

DATE: 5/18/2012

**PROJECT NAME: I-710 Corridor Project EIR/EIS
PROJECT EA- 249900**

PROJ SUBMITTAL: *Second Administrative Draft EIR/EIS (January 2012)*

CODES : 1 – The changes noted in the matrix are being made in the Draft EIR/EIS 2 – The changes noted in the matrix may be made in the Final EIR/EIS if they demonstrate that they add value to the decision making process on the recommended project 3 – These proposed changes will not be made because they do not comply with Caltrans/FHWA policies and procedures and/or are not consistent with the technical study protocols developed for this EIR/EIS.

No.	Plan/SSP/Page No.	Reviewer	Reviewer Comment No.	Comments	Code	Response/Actions	Initial (a)	Initial (b)
United States Department of Army								
Editorial/General								
1	NA	Richard J. Leifield (RL)	1	Use of U.S. EPA and EPA-be consistent	1	The acronym "U.S. EPA" has been replaced with "EPA" throughout the document.	Jayna Harris (JH)	
2	NA	RL	2	Use of US ACE and ACOE--- The preferred is USACE, please (or Corps)-be consistent	1	The acronym "ACOE" has been replaced with "USACE" throughout the document.	JH	
3	NA	RL	3	Federal and federal-please capitalize Federal.	2	Because the document is nearly final for public circulation, this change will not be made at this time and will be made prior to completion of the final EIR/EIS.	JH	
4	NA	RL	4	The Draft EIS/R is inconsistent with the Jurisdictional Delineation Report dated, January 2011. It is difficult to distinguish USACE versus CDFG and RWQCB impacts.	1	Consistency between the Jurisdictional Delineation and the Draft EIR/EIS have been cross-checked.	Art Homrighausen (AH)	
5	NA	RL	5	The JD Report does not indicate the Ordinary High Water Mark (OHWM) for the LA River and other jurisdictional features. The LA River OHWM should be at least toe to toe, if not higher, which is typical for concrete channels. This would affect the description of impacts due to the proposed tower relocations in the LA River. Please clarify the extent of Corps geographic jurisdiction and clarify or revise the JD Report and DEIS/R as needed, for consistency. In addition, the colors included in the JD legend: orange and pink, are very similar and may cause confusion. It is	1/3	The Jurisdictional Delineation has been revised in coordination with USACE Regulatory Division to show the OHWM as toe to toe and in some locations slightly higher where the OHWM is visible. As the Jurisdictional Delineation has been approved by USACE, the colors in legends on maps and figures have not been changed.	AH	

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				recommended that dissimilar colors be used.				
6	NA	RL	6	Please clarify if the proposed relocation of the towers in the LA River would affect water quality, velocity, sedimentation, or scour in the River. There may be downstream effects to hydrology, hydraulics, water quality, and/or habitat if these issues are not adequately addressed.	1	The towers are supported by platforms. The platforms are designed in the same manner as roadway bridges that cross the river. The new platforms will not affect the characteristics of the river any more or less than the existing bridges that cross the river. As such, the platforms do not adversely affect water quality, velocity, sedimentation, or scour in the river. Velocity and scour will be considerations in the new structure designs. Because the channel design modifications include long transitions just downstream of the platforms, downstream effects are neutralized. This information has been added to Section 3.8, Hydrology and Floodplains.	Shannon Willits (SW)	
7	NA	RL	7	Please identify if the 1-710 Corridor Improvement Project would affect any areas of the Los Angeles River and/or tributaries planned for restoration/revitalization. The 1-710 Corridor Improvement Project, as currently proposed, would be a constraint to any restoration efforts.	1	The effects of the I-710 Corridor Project on areas of the Los Angeles River and/or tributaries planned for restoration/revitalization have been discussed in the cumulative impacts section 3.25.	JH	
8	NA	RL	8	The Draft EISIR should adequately describe pertinent laws and regulations relevant to the Rivers and Harbors Act and describe resources and impacts.	1	Pertinent laws and regulations, as well as resources and impacts relevant to the Rivers and Harbors Act, have been added to Section 3.17 of the Draft EIR/EIS.	AH (wetlands and other waters)	
Executive Summary								
1	ES	RL	9	Please add in either par 1 or add a paragraph 2 discussing the differences between Cooperating Agencies, Responsible Agencies, and Funding Agencies. (NEPA 1501.6)	1	Due to Caltrans' commitment to providing the public a brief 25 page executive summary. This information is already provided in Chapter 5.	JH	
Chapter 1								
1	Ch. 1	RL	10	Please give a brief summary of the need for the Corps' cooperation in the acquisition of a 408 Permit and why.	1	A brief summary of the need for USACE cooperation in the acquisition of a 408 permit has been added to Chapter 1.	JH	
Chapter 2								

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1	Ch. 2	RL	11	Please discuss somewhere in the alternatives discussion why this project must occur in the floodplain. Please see Executive Order 11988: Floodplain Management. "Executive Order 11988, signed by President Jimmy Carter on 24 May 1977, and published in 42 FR 26351. Its purpose is to " ... avoid to the extent possible the long and short term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative."Each agency shall provide leadership, take action to reduce the risk of flood loss, minimize impact of floods on human safety, health, and welfare. They shall restore and preserve natural and beneficial values served by the floodplains. Each agency also has the responsibility to evaluate potential effects of Federal action that may be made within floodplains. Each agency will ensure planning and budget requests reflect consideration of flood hazards and floodplain management. " Please see the Corps' Engineering Regulation (ER) 1165-2-26, "Implementation of Executive Order 11988 on Floodplain Management". Please see the eight-step process outlined in paragraph 8, General Procedures and include discussion.	2	In the Draft EIR/EIS, at least one build alternative (Alternative 5A) does not include longitudinal encroachments to the Los Angeles River. If Alternatives 6A, 6B or 6C is chosen as the Preferred Alternative, a "Only Practicable Finding" pursuant to EO 11988 with be included in the Final EIR/EIS.	Nicole West (NW)	
Section 3.6, Visual								
1	Section 3.6	RL	12	Visual Simulation photos are quite helpful and well presented. Mitigation measure VIS-I---Discuss use of native species in landscaping to promote future sustainability in light of climate change forecast. Species/habitat that will be viable/resilient/and promote. water conservation. Consider use of permeable paving materials where practicable to minimize storm water/irrigation run-off. Please provide section on recreation as it is not discussed until Chapter 4 regarding impacts under CEQA. Please provide in Appendix if not in main document, a list of	1	VIS-1 will be revised to discuss the use of native species and permeable paving materials in the Corridor Master Plan. A discussion on recreation can be found in Section 3.3, Community Impacts. Applicable Federal laws are included at the beginning of each section under "Regulatory Setting."	JH	

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				applicable Federal laws as listed in ER 1105-2-100 Appendix G, Exhibit G-8--- Partiallist. Also refer to the Corps' Environmental Desk Reference for a listing of laws and Executive Orders. Also following is a partial list that is a "standardized list we use from another project that is not inclusive. Please see tables and Applicable Environmental and Regulations below.				

Exhibit G-8. Federal Laws and Policies Applicable to all Recommended Plans	
Title of Public Law	US CODE
Abandoned Shipwreck Act of 1987	43 USC 2101
American Indian Religious Freedom Act	42 USC 1996
Agriculture and Food Act (Farmland Protection Policy Act) of 1981	7 USC 4201 et seq.
American Folklife Preservation Act of 1976, As Amended	20 USC 2101
Anadromous Fish Conservation Act of 1965, As Amended	16 USC 757 a et seq.
Antiquities Act of 1906, As Amended	16 USC 431
Archeological and Historic Preservation Act of 1974, As Amended	16 USC 469
Archeological Resources Protection Act of 1979, As Amended	16 USC 470
Bald Eagle Act of 1972	16 USC 668
Buy American Act	41 USC 102
Civil Rights Act of 1964 (Public Law 88-352)	6 USC 601
Clean Air Act of 1972, As Amended	42 USC 7401 et seq.
Clean Water Act of 1972, As Amended	33 USC 1251 et seq.
Coastal Barrier Resources Act of 1982	16 USC 3501-3510
Coastal Zone Management Act of 1972, As Amended	16 USC 1451 et seq.
Comprehensive Environmental Response, Compensation and Liability Act of 1980	42 USC 9601
Conservation of Forest Lands Act of 1960	16 USC 580 mn
Contract Work Hours	40 USC 327
Convict Labor	18 USC 4082
Copeland Anti-Kickback	40 USC 276c
Davis Bacon Act	40 USC 276
Deepwater Port Act of 1974, As Amended	33 USC 1501
Emergency Flood Control Funds Act of 1955, As Amended	33 USC 701m
Emergency Wetlands Resources Act	16 USC 3901-3932
Endangered Species Act of 1973	16 USC 1531
Estuary Program Act of 1968	16 USC 1221 et seq.
Equal Opportunity	42 USC 2000d

Farmland Protection Policy Act	7 USC 4201 et seq.
Federal Environmental Pesticide Act of 1972	7 USC 136 et seq.
Federal Water Project Recreation Act of 1965, As Amended	16 USC 4601
Fish and Wildlife Coordination Act of 1958, As Amended	16 USC 661
Flood Control Act of 1944, As Amended, Section 4	16 USC 460b
Executive Order	
11593, Protection and Enhancement of the Cultural Environment, may 13, 1979	36 FR 8921; May 15, 1971
11988, Floodplain Management, May 24 1977	42 FR 26951; May 25, 1977
11990. Protection of Wetlands	42 FR 26961; May 25, 1977
11514, Protection and Enhancement of Environmental Quality, March 5, 1970, as amended by Executive Order 11991. May 24, 1977	
12088, Federal Compliance with Pollution Control Standards, October 13, 1978	
12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations, February 11, 1994	

Other Federal Policies	
Council on Environmental Quality Memorandum of August 11, 1980: Analysis of Impacts on Prime and Unique Agricultural Lands in Implementing the National Environmental Policy Act	
Council on Environmental Quality Memorandum of August 10. 1980: Interagency Consultation to Avoid or Mitigate Adverse Effects on Rivers in the Nationwide Inventory.	
Migratory Bird Treaties and other international agreements listed in	