$5,250 and \$22,500 limits of the standard relocation procedures. In certain exceptional situations, last resort housing may also be used for tenants of less than 90 days.

After the first written offer to acquire the property has been made, the Department will, within a reasonable length of time, personally contact the displacees to gather important information relating to:

- Preferences in the area of relocation.
- Number of people to be displaced and the distribution of adults and children according to age and sex.
- Location of school and employment.
- Special arrangements needed to accommodate any handicapped member of the family.
- Financial ability to relocate into comparable replacement dwelling, that will house all members of the family decently.

The above explanation is general in nature and is not intended to be a complete explanation of relocation regulations. Any questions concerning relocation should be addressed to the Department. Any persons to be displaced will be assigned a relocation advisor who will work closely with each displacee in order to see that all payments and benefits are fully utilized, and that all regulations are observed, thereby avoiding the possibility of displacees jeopardizing or forfeiting any of their benefits or payments.

THE BUSINESS AND FARM RELOCATION ASSISTANCE PROGRAM

The Business and Farm Relocation Assistance Program provides aid in locating suitable replacement property for the displacee's farm or business, including, when requested, a current list of properties offered for sale or rent. In addition, certain types of payments are available to businesses, farms, and non-profit organizations. These payments may be summarized as follows:

- Reimbursement for the actual direct loss of tangible personal property incurred as a result of moving or discontinuing the business in an amount not greater than the reasonable cost of relocating the property.
- Reimbursement up to \$1,000 of actual reasonable expenses in searching for a new business site.
- Reimbursement up to \$10,000 of actual reasonable expenses related to the reestablishment of the business at the new location
- Reimbursement of the actual reasonable cost of moving inventory, machinery, office equipment and similar business-related personal property, including dismantling, disconnecting, crating, packing, loading, insuring, transporting, unloading, unpacking, and reconnecting personal property.

Payment in lieu of moving expense is available to businesses that are expected to suffer a substantial loss of existing patronage as a result of the displacement, or if certain other requirements such as inability to find a suitable relocation site are met. This payment is an amount equal to the average annual net earnings for the last two taxable years prior to relocation. Such payment may not be less than \$1,000 and not more than \$20,000.

ADDITIONAL INFORMATION

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code of 1954 or for the purposes of determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other Federal law (except for any Federal law providing low-income housing assistance).

Persons who are eligible for relocation payments and who are legally occupying the property required for the project will not be asked to move without being given at least 90 days advance notice, in writing. Occupants of any type of dwelling eligible for relocation payments will not be required to move unless at least one comparable "decent, safe and sanitary" replacement residence, open to all persons regardless of race, color, religion, sex or national origin, is available or has been made available to them by the state.

Any person, business, farm or non-profit organization, which has been refused a relocation payment by the Department, or believes that the payments are inadequate, may appeal for a hearing before a hearing officer or the Department's Relocation Assistance Appeals Board. No legal assistance is required; however, the displacee may choose to obtain legal counsel at his/her expense. Information about the appeal procedure is available from the Department's Relocation Advisors.

The information above is not intended to be a complete statement of all of the Department's laws and regulations. At the time of the first written offer to purchase, owner-occupants are given a more detailed explanation of the State's relocation services. Tenant occupants of properties to be acquired are contacted immediately after the first written offer to purchase, and also given a more detailed explanation of the Department's relocation programs.

IMPORTANT NOTICE

To avoid loss of possible benefits, no individual, family, business, farm or non-profit organization should commit to purchase or rent a replacement property without first contacting a Department of Transportation relocation advisor at:

State of California
Department of Transportation, District #08
464 West 4th Street
San Bernardino, CA 92401-1400

Appendix D Minimization and/or Mitigation Summary

Incorporation of the following measures will be effective in reducing impacts that are considered to potentially cause a significant effect on the environment to less than significant levels.

- LU1.** Final engineering plans shall specify that no construction staging or stockpiling of materials or equipment shall occur on-site at the Ruben S. Ayala High School.
- LU2.** Access to all school facilities shall be maintained throughout the duration of construction activities. Appropriate construction signage and access shall be provided to route pedestrians, staff, and patrons safely around construction. Crossing guards shall be located near Ayala High School when construction impacts the movement of students to ensure student safety.
- LU3.** The City of Chino Hills Police Department and Chino Hills Independent Fire Department shall be notified and supplied with construction plans before the construction begins. Such information shall include traffic management plans, referring to temporary street closures of adjacent streets and any other restrictions that may be necessary while the project is being completed. The high school shall be informed of traffic lane closures and closed drop-off zones to ensure safe arrival and departure of students.
- COM1.** The Uniform Relocation Assistance and Real Property Acquisitions Policies Act (Uniform Act) of 1970 (Public Law 91-646, 84 Stat. 1894) mandates that certain relocation services and payments be made available to eligible residents, businesses, and nonprofit organizations displaced by its projects. The Act provides for uniform and equitable treatment by Federal or Federally assisted programs of persons displaced from their homes, businesses, or farms, and establishes uniform and equitable land acquisition policies. The City of Chino Hills will provide affected property owners with a copy of the Uniform Act.
- COM2.** When acquisitions and relocations are unavoidable, the provisions of the Uniform Act and the 1987 Amendments as implemented by the Uniform

Relocation Assistance and Real Property Acquisition Regulations for the Federal and Federally assisted programs adopted by the Department of Transportation, dated March 2, 1989, would be followed. An independent appraisal of the affected property will be obtained, and an offer for the full appraisal will be made.

- COM3.** The Uniform Act requires that comparable, decent, safe, and sanitary replacement housing that is within a person's financial means be made available before that person may be displaced. In the event that such replacement housing is not available to "re-house" persons displaced by the project within statutory limits for replacement housing payments, "last resort" housing may be provided in a number of prescribed ways.
- UTL1.** Prior to commencement of construction, the Project Engineer shall coordinate with all affected utility purveyors to establish exact procedures and specifications for all facilities to be relocated during construction. Additionally, the Project Engineer shall notify other service purveyors in the vicinity of the improvements to verify that the proposed activities will not disrupt services to the community.
- TRF1.** Short-term mitigation to roadway use shall be mitigated by a Traffic Management Plan (TMP) to be established by the project contractor and approved by the City of Chino Hills prior to construction of any improvements. This TMP shall consist of prior notices, adequate sign-posting, detours, phased construction, and temporary driveways where necessary. The TMP shall specify implementation timing of each plan element (prior notices, sign-posting, detours, etc.) as determined appropriate by the City of Chino Hills. Adequate local and emergency access shall be provided at all times to adjacent uses, including schools. Proper detours and warning signs shall be established to ensure public safety. The TMP shall be devised so that construction shall not interfere with any emergency response or evacuation plans. Construction activities shall proceed in a timely manner to reduce impacts.
- AES1.** Prior to approval of final design plans and prior to construction, the City shall coordinate with the affected residents to ensure that all screening and privacy concerns have been addressed and reasonable landscape and architectural

treatment measures have been incorporated into the project design to achieve sufficient screening of the project. The landscape design plan shall be developed by a qualified landscape architect. The landscape plan shall also establish areas within the roadway right-of-way (ROW) that allow for incorporation of replacement landscaping.

- WQ1.** The project is required to meet stormwater management regulations. The City of Chino Hills National Pollutant Discharge Elimination System (NPDES) permit number is CAS618036, Order Number R8-20020012. A copy of the Notice of Intent (NOI), Storm Water Pollution Prevention Plan (SWPPP), and Monitoring Plan shall be submitted to the City Engineer a minimum of thirty days prior to commencing grading operations. The SWPPP shall emphasize structural and non-structural Best Management Practices (BMPs) in compliance with NPDES requirements.
- GEO1.** Prior to final plan approval, a site-specific geotechnical study shall be prepared by a registered civil engineer or certified engineering geologist who has competence of seismic hazard evaluation and mitigation. The geotechnical report shall contain site-specific evaluations of the seismic hazards affecting the project site; identify portions of the project site containing seismic hazards; and identify any known off-site seismic hazards that could adversely affect the site in the event of an earthquake.
- HIS1.** Paleontologic monitors should be equipped to salvage fossils as they are unearthed, to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens.
- HIS2.** The development of a preparation process of recovered specimens for identification and permanent preservation that includes washing of sediments to recover small invertebrates and vertebrates.
- HIS3.** Identification and curation of specimens into an established, accredited museum repository with permanent retrievable paleontologic storage (e.g., the SBCM). The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities. Mitigation of adverse impacts to significant paleontologic resources is not considered complete until such

curation into an established museum repository has been fully completed and documented.

- HIS4.** The preparation of a report of findings with an appended itemized inventory of specimens. The report and inventory, when submitted to the appropriate Lead Agency along with confirmation of the curation of recovered specimens into an established, accredited museum repository, would signify completion of the program to mitigate impacts to paleontologic resources.
- HIS5.** In areas of potential but unknown sensitivity, field surveys prior to grading shall be required to establish the need for monitoring.
- HIS6.** Projects requiring grading plans that are located in areas of known fossil occurrences on the overlay, or demonstrated in a field survey to have fossils present, shall have all rough grading (cuts greater than 0.9-m [3-ft]) monitored by trained paleontologic crews working under the direction of a qualified professional so that fossils exposed during grading can be recovered and preserved. Fossils include large and small vertebrate fossils, the latter recovered by screen washing of bulk samples.
- HZ1.** Areas of exposed soils 4.5-m (15-ft) from the edge of existing pavement which will be disturbed during excavation activities should be sampled and tested for lead prior to construction. These samples should be collected prior to the issuance of Plans, Specifications, and Estimates (PS&E) for the project, so that any special handling, treatment, or disposal provisions associated with aerially-deposited lead may be included.
- HZ2.** Should construction activities result in the removal of yellow paint or thermoplastic traffic stripes, the generated wastes must be disposed of to an appropriate permitted disposal facility.
- HZ3.** Any demolition of existing buildings must comply with State law, which requires a contractor, where there is asbestos-related work involving 30.3-square m (100-square ft) or more of asbestos containing materials (ACMs), to be certified and that certain procedures regarding the removal of asbestos be followed.

- HZ4.** It is recommended that the landfill operator be contacted in advance to determine any specific requirements of the landfill regarding the disposal of lead-based paint materials.
- HZ5.** If unknown wastes or materials are discovered during construction or demolition by the project contractor which he/she believes may involve hazardous waste or materials, the contractor shall:
- Immediately stop work in the vicinity of the suspected contaminant, and remove workers and the public from the area;
 - Notify the Project Engineer of the implementing agency;
 - Secure the area as directed by the Project Engineer; and
 - Notify the implementing agency's Hazardous Waste and Materials Coordination entity.
- AQ1.** The construction contractor shall adhere to the requirements of the South Coast Air Quality Management District (SCAQMD) rules and regulations on cutback and emulsified asphalt paving materials.
- AQ2.** The construction contractor shall adhere to the requirements of SCAQMD Rule 403 to reduce fugitive dust emissions. The Best Available Control Measures (BACMs) and Reasonably Available Control Measures (RACMs) specified in the SCAQMD's Rule 403 Implementation Handbook shall be incorporated into project construction.
- AQ3.** City's Standard Construction Specifications shall be adhered to in order to reduce emissions.
- AQ4.** Construction contractor shall select the construction equipment used on site based on low emission factors and high energy efficiency. The contractor shall ensure that construction grading plans include a statement that all construction equipment shall be tuned and maintained in accordance with the manufacturer's specifications.
- AQ5.** The construction contractor shall utilize electric or diesel-powered equipment in lieu of gasoline powered engines where feasible.

- AQ6.** The construction contractor shall ensure that construction grading plans include a statement that work crews will shut off equipment when it is not in use.
- AQ7.** The construction contractor shall time the construction activities so as not to interfere with peak-hour traffic and to minimize obstruction of through traffic lanes adjacent to the site; if necessary, a flagperson shall be retained to maintain safety adjacent to existing roadways.
- AQ8.** The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew.
- N1.** The City of Chino Hills limits the hours of construction adjacent to residential or sensitive land uses to the hours between 7:00 a.m. and 7:00 p.m. from Monday through Friday and the hours between 8:00 a.m. and 7:00 p.m. on Saturday. Construction activities are prohibited on Sundays and Federally recognized holidays. Furthermore, construction noise is regulated by Department Standard Specifications, Section 5-1 "Sound Control Requirements," in the Standard Special Provisions. The project will comply with applicable provisions.
- WL1.** Due to impacts to the English Canyon Channel, the project will require a 404 permit from the U.S. Army Corps of Engineers (ACOE), a 1602 Streambed Alteration Agreement (SAA) from the California Department of Fish and Game (CDFG), and a Section 401 Water Quality Certification from the California Regional Water Quality Control Board (RWQCB). For impacts on non-wetland waters, typical mitigation measures required by the regulatory agencies (ACOE, CDFG, and RWQCB) include the following:
- On-site preservation enhancement.
 - Off-site preservation through the purchase of suitable habitat or participation in an existing mitigation bank.
 - On-site treatment of flows from developed surfaces prior to such flows entering waters of the U.S. (e.g., mechanical filters, bio-swales, or other similar post-construction BMPs).

- No work will be performed within the English Canyon Channel during periods of excessive water flow.

- TE1.** Riparian vegetation shall be removed outside the vireo and flycatcher breeding season (March 15 to September 15). To the extent practicable, construction within 91.4-m (300-ft) of riparian habitat shall also be done outside the breeding season. If construction must be completed during this period, then weekly surveys for vireo and flycatcher shall be conducted prior to and during construction activity. If vireo or flycatcher are found, the Carlsbad Fish and Wildlife Office (CFWO) and FHWA shall be contacted and measures shall be taken to reduce sound levels reaching areas used by vireo to less than 60 dBA or the background noise level, whichever is higher.
- TE2.** The limits of grading shall be clearly marked, and temporary fencing or other appropriate markers shall be placed around any sensitive habitat adjacent to work areas as prior to the commencement of any ground-disturbing activity or native vegetation removal. No construction access, parking, or storage of equipment or materials shall be permitted within the marked areas.
- TE3.** A biological monitor shall be present during all activities involving removal of vegetation to ensure that impacts to wetland and riparian habitat do not exceed the limits of grading and to minimize the likelihood of inadvertent impacts to vireo, flycatcher, and other wildlife species.
- TE4.** No material (e.g., litter, debris, trash, etc.) shall be deposited within sensitive habitat areas designated by the project biologist, temporary fencing, or other appropriate markers.
- TE5.** Appropriate erosion and siltation controls shall be used and maintained during construction and maintenance activities.
- TE6.** Best Management Practices shall be employed to ensure that toxic materials, silt, debris, or excessive erosion do not enter jurisdictional waters or leave the construction or maintenance areas.

- TE7.** All vehicle maintenance, staging, storage, and dispensing of fuel shall occur in designated upland areas and in such a manner as to prevent any runoff from entering waters of the U.S.
- TE8.** Raw cement/concrete or washing thereof, asphalt, paint or other coating material, oil or other petroleum products or any other substances which could be hazardous to wildlife resulting from project-related activities shall be prevented from contaminating the soil and/or entering any jurisdictional waters.
- TE9.** Construction crews shall be briefed on the presence of vireos and measures to be taken to minimize impacts to the vireo and its habitat before activities are conducted.
- TE10.** 0.58-hectares (ha) (1.45-acres [ac]) of mixed willow woodland and mulefat scrub shall be restored in English Channel following project completion, consistent with a future habitat restoration plan. The restoration plan shall be completed and submitted to FHWA and CFWO for review and approval prior to initiating impacts to riparian habitat. Site preparation and restoration shall be implemented immediately following project completion.
- TE11.** As part of the restoration plan, invasive non-native species, including castor bean, pampas grass, and fan palm shall be removed from the riparian vegetation in English Channel, from the boundary with the McCoy Equestrian Center (approximately 457.2-m [1,500-ft] upstream of the culvert under Peyton Drive) to approximately 152.4-m (500-ft) downstream of the culvert.
- TE12.** A conservation easement or deed restriction shall be placed over 1.37-ha (3.40-ac) of English Channel between McCoy Equestrian Center at the upstream end and the proposed "Armorflex mat" at the downstream end. Following proposed restoration, the entire conserved area shall contain riparian habitat consisting of mixed willow woodland and mulefat scrub, with small patches of emergent wetland. The easement or deed restriction shall accommodate educational field trips in the channel and a potential pedestrian bridge over the creek. The City of Chino Hills shall enforce the easement or deed restriction and maintain the habitat (e.g., remove trash and non-native invasive weed species) in perpetuity. A draft easement or deed restriction

shall be submitted to the CFWO for review and approval, and the easement or deed restriction shall be adopted prior to impacting riparian habitat.

- TE13. Two cowbird traps shall be placed at the equestrian center or other mutually agreed upon location in close proximity to the proposed project and operated for a period of two years.
- TE14. Signs shall be placed on either side of the riparian habitat identifying it as a sensitive habitat type that supports federally endangered species and requesting that park patrons use identified trails to minimize impacts to the habitat and wildlife.
- IS1. Landscape designs shall be submitted for review and approval by a qualified biologist. The review shall determine that no invasive, exotic plant species will be used in any proposed landscaping, and that suitable substitutes are proposed.



Appendix E List of Acronyms

AB	Assembly Bill
ac	Acre(s)
ACMs	Asbestos Containing Materials
ACOE	U.S. Army Corps of Engineers
ADA	Americans with Disabilities Act
ADL	Aerially Deposited Lead
ADT	Average Daily Traffic
APE	Area of Potential Effect
APEFZ	Alquist-Priolo Earthquake Fault Zone
AQMP	Air Quality Management Plan
ASR	Archaeological Survey Report
BA	Biological Assessment
BACMs	Best Available Control Measures
BARCT	Best Available Retrofit Control Technology
BGS	Below Ground Surface
BMP	Best Management Practice
BO	Biological Opinion
C	Federal Candidate Species for Listing
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CALVENO	California Vehicle Noise Reference Energy Mean Emission Level
CARB	California Air Resources Control Board
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDFG	California Department of Fish and Game
CDMA	California Department of Mines and Geology
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act of 1980
CFR	Code of Federal Regulations
CFWO	Carlsbad Fish and Wildlife Office
CHMIRS	California Hazardous Material Incident Report System
CHP	California Highway Patrol
CIA	Community Impact Assessment
cm	Centimeter(s)
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CO	Carbon Monoxide
CPSC	United States Consumer Product Safety Commission
CSC	California Species of Special Concern
CWA	Clean Water Act
dB	Decibels
DOF	Department of Finance
DOT	Department of Transportation
DU	Dwelling Units
EA/IS	Environmental Assessment/Initial Study
EIR	Environmental Impact Report
EPA	United States Environmental Protection Agency
ESA	Endangered Species Act
F	Fahrenheit
FAR	Floor Area Ratio
FCAA	Federal Clean Air Act

Appendix E - List of Acronyms

FE	Federal Endangered Species
FESA	Federal Endangered Species Act
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FIP	Federal Implementation Plan
FIRM	Flood Insurance Rate Map
FPE	Federal Proposed Endangered Species
FPPA	Farm Protection Policy Act
FPT	Federal Proposed Threatened Species
ft	foot/feet
FT	Federal Threatened Species
FTA	Federal Transit Administration
GPA	General Plan Amendment
ha	Hectare(s)
HCP	Habitat Conservation Plan
HDM	Highway Design Manual
HOV	High Occupancy Vehicle
HPSR	Historic Property Survey Report
IID	Imperial Irrigation District
IS	Initial Study
ISA	Initial Site Assessment
km	Kilometer(s)
km/h	Kilometers per hour
LBP	Lead based paints
LEDPA	Least Environmentally Damaging Practicable Alternative
LOS	level of service
m	meter(s)
MEA	Master Environmental Assessment
mi	Mile(s)
MND	Mitigated Negative Declaration
Mph	Miles per hour
MSHCP	Multi Species Habitat Conservation Plan
MSL	Mean Sea Level
N/M	Not measured
NAAQS	National Ambient Air Quality Standards
NAC	Noise Abatement Criteria
ND	Negative Declaration
NEPA	National Environmental Policy Act
NES	Natural Environment Study
NFIP	National Flood Insurance Program
NHS	National Highway System
NOI	Notice of Intent
NO ₂	Nitrogen dioxide
NOx	Nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historical Places
NWP	Nationwide Permit
O ₃	Ozone
OHWM	Ordinary High Water Mark
Pb	Lead
PDT	Project Development Team
PM	post mile
PM ₁₀	particular matter larger than 10 microns in diameter
Ppm	Parts per million
PR	Project Report

PRC	Public Resources Code
PS&E	Plans, Specifications, and Entitlements
PSR	Project Study Report
RACMs	Reasonably Available Control Measures
RACT	Reasonably Available Control Technology
RCP	reinforced concrete pipe
RCRA	Resource Conservation and Recovery Act of 1976
ROC	Reactive Organic Compound
ROG	Reactive Organic Gas
ROW	right-of-way
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RWQCB	California Regional Water Quality Control Board
SA	California Special Animal
SAA	Streambed Alteration Agreement
SANBAG	San Bernardino Association of Governments
SBEM	San Bernardino Base Meridian
SBCFCD	San Bernardino County Flood Control District
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCG	Southern California Gas Company
SCS	Soil Conservation Service
SE	California Endangered Species
SHPO	State Historic Preservation Officer
SIP	State Implementation Plan
SOC	Species of Concern
SoCAB	South Coast Air Basin
SO ₂	Sulfur dioxide
SO _x	Sulfur oxides
SP	California Special Plant
SPF	Standard Project Flood
Sq.	Square feet/mile
SR	State Route
SRA	Source Receptor Area
SSC	Federal Species of Special Concern
ST	California Threatened Species
STIP	State Transportation Improvement Program
STLC	Soluble Threshold Limit Concentration
SWMP	Storm Water Management Plan
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	California State Water Resources Control Board
TAC	Toxic Air Contaminants
TDM	Transportation Demand Management
TMDL	Total Maximum Daily Loads
TMP	Traffic Management Plan
TNAP	Traffic Noise Analysis Protocol
TSM	Transportation System Management
TTLC	Total Threshold Limit Concentration
UBC	Uniform Building Code
UCD	University of California, Davis
ug/m ³	Micrograms per cubic meter
UPRR	Union Pacific Rail Road
US	United States
Use	United States Code
USDA	United States Department of Agriculture

Appendix E - List of Acronyms

USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
V/C	Volume-to-Capacity ratio
VMT	Vehicle miles traveled
VOC	Volatile Organic Compound
VPD	Vehicles per day
WPCP	Water Pollution Control Plan

Appendix F **List of Studies and References**

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Appendix G Biological Opinion

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US FISH AND WILDLIFE

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United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
Carlsbad HA and Wildlife Office
6010 Hidden Valley Road
Carlsbad, California 920114213



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Date Sent:	03/07/2006	Time Sent (PT):	j
Number of pages, INCLUDING this transmittal:	16		
TO:	FAX NUMBER:		
FHWA - Sacramento - Larry Vinzant	916-498-5008		
Caltrans District 8 - Aaron Borlon	909-385-6494		
LS A Associates - Wendy Walters	951-781-4277		
FAXED BY:	Damn Milligan	Fax No:	(760)918-0638
		Phone No:	(760)431-9440
FOR:	Karen Goebel and Jonathan Snyder		
SUBJECT:	BO - Peyton Drive Improvement Project City of Chino Hills, San Bernardino County		
COMMENTS:			
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FISH AND WILDLIFE SERVICE
Ecological Service*
Carlsbad Regional Wildlife Office
6010 Hidden Valley Road
Carlsbad, California 92009

In Reply Refer To:
FWS-SB-4033.4

MAR 07 2006
MTR

Gene Fong
Federal Highway Administration
650 Capitol Mall, Suite 4-100
Sacramento, California 95814

Aim: Lany Vinzant

Subj: Formal Section 7 Consultation for the Peyton Drive Improvement Project in the City of Chino Hills, San Bernardino County, California

Dear Mr. Fong:

This document transmits our biological opinion based on our review of the proposed Peyton Drive improvement project, including widening and addition of a sidewalk along Peyton Drive, completing Eucalyptus Avenue, and improving flood control in the English Channel in the City of Chino Hills, San Bernardino County, California. The biological opinion analyzes the project's effects on the federally endangered least Bell's vireo (*Vireo flavifrons*, "vireo") in accordance with section 7 of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.). While critical habitat for the vireo has been designated, it does not occur in the project area. The proposed project involves impacts to riparian habitat associated with the above activities. The project will be conducted by the City of Chino Hills and funded, in part, by the Federal Highway Administration (FHWA). Formal consultation was initiated on September 23, 2005.

FHWA's initiation request also requested consultation regarding project-associated adverse effects to the federally endangered southwestern willow flycatcher (*Empidonax traillii extimus*, "flycatcher"). However, protocol surveys in 2003 documented a male flycatcher on only two occasions (June 21 and 23) at the edge of the project boundary. Even though the flycatcher exhibited territorial behavior, it was present for only a short period of time, and the limited amount of habitat at this location and the habitat characteristics (e.g., lack of open water) make it unlikely that flycatcher will breed at this location. Because there will be sufficient habitat available to support foraging by migratory flycatchers during project implementation and because the conservation/minimization measures committed to be the project proponent (and described in "Conservation/Minimization Measures" below) will protect and restore potential flycatcher habitat and minimize potential disturbance of flycatcher* during project implementation, we conclude that the proposed project may affect, but is not likely to adversely affect the flycatcher.

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2

This biological opinion is based on information provided in the Biological Assessment for Peyton Drive Public Improvements (FHWA 2005), correspondences, electronic mail, telephone conversations, and other sources of information. A complete project file addressing this consultation is maintained at the Carlsbad Fish and Wildlife Office (GFWO)

CONSULTATION HISTORY

On May 18,2004, we met with representatives from Caftans and the City of Chino Hills to discuss potential project-related impacts to threatened and endangered species and potential conservation measures.

On June 16,2005, we provided LSA Associates a list of federally threatened and endangered species that may be in the vicinity of the proposed project

On September 23,2005, we received the Biological Assessment for the proposed project and a request to initiate formal consultation. On October 31,2005, we responded, initiating formal consultation.

On November 19,2005, we met at the project site and discussed how proposed conservation measures would be clarified to provide sufficient information for analysis in the biological opinion.

On February 3,2006, the CFWO received the revised project description, including updated conservation measures.

BIOLOGICAL OPINION

DESCRIPTION OF THE PROPOSED ACTION

The proposed action involves the widening of Peyton Drive between Grand Avenue and Chino Hills Parkway (about 1.5 miles), construction of a 530-foot connection of Eucalyptus Avenue between Peyton Drive and Galloping Hills Parkway, and the reconstruction of flood control structures along English Channel at the Eucalyptus Avenue/Peyton Drive intersection. The Peyton Drive widening would widen Peyton Drive between Grand Avenue and Eucalyptus Avenue to a six-lane roadway and widen Peyton Drive to a four-lane highway between Eucalyptus Avenue and Chino Hills Parkway. The project will permanently impact about 0.42 acre and temporarily impact 0.39 acre of willow woodland and mulefat scrub. Construction is anticipated to begin in fall of 2006 and to last about 18 months.

US EPA ARCHIVE DOCUMENT

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3

Conservation/Minimization Measures

- 1, Riparian vegetation will be removed outside the vireo and flycatcher breeding season (March 15 to September 15). To the extent practicable, construction within 300 feet of riparian habitat will also be done outside the breeding season. If construction must be completed during this period, then weekly surveys for vireo and flycatcher will be conducted prior to and during construction activity. If vireo or flycatcher are found, the CFWO and FHWA will be contacted and measures will be taken to reduce sound levels reaching areas used by vireo to less than 60dBA or the background noise level, whichever is higher.
2. The limits of grading will be clearly marked, and temporary fencing or other appropriate markers shall be placed around any sensitive habitat adjacent to work areas prior to the commencement of any ground-disturbing activity or native vegetation removal. No construction access, parking, or storage of equipment or materials will be permitted within the marked areas.
3. A biological monitor will be present during all activities involving removal of vegetation to ensure that impacts to wetland and riparian habitat do not exceed the limits of grading and to minimize the likelihood of inadvertent impacts to vireo, flycatcher, and other wildlife species.
4. No material (eg., litter, debris, trash, etc.) will be deposited within sensitive habitat areas designated by the project biologist, temporary fencing, or other appropriate markers.
5. Appropriate erosion and siltation controls will be used and maintained during construction and maintenance activities.
6. Best Management Practices (BMPs) will be employed to ensure that toxic materials, silt, debris, or excessive erosion do not enter jurisdictional waters or leave the construction or maintenance areas.
7. All vehicle maintenance, staging, storage; and dispensing of fuel will occur in designated upland areas and in such a manner as to prevent any runoff from entering waters of the US.
8. Raw cement/concrete or washing thereof, asphalt, paint or other coating material, oil or other petroleum products or any other substances which could be hazardous to wildlife resulting from project-related activities will be prevented from contaminating the soil and/or entering any jurisdictional waters.
9. Construction crews will be briefed on the presence of vireos and measures to be taken to minimize impacts to the vireo and its habitat before activities are conducted.

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4

10.1.45 acres of mixed willow woodland and inulefat scrub will be restored in English Channel Mo wing project completion, consistent with a future habitat restoration plan. The restoration plan will be completed and submitted to EHWA and CFWO for review and approval prior to initiating impacts to riparian habitat. Site preparation and restoration will be implemented immediately following project completion.

11. As part of the restoration plan, invasive non-native species, including castor bean, pampas grass, and fan palm will be removed from the riparian vegetation in English Channel, from the boundary with the McCoy Equestrian Center (about 1500 feet upstream of the culvert under Peyton Drive) to about 500 feet downstream of the culvert
12. A conservation easement or deed restriction will be placed over 3.40 acres of English Channel between McCoy Equestrian Center at the upstream end and the proposed "Annoiflex mat" at the downstream end. Following proposed restoration, the entire conserved area* will contain riparian habitat consisting of mixed willow woodland and mule&t scrub, with small patches of emergent wetland. The easement or deed restriction will accommodate educational field trips in the channel and a potential pedestrian bridge over the creek (although the pedestrian bridge is not part of the proposed project addressed by this biological opinion). The City of Chino Hills will enforce the easement or deed restriction and maintain the habitat (e.g., remove trash and non-native invasive weed species) in perpetuity. A draft easement or deed restriction will be submitted to the CFWO for review and approval, and the easement or deed restriction will be adopted prior to impacting riparian habitat
13. Two cowbird traps will be placed at the equestrian center or other mutually agreed upon location in close proximity to the proposed project and operated for a period of two years.
14. Signs will be placed on either side of the riparian habitat identifying it as a sensitive habitat type that supports federally endangered species and requesting that park patrons use identified trails to minimize impacts to the habitat and wildlife.

STATUS OF THE SPECIES

The least Bell's vireo is a small, olive-gray migratory songbird that nests and forages almost exclusively in riparian woodland habitats (Garrett and Dunn 1981; Gray and Greaves 1981; Miner 1989). Bell's vireos as a group are highly territorial (Barlow 1962; Fitch 1958; Salata 1983a) and are almost exclusively insectivorous (Chapin 1925; Miner 1989).

Vireo nesting habitat typically consists of well-developed overstories, undertones, and low densities of aquatic and heitaceous cover (Zemba 1984; Zemba *et al.* 1985; Hays 1986a, 1986b; Hays 1989; Salata 1983a; RECON 1989). The understorey frequently contains dense subshrub or shrub thickets. These thickets are often dominated by sandbar willow (*Salix*

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5

hindskma\ mule fat (*Baccharis saHcifolla*\ young individuals of other willow species such as arroyo willow (*Salix lasiolepis*) or black willow (*S. goodingii*) and one or more herbaceous species (Salata 1983a, 1983b; Zembal 1984; Zeroba/Ura/. 198S). Significant over story species include mature arroyo willows and black willows. Occasional cottonwood (*Populus* sp.) and western sycamore (*Populus racemosa*) occur in some vireo habitats, and coast live oak (*Quercus agrifolia*) may provide locally important overstory. Sites supporting vireos are on average wider and have a higher degree of vertical stratification, with large amounts of tree and shrub cover, and comparatively little herbaceous cover or open area (RECON 1989).

Vireos generally begin to arrive from their wintering range in southern Baja California and establish breeding territories by mid-March to late March (Garrett and Dunn 1981; Salata 1983a, 1983b; Hays 1989; Pike and Hays 1992). Vireos typically return to established breeding territories year after year (Greaves and Labinger 1997; Salata 1983b). In a study on the San Diego River (Beck 1996), a banded population of vireos generally returned year after year with only minor adjustments in territory location, a large majority of the breeding vireos in the Piado Basin typically depart their breeding grounds by the third week of September and only a few Bell's vireos are found wintering in California or the United States as a whole (Barlow 1962; Nolan 1960; Ehdich *et al.* 1988; Gannett and Dunn 1981; Salata 1983a, 1983b; Pike and Hays 1992).

The least Bell's vireo occupies home ranges that typically range in size from 0.5 to 4.5 acres (RECON 1989). In general, areas that contain relatively high proportions of degraded habitat likely have lower productivity (hatching success) than areas that contain high quality riparian woodland (Tones 198S; RECON 1989; Pike and Hays 1992). In some areas, vireos will also use adjacent upland habitats for foraging (Salata 1983a; Kus and Miner 1988). Females select the nest sites (Pitclka and Koestner 1942; Barlow 1962) and both sexes participate in nest construction. Nests are typically constructed in the fork of a tree or shrub branch within 1 meter (3 feet) of the ground. Average clutch sizes range from 3.1 to 3.9 eggs. Both parents share in incubation and feeding, and continue to care for the young for at least two weeks after fledging. Territorial boundaries may be relaxed after the chicks fledge; however, fledglings generally remain in the territory or its vicinity for most of the season.

Long-term averages of productivity based on fledglings per pair range between 1.8 and 3.2. However, productivity is much lower when calculated as the number of fledglings per egg laid, which ranged from 0.37 to 0.75, reflecting the differential intensity of pressures such as egg predation, nestling predation, cowbird parasitism and other sources of nest failure (Service 1998).

Historically described by multiple observers as common to abundant in the appropriate riparian habitats from as far north as Tdiana County, California, to northern Baja California, Mexico (Grinnell and Storer 1924; Willett 1933; Grinnell and Miller 1944; Wilbur 1980), the vireo now occupies a small fraction of its former range (Goldwasser *et al.* 1980; Service 1998) and remains a rare and local species in most of its existing range. Widespread habitat losses have fragmented

Gene Fong (FWS-SB-4033.4)

6

most remaining populations into small, disjunct, widely dispersed subpopulations. The remaining birds are concentrated in San Diego and Riverside counties with vireo numbers increasing in Change County. The entire known United States population in 1996 consisted of approximately 1,500 breeding pairs.

The decline of this California species (Salata 1986; Service 1998) has been attributed, in part, to the combined, perhaps synergistic, effects of the widespread destruction of riparian habitats and brood-parasitism by the cowbird (Garrett and Dunn 1981). Because of this documented, drastic decline, the least Bell's vireo was listed as an endangered species by the State of California. Subsequently, the vireo was listed as endangered by the Fish and Wildlife Service on May 2, 1986 (51FR16474); Ongoing threats to the vireo include loss of habitat and brood parasitism by cowbird. Loss of habitat has occurred as a result of development in the floodplain and flood control projects and as a result of invasion by an introduced, a non-native invasive species in riparian habitats that has eliminated and degraded large areas of potential vireo habitat. The Fish and Wildlife Service designated critical habitat for this species on February 3, 1994 (59 FR 4845). However, the proposed project is not located in an area designated as critical habitat for the vireo.

As a result of focused recovery efforts over the past five to ten years, including cowbird trapping and habitat restoration, the vireo has begun to recover at selected locales within its range (e.g., Prado Basin, Marine Corps Base Camp Pendleton, central and coastal Orange County). Approximately 2,000 vireo territories were detected within California during 2003 (Service, unpublished data), and the available data from the 2004 breeding season suggest an increase to approximately 2,400 territories (Sendee and U. S. Geological Service, unpublished data).

ENVIRONMENTAL BASELINE

Regulations implementing the Act (50 CFR § 402.02) define the environmental baseline as the past and present impacts of all Federal, State, or private actions and other human activities in the action area. Also included in the environmental baseline are the anticipated impacts of all proposed Federal project in the action area that have undergone section 7 consultation, and the impacts of State and private actions that are contemporaneous with the consultation in progress. According to 50 CFR § 402.02 pursuant to section 7 of the Act, the "action area" means all areas to be affected directly or indirectly by the Federal action. Subsequent analyses of the environmental baseline effects of the action, and levels of incidental take are based upon the action area. For this project, we define the action area to be the area affected by the proposed project, including access roads, drill sites, revegetation/enhancement sites, and the habitat within about 500 feet of the proposed activities, which could be affected by noise, human activity, etc.

The proposed project is in a stretch of riparian habitat associated with English Channel, which is a tributary of Carbon Creek. Carbon Creek is a tributary of San Antonio Channel, which feeds into the Prado Basin in the Santa Ana River. The Prado Basin supports the second largest population of vireo throughout its range, and there are also a large number of vireo in the Santa

Gene Fong (FWS-SB-4033.4)

7

Ana River channel where there is sufficient vegetation. However, the landscape surrounding the channel is mostly urbanized, and in general, as one moves farther from the river, the habitat patches become smaller and more isolated and support fewer vireo. The remaining patch of habitat in English Channel is several miles from Prado Basin and is relatively isolated from other riparian vegetation.

The riparian habitat patch in the action area is divided by the Eucalyptus Avenue and Peyton Drive intersection. North of Peyton Drive, the riparian habitat is mostly surrounded by undeveloped former agriculture land that is disked annually. The area north of the channel is being developed as a community park. When completed, the park will be separated from the riparian habitat by a wall, ball containment fencing/netting, bioswales to control runoff, and a native habitat buffer, which will vary between in width from about 10 to 100 feet. The area south of the channel is currently bare graded dirt and will be developed either as a park or as a small housing development (see Cumulative Effects analysis). There is an equestrian facility (McCoy Equestrian Center) to the east. South of Peyton Drive, the riparian habitat is surrounded by a combination of urban development and a small area of unvegetated privately owned open space. The surrounding community is mostly residential development, with small areas of agriculture remaining.

In 2003, protocol surveys for vireo were conducted in the vicinity of the proposed project. These surveys documented a family of vireo, including a male, a female, and fledglings. The vireo were observed only in the habitat north of Peyton Drive. Surveys were not conducted in 2004 or 2005, so it is possible that the number and distribution of vireo in the project area has changed since 2003. Cowbirds were also observed in the riparian habitat during 2003 surveys.

EFFECTS OF THE ACTION

Effects of the action refer to the direct and indirect effects of an action on the species, together with the effects of other activities that are interrelated and interdependent with that action, which will be added to the environmental baseline. Interrelated actions are those that are part of a larger action and depend on the larger action for their justification. Interdependent actions are those that have no independent utility apart from the action under consideration. Indirect effects are those that are caused by the proposed action are later in time; and still reasonably certain to occur.

Direct Effects

The proposed project will result in permanent impacts to 0.42 acre of native vegetation and temporary impacts to 0.39 acre of native vegetation, consisting of a combination of willow woodland, mulefat, and a small amount of emergent wetland habitat. The area of impact to riparian habitat is small, but there is a limited amount of riparian habitat available at this location. In addition, because surveys have not been conducted since 2003, the number and distribution of vireo using this riparian habitat may have changed slightly. During construction,

GeneFong(FWS-SB-4033.4)

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8

project impacts will reduce the amount of foraging and nesting habitat for returning or new vireos establishing territories. Thus, vireos at this location will likely experience a slight increase in competition during the breeding season and be forced to adjust their territory boundaries, particularly in the first year or two following project implementation, before temporarily impacted vegetation has recovered and restored areas have become established.

Indirect Effects

As described in the Biological Assessment, the proposed project could result in an incremental increase in noise levels on either side of the road. The project will increase the area with a noise level above 60dB A Leq in about 0.59 acre of riparian habitat occupied by the vireo. In addition, project construction could result in increased noise and activity levels in and near riparian habitat during the vireo breeding season. These increased noise levels could interfere with territorial and mating vocalizations and reduce the quality of riparian habitat for vireo in close proximity to the road. The 300-foot buffer between construction activities and occupied riparian habitat (see Conservation Measures above) will help reduce the potential for indirect effects during construction, but there is still the possibility for limited interference as a result of the proposed activities because of the close proximity of occupied habitat and anticipated construction.

The project also has the potential to result in degradation of riparian habitat as a result of construction activities; which can lead to increased pollution, sedimentation, trash, etc. in the riparian habitat

Conservation Measures

With the creation of and restoration of 1.45 acres of riparian habitat and restoration of the temporarily impacted area (Measure 10) and removal of non-native invasive plant species (Measure 11), the proposed project will result improve habitat quality and result in a net increase of 0.64 acre of vireo habitat. The cowbird trapping program (Measure 13) will further increase the quality of the habitat for vireo over the next two years by reducing the likelihood that vireo nests will be parasitized by cowbirds.

The conservation and ongoing management of the city-owned riparian habitat north of Peyton Drive (Measure 12) and installation of appropriate signage (Measure 14) will ensure that this area continues to provide potential vireo habitat in perpetuity by minimizing potential future disturbances and controlling invasion by non-native species.

Marking the limits of grading and monitoring project implementation (Measures 2 and 3) will ensure that project-associated impacts to habitat and to vireo are minimized and that unanticipated impacts do not occur.

Gene Fong (FWS-SB-4033.4)

9

The limitations on timing of construction activities in close proximity to vireo habitat (Measure 1) should help minimize potential construction-related disturbance to vireo as a result of noise and activity.

The BMPs and conservation measures related to pollution and sedimentation (Measures 4 through 9) are anticipated to effectively minimize potential degradation of habitat as a result of pollution, sedimentation, and trash accumulation.

CUMULATIVE EFFECTS

Cumulative effects include the effects of future State, tribal, local or private actions that are reasonably certain to occur in the action area considered in this biological opinion. Future Federal actions that are unrelated to the proposed action are not considered in this section because they require separate consultation pursuant to section 7 of the Act. The future community park under construction to the west of English Channel is addressed in the "Environmental Baseline"⁷¹ section of this document. The property to the east will be developed as either a community park or as a small residential development. If the area is developed as homes, the city will require a cat-proof fence between the homes and riparian habitat. In addition, an earthen berm will be installed just east of the riparian habitat; and the habitat will be signed explaining the riparian vegetation supports endangered species. If the property to the east of English Channel is developed as a park, a footbridge may be placed through the riparian vegetation to facilitate movement across the creek and minimize foot traffic through the bottom of the creek. The city has agreed to coordinate with the CFWO on the future project at this location to ensure that there are no unanticipated impacts to the conserved and restored habitat and vireo or flycatcher at this location.

CONCLUSION

After reviewing the current status of the vireo, environmental baseline for the action area, effects of the proposed action, and cumulative effects, it is our biological opinion that the proposed action is not likely to jeopardize the continued existence of this species or result in adverse modification of critical habitat. Our conclusion is based on the following reasons:

1. The proposed project will impact only a small amount (0.81 acre) of riparian habitat and one pair of vireo.
2. After restoration, the proposed project will result in a net increase in potential habitat for vireo at this location.
3. The project will permanently conserve and provide for ongoing maintenance of vireo habitat at this location.

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Gene Fong (FWS-SB-4033.4)

10

INCIDENTAL TAKE STATEMENT

Section 9 of the Act prohibits the take of endangered and threatened species, respectively, without special exemption. Take is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in any such conduct. Harm is further defined by us to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering. We defined harass as intentional or negligent actions that create the likelihood of injury to listed species to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering. Incidental take is defined as take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity. Under the terms of section 7(b)(4) and 7(o)(2) of the Act, taking that is incidental to and not intended as part of the agency action is not considered a prohibited taking provided that such taking is in compliance with the terms and conditions of this incidental take statement

The measures described below are non-discretionary, and must be undertaken by the FHWA so that they become binding conditions of any grant or permit issued to the permittee, as appropriate, for the exemption in section 7(o)(2) to apply. The FHWA has a continuing duty to regulate the activity covered by this incidental take statement. If the FHWA (1) fails to assume and implement the terms and conditions or (2) fails to require the permittee to adhere to the terms and conditions of the incidental take statement through enforceable terms that are added to the permit or grant document, the protective coverage of section 7(o)(2) may lapse. In order to monitor the impact of the incidental take, the FHWA must report the progress of the action and its impact on the species to the CFWO as specified in the incidental take statement [50 CFR §402.14(i)(3)].

AMOUNT OF TAKE

The proposed project will result in the removal of a relatively small amount of vireo breeding and foraging habitat, but because the riparian stretch where the proposed project will occur is small and isolated, project-associated impacts will result in the temporary loss of a substantial fraction of the remaining habitat at this location. Therefore, if a breeding pair of vireo returns to this location, they will have less foraging, sheltering, and breeding habitat during project implementation, resulting in harm due to reduced reproductive output by up to one pair of vireos in the first year following project implementation.

EFFECT OF THE TAKE

In the accompanying biological opinion, the CFWO determined that this level of anticipated take is not likely to result in jeopardy to the species or destruction or adverse modification of critical habitat

Gene Feng (FWS-SB-4033.4)

11

SEASONABLE AND PRUDENT MEASURE

We have not identified any additional reasonable and prudent measure beyond the measures committed to by the City of Chino Hills and described in the project description of the biological opinion, that are necessary or appropriate to further minimize potential impacts associated with project implementation.

TERMS AND CONDITIONS

To be exempt from the prohibitions of section 9 of the Act, the HWA must comply with terms and conditions which implement the reasonable and prudent measure described above. No terms and conditions are necessary.

DISPOSITION

The office is to be notified within the working day should any birds be found dead or injured as a result of the project. Include the date, time, location of the sighting and any other pertinent information. The bird should be kept in a cool, shaded area until it can be transported to the nearest wildlife rehabilitator. The office should be contacted if the bird is found dead or injured. The office contact person is the Joaquin Slider, who may be contacted at the letterhead address or at the telephone number listed below.

CONSERVATION RECOMMENDATIONS

Section 7(a)(1) of the Act requires the Federal agency to ensure the survival and recovery of endangered and threatened species. Conservation actions are developed by the Federal agency and may include: (1) critical habitat, to help protect the species and its recovery; (2) development of recovery plans; and (3) other actions that may affect listed species or critical habitat. In this case, no conservation actions are required.

FINAL NOTICE

This concludes formal consultation regarding the Peyton Drive improvement project, as outlined in materials submitted to the agency. In 30-CFR 402.16 reinitiation of formal consultation is required where discretionary Federal agency involvement or control over the action has been retained (or is authorized by law) and if: (1) new information indicates that the action may affect listed species or critical habitat; (2) the action may affect listed species or critical habitat in a manner or to an extent not previously considered; and (3) the agency action is not expected to result in the extinction of the species or critical habitat.

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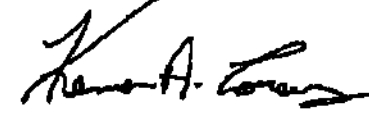
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Gene Fong (FWS-SB-4033.4)

12

designated that may be affected by the action. In instances where the amount or extent of incidental take is exceeded, any operations causing such take must cease pending reinitiation. Any questions or comments should be directed to Jonathan Snyder of my staff at (760) 431-9440 extension 307.

Sincerely,



Karen A. Goebel
Karen A. Goebel

Assistant Field Supervisor

cc:

Aaron Burton, Caltrans District 8, San Bernardino, CA

Jeff Brandt, CDFG, Region 6, Ontario, CA

Gary Cohoe, City of Chino Hills, Chino Bills, CA

Wendy Walter*, LSA, Riverside, CA

Gene Fong (FWS-SB-4033.4)

13

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Gene Fong (FWS-SB-4033.4)

14

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GeneFong(FWS-SB-4033.4)

15

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