

Responses to Comments from Local Agencies and Organizations

This section provides responses to comments received on the draft environmental document from local/regional agencies and organizations.

**Summary of Comment Letters Received from  
Local Agencies and Organizations**

Comment Code	Agency	Commenter Name	Date Letter Received	Comment Topic(s)	Appendix J Page No.
L-1	Los Angeles County Department of Regional Planning	Max Thelander	09/21/16	Alternatives, Land Use, Farmlands, Biological Environment, Mitigation	44 - 54
L-2	Los Angeles County Fire Department – Forestry Division	Kevin Johnson	09/16/16	Erosion Control, Watershed Management	55 - 56
L-3	Los Angeles Department of Water & Power – Environmental Planning	Aiden Leong	09/15/16	Utilities, Right-of-Way, Relocation of Towers	57 - 60
L-4	Land Projects Mutual Water Company	Deborah Boyd	09/27/16	Water Well Locations	61
L-5	Santa Clarita Valley Chamber of Commerce	Curtis Woods	09/20/16	General Support	62
L-6	Golden State Gateway Coalition	Victor Lindenheim	09/20/16	General Support	63
L-7	Tejon Ranch	Greg Medeiros	09/19/16	Access Locations	64
L-8	Pacific Crest Trail Association	Anitra Kass	09/19/16	Pacific Crest Trail, Section 4(f)	65 - 67
L-9	Building Industry Association of Southern California – LA/Ventura	De'Andre Valencia	09/19/16	Alternatives, Traffic, Cost Estimates	68 - 69
L-10	California Native Plant Society – LA/Santa Monica Mountains Chapter	Julie Clark De Blasio	09/19/16	Biological Resources	70 - 72
L-11	Center for Biological Diversity	Ileene Anderson	09/19/16	Alternatives, Biological Resources, GHG Emissions	73 - 80
L-12	Greater Antelope Valley Economic Alliance	Kimberly Maevers	09/01/16	General Support	81
L-13	Three Points-Liebre Mountain Town Council	Susan Zahnter	09/19/16	Growth, Visual/Aesthetics, Hydrology, Air Quality, Biological Environment	82 - 92
L-14	Antelope Acres Town Council	Virginia Stout	09/16/16	Antelope Acres Loop, Access, Mitigation, Noise, Visual/Aesthetics	93 - 98
L-15	Endangered Habitats League	Dan Silver	08/10/16	Request for Extension of Comment Period	99
L-16	Tejon Indian Tribe	William Gollnick	09/16/16	Request for Consultation	100
L-17	County Sanitation Districts of Los Angeles County	Adriana Raza	09/15/16	Access Points, Permits	101
L-18	Tri County Watchdogs	Katherine King	09/16/16	Water, Wildlife, Air Quality, Visuals/Aesthetics	102 - 104
L-19	Southern California Edison - Environmental Services	Wendy Miller	09/08/16	Impacts to Facilities, Right-of-Way, Access	106 - 107
L-20	Los Angeles County Department of Public Works	Gail Farber	09/28/16	Traffic, Drainage, Water Quality, Hazardous Waste, Storm Water	108 - 113



Los Angeles County  
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner  
Director

September 19, 2016

Mr. Ron Kosinski, Deputy District Director  
California Department of Transportation  
Division of Environmental Planning  
100 South Main Street, MS-16A  
Los Angeles, CA 90012

[SENT VIA EMAIL TO: [rw138@metro.net](mailto:rw138@metro.net)]

Dear Mr. Kosinski:

**COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL  
IMPACT STATEMENT FOR THE NORTHWEST STATE ROUTE 138 CORRIDOR  
IMPROVEMENT PROJECT**

The Los Angeles County (County) Department of Regional Planning (Department) appreciates the opportunity to provide written comments on the Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Northwest State Route 138 Corridor Improvement Project (NW-138).

In order to ensure that environmental impacts of the NW-138 are adequately addressed, the Department is providing comments, organized by chapter and subsection, which are attached to this letter.

If you have any questions regarding these comments, please contact myself or Max Thelander of the Community Studies North Section. We may be reached at (213) 974-6476, or by email at [stae@planning.lacounty.gov](mailto:stae@planning.lacounty.gov) and [mthelander@planning.lacounty.gov](mailto:mthelander@planning.lacounty.gov), respectively.

Sincerely,  
RICHARD J. BRUCKNER  
DIRECTOR OF PLANNING

Susan Tae, AICP, Supervising Regional Planner  
Community Studies North Section

SMT:MT

Attachment

320 West Temple Street • Los Angeles, CA 90012 • 213-974-6411 • Fax: 213-626-0434 • TDD: 213-617-2292

**Responses to Comment Letter L-1  
Los Angeles County Department of Regional Planning**

**Response to Comment L-1.1**

Section 1.2 (Purpose and Need) has been revised to reflect this information.

**Response to Comment L-1.2**

The Safety discussion in section 1.2 (Purpose and Need) has been revised for clarity.

**Response to Comment L-1.3**

Tables 2 has been revised to include the requested information.

**Response to Comment L-1.4**

The recently released SCAG 2016-2040 RTP/SCS model has been reviewed to determine the potential impacts on the project purpose and need. After a review of the land use assumptions in the 2016 model, it was observed that the land uses developed for the 2012 model for the SR-138 and the Antelope Valley Area Plan (AVAP) have not significantly changed. Additionally, key corridor volumes were compared between the models and there were not significant differences in these volumes.

**Response to Comment L-1.5**

The environmental document has been revised to make this correction.

**Response to Comment L-1.6**

The Project Need discussion in section 1.2 (Purpose and Need) has been revised to reflect updated projections.

**Response to Comment L-1.7**

Further information on Economic Opportunity Area boundaries has been added to the environmental document.

**Response to Comment L-1.8**

Sections 3.1.2 (Growth) and 4.3 (Growth Inducing Impacts) have been updated to reflect the current status of the Antelope Valley Groundwater Basin adjudication, which would provide water resource management to prevent depletion and damage to the basin.

**Response to Comment L-1.9**

Section 2.1 (Project Description) has been updated with maps and cross-sections to allow for comparison of facility types (i.e., freeway, expressway, and conventional highway) with regard to access control and grade separation.

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Chapter 1: Proposed Project

- Page 5, Table 1: Under both build alternatives, forecast ADT volumes for year 2040 for the SR-138 segments (ID #7 through 13) would be more than twice the No Build volumes for year 2040. This seems to be a significant piece of information that should be mentioned in the text. L-1.1
- Page 5, Safety: This section is confusing as written, and should be reworded for clarity. L-1.2
- Page 6, Table 2: Include the actual numbers (not only rates) of accidents, injuries, and fatalities, in order to facilitate comparison with Table 3. It would be useful to know what proportion of the total occurred at the five intersections noted in Table 3. A map showing the locations of these accidents would also be useful and should be included. L-1.3
- Page 8, Tables 4 and 5: These population and employment growth forecasts are from the 2008 Multi-County Goods Movement Action Plan. However, since future traffic projections are based upon the 2012 RTP-SCS (SCAG 2012 V6.1 Model), population and employment forecasts should also come from the RTP-SCS. In addition, 2003 is now too far in the past to be relevant as a baseline year. L-1.4
- Page 8: It is incorrect to refer to the 1986 Antelope Valley Areawide General Plan as the "existing land use plan." The 1986 plan was repealed when the Board of Supervisors adopted the current plan (Antelope Valley Area Plan [AVAP], also known as Town & Country) on June 16, 2015. L-1.5
- Page 8: The 1986 Plan's population projections and numbers of allowed housing units and jobs are no longer relevant, as this plan is no longer in effect. Table 1-1 in the Draft EIR for the 2015 Antelope Valley Area Plan contains "buildout projections" for the Plan area. Please note that these projections are not specific to a future year. A description of the methodology can be found in Appendix E of the Plan's Draft EIR. L-1.6
- Page 8: Describing the three Economic Opportunity Areas (EOAs) as "intersections" could be confusing. A map or more detailed description of the EOA boundaries would be more informative. L-1.7
- Page 9: Update to reflect current status of Antelope Valley Groundwater Basin adjudication (no longer pending). L-1.8

Chapter 2: Project Alternatives

- Page 11, Note on Alternatives: The descriptions of how freeway, expressway, and conventional highway differ (with regard to access control, grade separation, etc.) should also be included on maps and cross-sections. L-1.9
- Page 12, No-Build Alternative: The second paragraph states: "There would be increased maintenance costs to maintain the route without any other improvements." Please clarify what this "increase" is relative to. L-1.10
- Page 18, Transportation System Management (TSM) and Transportation Demand Management (TDM) Alternatives: It would be more accurate to refer to TSM and TDM as L-1.11

**Responses to Comment Letter L-1**  
**Los Angeles County Department of Regional Planning**

**Response to Comment L-1.10**

Section 2.1.1 (No-Build Alternative) has been revised for clarification.

**Response to Comment L-1.11**

The Project Need discussion in section 1.2 (Purpose and Need) has been revised to reflect this information. The project area is defined by the area of direct impact of the project. This includes a study area that surrounds the current highway and the expanded area of the build alternatives. Transportation System Management (TSM) may be considered in the future as future projects are anticipated or studied. If the area develops to a level of 200,000, which is above the projected approved land uses in the Antelope Valley Area Plan, then TSM would need to be considered at that time of the future study. Transportation Demand Management strategies will be incorporated in the actual implementation of the corridor improvements. As improvements are needed, based on traffic growth, improvements will be incorporated to improve the operations of the existing facility based on the actual travel demand and characteristics of the travel demands at the various stages of the implementation.

**Response to Comment L-1.12**

The 300 feet nominal dimensions centered around the existing highway was determined to be the maximum extent of the direct impacts of the project to improve the existing facility to meet the purpose and need of the project and ultimately the build alternatives.

**Response to Comment L-1.13**

This revision has been made in section 3.1.1.1 (Existing and Future Land Use).

**Response to Comment L-1.14**

The section has been revised for clarity.

**Response to Comment L-1.15**

The section has been revised for clarity.

**Response to Comment L-1.16**

A community description for Gorman can be found in section 3.1.1.1 (Existing and Future Land Use).

**Response to Comment L-1.17**

The section has been revised for accuracy.

**Response to Comment L-1.18**

Table 8 has been revised to accurately reflect the development trends in the project area.

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"strategies" rather than "alternatives" since these could be components of any alternative. For TSM, please clarify how "project area" is defined and whether TSM would be implemented if and when the population reaches 200,000. Also, please discuss more specifically some of the ways in which the project could incorporate TDM strategies.

L-1.11

Chapter 3, Section 3.1: Human Environment

3.1.1 LAND USE

- Page 25, Project Study Area: Please clarify the basis on which 300 feet on each side of the roadway was selected as the study area, and whether this was the area used to evaluate impacts in all categories. L-1.12
- Page 25: Please revise "LA County Planning" to "Los Angeles County Department of Regional Planning." L-1.13
- Page 26: "Town councils which represent the communities within or near the project limits are described below." The descriptions are of communities, not Town Councils. Please revise this sentence. Also, please clarify that the geographic boundaries are approximate, and are not officially designated by the County. L-1.14
- Page 26: Throughout this section, land use designations (e.g. RL10) and zoning (e.g. CR) are referenced as if they are interchangeable. Land use and zoning designations have different functions and are not interchangeable; please revise to clarify this. Development on any given property must be compatible with both the land use and zoning designations. The Antelope Valley Area Plan's "rural town center" and "rural preserve area" designations do not directly regulate land use, but are implemented through their corresponding land use designations. L-1.15
- Page 26: A community description for Gorman should be included in this section. L-1.16
- Page 26, Antelope Acres: References to design elements and development standards are from the AVAP's Community-Specific Land Use Concepts Element. Language such as "regulations" and "would" is therefore inaccurate. Note that Community Standards Districts (CSDs) do constitute regulation, as they are part of the County Code Title 22 (Planning and Zoning). There is no currently adopted CSD in Antelope Acres, although one has been proposed. L-1.17
- Page 27, Development Trends in the Project Area: It is inaccurate to describe the three EOAs as development "projects" or "trends," and therefore they should be removed from this section. Also, not all of the projects shown on the map (Figure 6) are included in Table 9. L-1.18
- Page 27, Development Trends in the Project Area: The Centennial project should be included in this section. Information on the project scope can be found in that project's Revised Notice of Preparation. L-1.19

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**Response to Comment L-1.19**

Table 8 has been revised to accurately reflect the development trends in the project area.

**Response to Comment L-1.20**

Table 10 has been revised with the goals and policies listed in numerical order.

**Response to Comment L-1.21**

The discussion related to Policy M 2.4 has been revised in Table 10.

**Response to Comment L-1.22**

To maintain the continuity of the bike routes within the western project limits, a bicycle path is proposed along the access road between the highway and Quail Lake outside of Caltrans R/W. Also, specific improvements include a Class I bike path, which will be established by utilizing the proposed utility corridor and remnant portions of the existing SR-138. Other improvements include pedestrian and bike refuge areas, cross-walks, and median cutthroughs for bikes. Please see Chapter 3.16 for a discussion of how the proposed alignment would maintain continuity with bike routes.

**Response to Comment L-1.23**

The project is consistent with Policy M 11.1 because it would improve existing pedestrian routes and create new pedestrian routes. Pedestrian overcrossings are proposed at 3 locations to facilitate pedestrian and bicycle movement through the corridor. The proposed locations are near 75th Street, 100th Street, and 280th Street, and would be fully determined in the design phase of the project. Pedestrian overcrossings help reduce the distance that pedestrians need to travel between proposed crossings. Since a majority of the corridor is currently rural and undeveloped, the three potential pedestrian overcrossings proposed are in the communities of Antelope Acres and Neenach, serving current pedestrian needs. Diverting motorized and non-motorized modes of traffic to grade separated crossing points or signalized intersections may enhance safety for pedestrians.

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- Page 30, Consistency Determination for Relevant Policies, Goals and Objectives: It is unclear why the goals and policies in this section are not listed in numerical order. Also, please add discussion for the following AVAP goals and policies:
  - Policy M 2.4: Discussion should be focused on the project, rather than the study, and should include discussion of specific project elements such as bike improvements, to support conclusion that the project is multi-modal and "offers alternatives to automobile travel" (also see Policies M 9.1, COS 9.2) L-1.20
  - Policy M 9.1: Further describe how proposed alignment provides further continuity with bike trails here, or reference where further analyzed in EIS/EIR L-1.21
  - Policy M 11.1: Unclear how the project is consistent when current pedestrian access along Avenue D exists today along unimproved shoulders. L-1.22
  - Policies COS 4.4, 4.6, 4.8: Please reference comments in Section 3.3. L-1.23
  - Policy COS 9.7: Project should include planting of new trees to the extent feasible, and not limit to only replanting to sensitive species or those that are removed. L-1.24
  - Goal COS 11/Policy COS 11.2: Include analysis of project's potential use of solar-powered lighting for highways. L-1.25
  - Goal COS 14/Policy COS 14.1: Include analysis of new and relocated transmission lines as part of project. L-1.26
  - Policy COS 15.4: Add stronger language than "should" to support conclusion that project will comply with the County's Rural Outdoor Lighting standards and related policies. L-1.27
  - Goal CSO 18/Policy 18.1: Include analysis on feasibility of acquiring mitigation land in SEAs. L-1.28
- Page 36: The second paragraph states: "To the extent that this project relieves congestion by enhancing operations and improving travel times, GHG emissions, particularly CO2, would be reduced." Please clarify what this reduction is relative to. Also in this paragraph, clarify whether "adverse" means "significant," or how these terms differ in meaning. L-1.29
- Page 36: Measure LU-1 needs additional explanation. L-1.30

**3.1.2 GROWTH**

- Page 39-40, Affected Environment: Add mention that these areas also include agricultural uses. L-1.31
- Page 40, Existing and Planned Growth: Certain uses in the Rural Town Centers are encouraged, but not "incentivized." The EOAs are areas where future growth and development should be focused, as well as "where further planning may be needed." L-1.32
- Page 41, Development Trends: Update Centennial project information according to Revised NOP, including dwelling count (19,333). Centennial project is entirely located L-1.33

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**Los Angeles County Department of Regional Planning**

Response to Comment L-1.24

The following mitigation options for impacts to biological resources will be considered:

- Working with the Antelope Valley Resource Conservation District and the Transition Habitat Conservancy to preserve adjacent similar habitat such as Joshua tree woodland within the Joshua Tree Woodland SEA and to acquire agricultural conservation easements to preserve open space for foraging species.
- Working with the Peterson Ranch which is within the boundaries of the San Andreas Rift Zone SEA to preserve habitat within that SEA.

There are approximately 72 existing cross culverts within the project limits. Approximately 47 existing cross culverts will be maintained or expanded. Approximately 25 cross culverts will be abandoned and an additional 93 cross culverts will be constructed to maintain hydrologic integrity and support wildlife movement. Culverts will range in size from 24 inches to 10 ft. by 10 ft. in width and height, and ranging from 80 ft. to 200 ft. in length and vary between reinforced concrete pipes, reinforced concrete boxes, and corrugated metal pipes. A detailed wildlife passage impact assessment shall be conducted during the final design phase to confirm the proposed culverts for wildlife passage will be effective according to standards outlined in Section 3.3.1 Wildlife Movement and Habitat Connectivity, BIO-7 and BIO-8, as additionally set forth in FHWA Wildlife Crossing Structure handbook (2011) and in a manner as natural and easy for wildlife to cross such that they will promote use by local wildlife with consideration to current land use, approved projects within the area, and further coordination with CDFW and USFWS.

Response to Comment L-1.25

Large trees and shrubs marked for removal will be replaced in kind with native trees and shrubs.

Response to Comment L-1.26

This area of the County has a "Dark Sky" policy that limits the amount of lighting that can be used within the corridor. Intersection Safety Lighting will be included as required and the use of Solar Powered lighting will be considered for enhanced sustainability, and in compliance with Caltrans Lighting Standards.

Response to Comment L-1.27

The existing transmission lines have been identified along the corridor. The new transmission lines that are anticipated are included in the analysis and included in the project footprint based upon coordination with the responsible utility company. SCE has significant transmission lines along SR-138 and both SCE and LADPW have existing and proposed transmission lines that cross the SR-138 alignment and will be coordinated with during final design of the improvements. See response to comments from LADWP and SCE for further detail.

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within Los Angeles County. Also, clarify the extent of development associated with Fox Airfield and within the jurisdiction of City of Lancaster.

L-1.34

- Pages 41-43, Environmental Consequences: Although "the proposed project is intended to accommodate planned growth," (p. 41) there are also reasons to believe that the project would "induce" future growth.

The EIR/EIS's statement that "improving mobility, accessibility, and safety has the potential to enhance the attractiveness of the area for additional economic and residential development" (p. 42) appears to be entirely at odds with subsequent conclusions that "The project would not change any existing constraints to growth and there would not be any construction impacts associated with growth," (p. 43) and "The proposed project would have a negligible degree of influence on regional growth." (p. 43)

L-1.35

As previously noted, the EOAs are intended to capture growth associated with major infrastructure projects such as the NW-138 and High Desert Corridor. However, this project will also pass through Rural Preserve Areas, where future growth would be incompatible with the AVAP. Notwithstanding other physical and regulatory obstacles, the construction of major transportation infrastructure seems very likely to increase development pressures throughout the project vicinity. Therefore, the project should include measures intended to limit induced growth in areas where it is not planned for.

**3.1.3 FARMLANDS/ TIMBERLANDS**

- Include information on how much Farmland exists within Project.
- Clarify throughout section when referring to farmland, whether this includes grazing. Include additional discussion of grazing if not considered as part of farmland area and impacts.

L-1.36

L-1.37

**3.1.4 COMMUNITY IMPACTS**

- Page 49: Clarify that Lancaster and Palmdale are different jurisdictions.
- Page 50: The Rural Preserve Area, which is a component of the AVAP's Rural Preservation Strategy, is not a designation for conservation areas. Rather, it is an acknowledgement that based on infrastructure, environmental and hazard constraints, low-density development would be appropriate in these areas. It is not correct to state that the County's policy reserves these areas as "conservation areas."
- Page 50, Affected Environment: Please see previous comment regarding distinction between Town Councils and communities.
- Page 51, Gorman: Major Commercial (CM) and Rural Commercial (CR) are land use designations, and not zoning. These areas are to serve residents as well as interstate travelers.

L-1.39

L-1.40

L-1.41

L-1.42

**Responses to Comment Letter L-1  
 Los Angeles County Department of Regional Planning**

**Response to Comment L-1.28**

Caltrans is required to provide the required light for roadway users. The standards must be consistent with overall protection of the public health, safety and welfare. However, where necessary the Project design would be done in compliance with the Rural Outdoor Lighting District Ordinance of Los Angeles County.

**Response to Comment L-1.29**

The Project Development Team is actively considering the acquisition of mitigation land in Joshua Tree Woodland and San Andreas Rift Zone SEA's.

**Response to Comment L-1.30**

The paragraph has been revised for clarification. Reduction in congestion from this project contributes to the overall reduction in GHG emissions in the region, as demonstrated in the Southern California Association of Governments Regional Transportation Plan. An assessment of the greenhouse gas emissions and climate changes is included in section 4.4 (Climate Change).

**Response to Comment L-1.31**

The project development team would engage local communities and agencies in the planning and implementation of transportation improvements as follows:

- Upon approval of the project, and when sufficient design details are known, Caltrans ROW staff will contact any potentially affected livestock owner to discuss how the project may affect grazing operations and to address compensation strategies as part of the Relocation Assistance Program (RAP).
- To ensure that persons displaced as a result of the project are treated fairly, consistently, and equitably, relocation services and benefits shall be administered according to the RAP. As part of Caltrans' RAP, advisory services would be provided to assist individuals and businesses displaced by the project.
- Caltrans would coordinate with all affected private and public service utilities during the design stage to identify any potential conflicts with existing utilities. This process would include evaluation of ways to avoid utility relocations by refining the project design and/or protecting existing utilities in place. After seeking approval from utility providers, final relocation/protection in place measures would be incorporated into the final plans and specifications.
- Caltrans would coordinate the proposed project work with the emergency service providers in the area. Contractors would work closely with the Antelope Valley and Newhall CHP areas to determine the best time for closures and detours if necessary. Utilizing CHP officers for traffic control, potential temporary speed reductions, and proper signage would be utilized as needed.

- It is anticipated that underground utilities within the proposed ROW may require removal or abandonment during construction activities, which may result in temporary service disruptions to some utility users in the vicinity of such activities. Measure UT-1 from section 3.1.5 (Utilities/Emergency Services) addresses coordination with affected private and public service utilities

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- Page 59, Regional Economy: The EIS/EIR mentions that maintenance of access and visibility are critical for independently owned and operated roadside businesses. However, no further discussion is included as to how to maintain such access or that any loss of access would be a significant impact to the local economy. L-1.43
- Mitigation Measure COMM-2: It is unclear what this mitigation measure is intended to achieve or what impacts may result from implementing it. What could be incorporated in the design of the project to mitigate, and what are the potential impacts from these potential design features? L-1.44
- Relocation and Real Property Acquisition: Figures do not correspond, and it is confusing that the Project Area is shown as a line, and the displacement area is to be within the project area. Communities are not labeled on Figure 13 as referenced in text. EIS/EIR does not clearly analyze the impacts of a partial taking or acquisition. L-1.45
- Environmental Justice: Add reference to CalEnviroScreen. L-1.46

Chapter 3, Section 3.3: Biological Environment

- Page 287: Revise fourth paragraph to clarify that SEAs are not under "County management"; they are planning overlays which indicate additional permitting requirements and analysis for the protection of biological resources. Is the reference to NEPA at the end of this paragraph an error? It seems the correct reference ought to be to CEQA. L-1.47
- Sensitive vegetation discussions and tables: Explain how sensitivity of vegetation types, as used in this document, has been determined. Typically, elements assigned a rank of G1 – G3 or S1 – S3 are considered sensitive by CDFW and other permitting agencies. This is stated early in the document, but its application to Joshua and juniper types is inconsistent. L-1.48  
  
 Sawyer, Keeler-Wolf & Evans cite a state ranking of S3.2 for Joshua tree woodland overall. Hence, Joshua woodland should be considered sensitive generally in the DEIR, regardless of its location within or outside of SEAs. Likewise, the statement given on page 300, that Joshua woodland is "regionally recognized as [a] plant communit[y] with high habitat value" falls short of acknowledging the state-wide recognition of Joshua woodlands as sensitive in general. L-1.49  
  
 The Department agrees that California juniper woodland should be treated as sensitive within our region and is encouraged to see it treated as sensitive in the DEIR. Please ensure that all references to this vegetation type are dealt with consistently by indicating its sensitivity in Tables 99 – 102 and anywhere else, as appropriate.
- The Department has concerns with the EIR/EIS's analysis of wildlife movement, the cumulative impacts that may be expected from this and other projects in the region, and the growth inducing impacts of this project and their likely effects on biological resources in the region. The determination that cumulative impacts on wildlife movement will be L-1.50

**Responses to Comment Letter L-1**  
**Los Angeles County Department of Regional Planning**

Response to Comment L-1.32  
 Section 3.1.2 (Growth) has been revised to address the comment.

Response to Comment L-1.33  
 Section 3.1.2 (Growth) has been revised to address the comment.

Response to Comment L-1.34  
 Section 3.1.2 (Growth) has been revised to address the comment.

Response to Comment L-1.35  
 The interaction of supply and demand for housing and business properties in the land market produces the pattern of development within an area. Within this market, households and businesses create demand for new buildings and locations while developers provide these products within the supply and cost constraints of local government. External factors, such as zoning laws and proximity of public transit and roadways also influence this relationship. Local government actions attract or discourage development by influencing the supply of land available for development/redevelopment; densities at which development can occur; and directly or indirectly the cost of development. Also, developers' projects can be constrained by the ability of local governments to provide needed infrastructure.

The need for the project is based on an assessment of the existing and future transportation demand in the project area compared to the existing capacity of the facility. The improvements included in the alternatives were developed based on the approved land use plan by Los Angeles County and as defined in the Southern California Association of Governments (SCAG) forecast traffic volumes for the 2040 horizon year. The improvements will not be needed until the traffic increases and the traffic increases are based on how quickly the land use buildout occurs. As new locations are considered for development, Los Angeles County as the approving agency will need to determine future improvements that are required to meet the access locations agreed to with this project and provide for local circulation for property access as a condition of approval.

It is anticipated that the early improvements in the corridor will focus on safety and operations and will not include capacity improvements. As the traffic increases in the corridor, the capacity improvements will be implemented, as funding is available. A Draft Freeway Agreement has been prepared that will be executed between Caltrans and Los Angeles County to agree to these future intersection locations. The types of intersection control will be determined as warranted by needs and timing. The locations will not change, the types of control will be determined based on the conditions that warrant the improvements.

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less than significant seems to be based primarily on the assertion that road-crossing structures will be designed sensitively to allow movement across the proposed alignment. However, there is no consideration given to the effects that future growth and land use patterns (whether or not "induced" by the project) may have on the viability of these crossings in serving their intended purpose. Without assurances and measures to ensure that these crossings will retain meaningful connections to habitat areas of sufficient size and quality, this assertion cannot be effectively substantiated.

L-1.50

- Statements regarding the Centennial Specific Plan analysis of wildlife movement fail to consider the interactions between Centennial and the NW-138 project. The Centennial analysis of wildlife movement was based on data available at the time. However, this EIR/EIS presents additional information that has not yet been considered in the wildlife movement analyses for Centennial. Further analysis of the impacts and interactions between the two projects needs to be conducted.

L-1.51

- The Department notes reference to rare plant surveys to be conducted in Spring 2016, which has now passed. Please incorporate results of these surveys in future drafts of the EIR.

L-1.52

- Tables 113 and 114: Please provide an explanation of how potential habitat for rare plants is estimated. Round-leaved filaree, alkali mariposa lily, and other rare plants are often restricted to a fairly narrow range of soil characteristics, and this should be a fundamental component in modeling their potential habitat. Otherwise, potential habitat may be overestimated if based on more generic criteria such as general habitat or vegetation formations.

L-1.53

- The Department generally does not advocate for the mitigation of impacts to rare plants by planting or creation of new populations. Such methods are experimental and should be undertaken only as a last resort and with great care in documenting site conditions and criteria for measuring success. Plantings are only recommended in areas where they might benefit existing populations. Plantings into unoccupied habitat areas are not recommended, since it is presumed that the habitat is unsuitable for the species in questions.

L-1.54

- Page 332: We are confused by the emphasis on the word "and" in the discussion of mitigation for round-leaved filaree and alkali mariposa lily impacts. This seems to indicate that neither species will be mitigated unless both are impacted. Impacts to either species would be significant on their own, not just in combination. What is the reasoning behind this, since it is in contradiction to the requirement under CEQA to mitigate all significant impacts?

L-1.55

- Table 116, Special status wildlife:

Table 116 omits the following special-status species known from the project region but not addressed in the EIR/EIS:

- yellow-blotched salamander (*Ensatina eschscholtzii croceator*)
- ferruginous hawk (*Buteo regalis*)

L-1.56

**Responses to Comment Letter L-1**  
**Los Angeles County Department of Regional Planning**

**Response to Comment L-1.36**

Please refer to Table 12 and Table 13 for project-specific Farmland information.

**Response to Comment L-1.37**

Section 3.1.3 (Farmlands) and Table 12 have been revised to include discussion of grazing land.

**Response to Comment L-1.38**

Section 3.1.3 (Farmlands) has been revised to include additional discussion of permanent and temporary impacts to areas within the project limits classified as grazing land by the California Department of Conservation Farmland and Monitoring Program (FMMP).

**Response to Comment L-1.39**

Section 3.1.4.1 (Community Character and Cohesion) has been revised for clarity.

**Response to Comment L-1.40**

The incorrect statement has been removed from section 3.1.4.1 (Community Character and Cohesion).

**Response to Comment L-1.41**

Section 3.1.4.1 (Community Character and Cohesion) has been revised for clarity.

**Response to Comment L-1.42**

The Affected Environment discussion in section 3.1.4.1(Community Character and Cohesion) has been revised to address this comment.

**Response to Comment L-1.43**

Further analysis related to maintaining/loss of access has been added to the Environmental Consequences discussion of section 3.1.4.1(Community Character and Cohesion).

**Response to Comment L-1.44**

As discussed in section 3.1.1.2 Consistency with State, Regional, and Local Plans and Programs the he project would be designed to conform to local and general plans. There are no specific plans within the project limits. Also, as specified in Response to Comment L-1.31, measure LU-1 already proposes early coordination with local jurisdictions and community throughout the design of the project. As a result, measure COMM-2 has been removed because it is redundant.



Comments on the NW-138 Draft EIR/EIS  
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- California horned lark (*Eremophila alpestris actia*)
- merlin (*Falco columbarius*)
- white-faced ibis (*Plegadis chih*)
- Le Conte's thrasher (*Toxostoma lecontei*)
- pallid bat (*Antrozous pallidus*)
- Townsend's big-eared bat (*Corynorhinus townsendii*)
- hoary bat (*Lasiurus cinereus*)
- fringed myotis (*Myotis thysanodes*)
- long-legged myotis (*Myotis volans*)
- Yuma myotis (*Myotis yumanensis*)
- coastal whiptail (*Aspidoscelis tigris stejnegeri*)
- desert tortoise (*Gopherus agassizii*)

Mitigation measures focus chiefly on avoidance of nesting habitat, but in several cases this disregards the ecological specifics for which the species are considered sensitive:

- Mountain plover does not breed in the region and is considered sensitive because of overwintering habitat requirements. Mitigation for this species should focus on preservation of overwintering habitat.
- Tricolored blackbird is reliant not only on suitable nesting habitat, but on vast swathes of suitable foraging habitat surrounding nesting sites. Avoidance of nesting or foraging individuals during the nesting season, without mitigation for losses to foraging habitat within 5 miles of nesting colonies may cause colony abandonment and further jeopardy to the species.
- Mitigation of impacts to monarch butterfly breeding habitat through translocation of milkweed populations is unlikely to be successful. Milkweed is a fairly common wind-dispersed plant and is likely to already occupy any suitable habitat. Translocations to establish new populations are therefore not recommended. Preservation of milkweed habitat is preferable.

- Avoidance/Minimization/Mitigation Measure BIO-34: Carrion-foraging species (including most raptors, all vultures, and several mammal species) may suffer long-term detrimental impacts resulting from foraging on an increased abundance of road-kill. Clean-up of the active construction site by CalTrans employees may limit foraging by these species during construction, but the long-term effect of exposure of raptors and other animals to vehicle strike should be addressed as a potentially significant impact not limited to golden eagle.
- Avoidance/Minimization/Mitigation Measure BIO-46: Harriers nest on the ground, not on elevated substrates. Raptor nest surveys should incorporate this into the search methodology.
- Tehachapi pocket mouse and other fossorial special-status species: Incorporate exclusion/eviction measures to increase the efficacy of measures to safeguard these species from crushing or entombment.

L-1.56

L-1.57

L-1.58

L-1.59

L-1.60

L-1.61

L-1.62

**Responses to Comment Letter L-1**  
**Los Angeles County Department of Regional Planning**

**Response to Comment L-1.45**

Section 3.1.4.2 (Relocation and Real Property Acquisition) has been revised to address the effects of a partial acquisition. The text in this section includes references to Figure 15 (Project Area), Figure 16 (Displacement Area) and Figure 17 (Replacement Area). The figures correspond to the in-text references. The project area is shown as a line because it is located along a linear transportation corridor. The displacement area is located within the project area because the displacement area is defined as the portion of the project area that would be affected by displacements. The communities are labeled on Figure 16, which is consistent with references in the text.

**Response to Comment L-1.46**

In order to fully integrate the goals and requirements of environmental justice into the project level NEPA/CEQA review, the methodology used to identify minority/low-income populations for the proposed project environmental justice analysis employed the FHWA California Division Environmental Justice Environmental Documents Checklist and closely followed the guidance in the FHWA Guidance on Environmental Justice and NEPA.

**Response to Comment L-1.47**

Section 3.3.1 (Natural Communities) has been revised for clarification on Significant Ecological Areas.

**Response to Comment L-1.48**

Sensitivity of vegetation types has been determined using the CNPS List of Vegetation Types Described in A Manual of California Vegetation by Sawyer, Keeler-Wolf and Evens (2009). Application to Joshua and juniper types has been revised throughout the environmental document to address the comment.

**Response to Comment L-1.49**

Joshua tree woodland will be reflected as sensitive plant community regionally. Also, California juniper woodland will be consistently indicated as sensitive.

**Response to Comment L-1.50**

Table 111 (Wildlife High Use Areas) in section 3.3.1 (Natural Communities) identifies 20 locations along SR-138 as potential wildlife crossings that should be further evaluated to mitigate for impacts to wildlife genetic diversity and wildlife movement. These 20 locations have been evaluated and nine of these locations, as listed in Table 113 (Summary of Proposed Wildlife Undercrossings on SR-138) in section 3.3.1 (Natural Communities), are feasible within the current project footprint. These sites include areas of road-related mortality provided by Caltrans data, local observations during biological surveys, local resident's concerns, and areas where land-use was compatible with the wildlife crossings locations such as adjacent known open space parcels and conservation parcels.

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- Bakersfield cactus: A population of this species is known from south of Gorman, between I-5, Hwy 138 and Gorman Post Road. The account for this species should be revised to note this occurrence. Los Angeles County recommends incorporation of avoidance or mitigation measures to offset any potential impacts. Mitigation in the form of habitat preservation is preferable to translocation.

L-1.63

## Responses to Comment Letter L-1 Los Angeles County Department of Regional Planning

### Response to Comment L-1.51

A detailed wildlife passage impact assessment will be conducted during the final design phase to confirm the proposed culverts for wildlife passage will be effective according to standards outlined in Section 3.3.1 Wildlife Movement and Habitat Connectivity, BIO-7 and BIO-8, as additionally set forth in FHWA Wildlife Crossing Structure handbook (2011) and in a manner as natural and easy for wildlife to cross such that they will promote use by local wildlife with consideration to current land use and approved projects within the area. Further coordination will occur with Los Angeles County Department of Regional Planning, the California Department of Fish and Wildlife, and the US Fish and Wildlife Service.

### Response to Comment L-1.52

The results of Spring 2016 rare plant surveys have been included in the Environmental Consequences discussion in section 3.3.3 (Plant Species).

### Response to Comment L-1.53

Potential habitat for rare plants was estimated by combining all rare plant occurrences that were observed over the course of three survey years (i.e., 2014--2016). Because surveys were focused to target rare plant species, best professional judgement was used to determine potential habitat within the outer extents of observations recorded during field work. Round-leaved filaree was observed in one soil type but the alkali mariposa lily was observed over a much wider range of soil types, according to NRCS Web Soil Survey. Specific soil types, former observations, known occurrences, and pre-construction surveys will be utilized to prevent overestimation of potential habitat.

## Responses to Comment Letter L-1 Los Angeles County Department of Regional Planning

### Response to Comment L-1.54

Mitigation of rare plant species has been updated as follows:

- Pre-construction surveys shall be conducted to provide the numbers of individual rare plants and to ground truth areas with strong potential for occurrences due to soil type.
- Known occurrences of rare plants shall be preserved in place, where feasible. A qualified biologist shall protect known occurrences of rare plants by establishing an environmentally sensitive area (ESA).
- If impacts cannot be avoided individuals of each rare plant species shall have its seeds and bulbs collected and propagated at preapproved nurseries and replanted onsite. If it is determined that an on-site re-planting is in poor health, it shall be replaced by a healthy individual and shall continue to be monitored during the 5 year monitoring period.
- 8-12 inches of topsoil salvage will be used to help facilitate the germination and growth of harvested seeds in the on-restoration areas of the Project, and to account for rare plant seeds that may be within the topsoil.
- On-site mitigation plantings within Caltrans ROW shall have a separate landscape contract with a 2 year plant propagation period, 3 year plant establishment period, and 5 year monitoring period. On-site mitigation plantings shall be monitored by a qualified biologist seasonally to determine health and viability. If it is determined that an on-site planting is in poor health, it shall be replaced by a healthy individual and shall continue to be monitored during the 5 year monitoring period.
- During the final design phase of the project, an onsite mitigation feasibility analysis shall be conducted. If it is deemed that on-site relocation of individuals or on-site plantings within Caltrans ROW are not possible after construction is complete, off-site mitigation shall be conducted within the region and shall be preserved in perpetuity. Efforts will be made to acquire lands adjacent to the project limits with equal habitat, equal hydrology, and equal soil conditions. Caltrans anticipates off-site mitigation for permanent impacts at a 2:1 ratio and temporary impacts at a 1:1 ratio for rare plant species and shall be coordinated with CDFW.

### Response to Comment L-1.55

The sentence will be re-worded to highlight that direct impacts will be mitigated for either species. If impacts to the Round-Leaved Filaree (*California macrophylla*) and/or Alkali Mariposa Lily (*Calochortus striatus*) species are unavoidable, mitigation will be required. Efforts will be made to acquire lands adjacent to the project limits with equal habitat, equal hydrology, and equal soil conditions. Caltrans anticipates off-site mitigation for permanent impacts at a 2:1 ratio and temporary impacts at a 1:1 ratio for rare plant species and shall be coordinated with California Department of Fish and Wildlife. See BIO-27 in section 3.3.4 (Plant Species).

### Response to Comment L-1.56

Section 3.3.4 (Animal Species) has been revised to include the special-status species indicated.

## Responses to Comment Letter L-1 Los Angeles County Department of Regional Planning

### Response to Comment L-1.57

Mitigation for vegetation communities, which are inclusive of overwintering habitat for mountain plover is included in Section 3.3 (Biological Environment). Additional foraging habitat will be acquired for preservation, and foraging habitat will also be preserved under agricultural conservation easements.

### Response to Comment L-1.58

Tricolored blackbird additional foraging habitat will be acquired for preservation, and foraging habitat will also be preserved under agricultural conservation easements. Temporary impacts to suitable foraging and nesting habitat will be mitigated in coordination with Antelope Valley Audubon Society, West Valley County Water District, LA County Fire Department and California Department of Fish and Wildlife to maintain water levels to support tricolored blackbirds at Holiday Lake and conduct controlled burns to refresh the riparian habitat. These efforts will mitigate for permanent impacts to foraging habitat and temporary impacts to nesting habitat at Quail Lake during construction of the project.

### Response to Comment L-1.59

At the direction of a presidential memo in June 2014 from the Obama administration regarding strategies to promote efforts towards conservation of pollinator species, Caltrans has since been implementing more landscape projects that include plants that attract pollinator species, including monarchs. One effort in promoting pollinator habitat is to preserve habitat when feasible. There are sections of this project where milkweed is present within the permanent impact zone. In an effort to preserve pollinator habitat, Caltrans is proposing to translocate milkweed individuals that are within the permanent impact zone and plant additional milkweed seed. With the execution of appropriate replanting techniques, it is reasonable to assume that established milkweed present within the permanent impact zone can be successfully translocated to either the edge of right-of-way, or to a dedicated area with suitable conditions for these individuals. Habitat Mitigation and Monitoring Plan will contain detailed translocation methods and will guide management in determining suitable locations for milkweed planting.

## **Responses to Comment Letter L-1** **Los Angeles County Department of Regional Planning**

### Response to Comment L-1.60

Updated measures include the following:

- The implementation of a trash abatement program throughout the project's construction area during all phases of construction.
- Wildlife corridor and wildlife fencing will minimize wildlife-vehicle collisions that will supply carrion for food.
- The implementation of a 24-hour roadkill removal protocol.

### Response to Comment L-1.61

BIO-45 has been revised to incorporate this information into search methodology.

### Response to Comment L-1.62

Projects do not typically have specific avoidance/minimization measures for Tehachapi pocket mouse (TPM) or other non-listed fossorial species. Caltrans does not recommend burrow avoidance and/or installation of exclusion/eviction devices for TPM (and other sensitive fossorial species) for several reasons, the main reason being that it is nearly impossible to implement these measures. There are several other non-sensitive fossorial species that occupy burrows in the project area and there is really no way of knowing which or how many species occupy a given burrow. TPM mitigation will be implemented with burrowing owl avoidance, minimization, and mitigation measures. Furthermore, it has not been determined that the project will have significant impacts to TPM as the species was not detected during two rounds of focused trapping.

### Response to Comment L-1.63

Bakersfield cactus has been identified outside of the project boundaries. They have not occurred within the project boundaries in any of the 3 years of plant surveys. Coordination with USFWS to genetically identify Bakersfield cactus in the region is on-going.



COUNTY OF LOS ANGELES  
FIRE DEPARTMENT  
1320 NORTH EASTERN AVENUE  
LOS ANGELES, CALIFORNIA 90063-3294

DARYL L. OSSBY  
FIRE CHIEF  
FORESTER & FIRE WARDEN

September 16, 2016

Ron Kosinski, Deputy District Director *RK*  
California Department of Transportation  
Division of Environmental Planning (NW SR-138)  
100 South Main Street, MS-16A  
Los Angeles, CA 90012

Dear Mr. Kosinski:

**DRAFT ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT, "NORTHWEST 138 CORRIDOR IMPROVEMENT PROJECT." PROPOSE TO WIDEN AND IMPROVE APPROXIMATELY 36.8 MILES OF STATE ROUTE 138 BETWEEN INTERSTATE 5 AND STATE ROUTE 14, LOS ANGELES COUNTY, FFER 201600143**

The Draft Environmental Impact Report/Environmental Impact Statement has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department. The following are their comments:

**PLANNING DIVISION:**

We have no comments.

**LAND DEVELOPMENT UNIT:**

This project does not propose construction of structures or any other improvements at this time. Therefore, until actual construction is proposed the project will not have a significant impact to the Fire Department's Land Development Unit.

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

ACQUILA HILLS	CALABASAS	DIAMOND BAR	HIDDEN HILLS	LA MIRADA	MAJIBU	POMONA	SIGNAL HILL
ARTESIA	CARSON	DUARTE	HUNTINGTON PARK	LA PUENTE	MAYWOOD	RANCHO PALOS VERDES	SOUTH EL MONTE
AZUSA	CERRITOS	EL MONTE	INDUSTRY	LAKWOOD	MORWALK	ROLLING HILLS	SOUTH GATE
BALDWIN PARK	CLAREMONT	GARDENA	INGLEWOOD	LANCASTER	PALMDALE	ROLLING HILLS ESTATES	TEMPLE CITY
BELL	COMMERCE	GLENDORA	IRVINGDALE	LANNOCAL	PALOS VERDES ESTATES	ROSEMEAD	WALNUT
BELL GARDENS	COVINA	HAWAIIAN GARDENS	LA CANADA FLINTRIDGE	LOMITA	FARMOUNT	SAN DIMAS	WEST HOLLYWOOD
BELLFLOWER	CLUBWAY	HAWTHORNE	LA HABRA	LYNWOOD	PICO RIVERA	SANTA CLARITA	WESTLAKE VILLAGE
BRADBURY							WRETTIER

**Responses to Comment Letter L-2  
Los Angeles County Fire Department Forestry Division**

See next page.

Ron Kosinski, Deputy District Director  
September 16, 2016  
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**FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:**

The statutory responsibilities of the County of Los Angeles Fire Department's Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance. Potential impacts in these areas should be addressed.

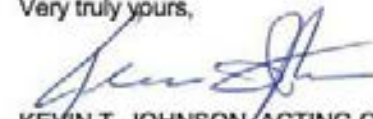
L-2

**HEALTH HAZARDOUS MATERIALS DIVISION:**

The Health Hazardous Materials Division of the Los Angeles County Fire Department has no comment regarding the project at this time.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,



KEVIN T. JOHNSON, ACTING CHIEF, FORESTRY DIVISION  
PREVENTION SERVICES BUREAU

KTJ:cc

**Responses to Comment Letter L-2  
Los Angeles County Fire Department Forestry Division**

**Response to Comment L-2**

The topics identified by the Forestry Division are discussed in the Final EIR/EIS as applicable.

- **Erosion Control** - Section 3.2.2 (Water Quality and Storm Water Runoff), Section 3.2.3 (Geology/Soils/Seismic/Topography), and Section 3.3.6 (Invasive Species)
- **Watershed Management** - Section 3.2.2 (Water Quality and Storm Water Runoff), and Section 3.3.2 (Wetlands and other Waters)
- **Rare and Endangered Species** - Section 3.3.3 (Plant Species), and Section 3.3.5 (Threatened and Endangered Species)
- **Archaeological and Cultural Resources** – Section 3.1.8 (Cultural Resources)



September 19, 2016

Attn: Ron Kosinski, Caltrans Deputy District Director  
 Department of Transportation  
 100 Main Street, Suite 100  
 Los Angeles, CA 90012-0362

Subject: Comments and Conditions for California Department of Transportation's (Caltrans)  
 Northwest 138 Corridor Improvement Project's Draft Environmental Impact  
 Report/Statement (Draft EIR/EIS)

Dear Mr. Kosinski:

The Los Angeles Department of Water and Power (LADWP, Department) appreciates the opportunity to provide information for the environmental review process for the Caltrans State Route 138 (SR-138) Northwest Corridor Improvement Project (Caltrans Project). The Caltrans Project has potential impacts to LADWP electric and water infrastructure, including two transmission lines (Barren Ridge-Haskell Line and Cello-Sylmar Line as well as the First Los Angeles Aqueduct). The Caltrans Project will require coordination, review, and approval of the LADWP Water and Power System for any developments within Department Right of Way. In order to fully address the Right of Way issues, the LADWP is providing the following comments and conditions to be included into the EIR/EIS:

Comments from the Power System:

1. The applicant shall acknowledge the LADWP Transmission Line Rights of Way are integral components of the transmission line system, which provides electric power to the City of Los Angeles and other local communities. Their use is under the jurisdiction of the Federal North American Electric Reliability Corporation (NERC). Safety and protection of critical facilities are the primary factors used to evaluate secondary land use proposals. The rights of way serve as platforms for access, construction, maintenance, facility expansion and emergency operations. Therefore, the proposed use may from time to time be subject to temporary disruption caused by such operations.
2. Caltrans' Northwest 138 Corridor Improvement Project impacts LADWP's 230kV Barren Ridge-Haskell Transmission Line 1 (Tower Span 212-4/212-5) and Barren Ridge-Haskell Transmission Lines 2 and 3 (Tower Span 37-2/37-3). The original 230 kV transmission line was placed in service on 1971 between Control Gorge Power Plant and Rinaldi Receiving Station. Additional Right of Way was acquired for the new 230kV Barren Ridge-Haskell Transmission Lines 2 and 3 currently under construction from the Barren Ridge Switching Station located in Cantil, CA to the Rinaldi Receiving station located in Sylmar, CA. The new Barren Ridge-Haskell Transmission Lines 2 and 3 (Tower Span 37-2/37-3) crosses over the existing Avenue-D/State Route -138 Highway located in Lancaster, CA.

L-3.1

L-3.2



111 N. Hope Street, Los Angeles, California 90012-2607 Mailing Address: Box 31111, Los Angeles, CA 90054-3700  
 Telephone (213) 347-4211 www.LADWP.com

## Responses to Comment Letter L-3 Los Angeles Department of Water & Power – Environmental Planning

Response to Comment L-3.1

Section 3.1.8 (Cultural Resources) has been revised to acknowledge the information provided.

Response to Comment L-3.2

The information and list of references is acknowledged. Specific comments on the Draft EIR/EIS are not provided.

Response to Comment L-3.3

The LADWP transmission line that was built in 1970 is less than 50 years old, nor has it reached significance under criteria consideration G, and so it is not a cultural resource.

Response to Comment L-3.4

The statement has been removed.

Response to Comment L-3.5

The discussion on the Big Creek East-West Transmission Line has been revised in section B2 (Section 4(f) De Minimis Determination) of Appendix B.

Response to Comment L-3.6

Although preliminary studies did not identify the need to revise or relocate the existing transmission line crossings, the possibility exists that when the corridor expands, new criteria or additional impacts will need to be resolved. All impacts and detailed design information will be coordinated during final design of the facilities and LADWP will be closely coordinated with to insure design approvals.

Response to Comment L-3.7

Preliminary plans were developed in coordination with LADWP and information provided by LADWP. Existing and future right of way, clearances and access have been coordinated with LADWP and will be coordinated further, in close coordination with LADWP, during the subsequent design of the improvements.

Response to Comment L-3.8

Preliminary plans were developed in coordination with LADWP and were based upon information provided by LADWP. More detailed engineering and coordination will be completed prior to final approvals and construction, including detailed conductor surveys and final clearances.

Dear Mr. Korinski  
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3. Caltrans' Northwest 138 Corridor Improvement Project also impacts LADWP's Cello-Sylmar HVDC Poles between Towers 38-1/38-2. The 500kV DC transmission line was placed in service on 1970 between Sylmar Converter Station and Cello Converter Station, owned and operated by the Bonneville Power Administration, located in Oregon. LADWP jointly owns and operates the portion of the transmission line from the Oregon border to Sylmar, CA. L-3.3
  4. Please remove the comment stating, "However, their individual importance within the overall operation, associations, and engineering importance of a transmission line system are relatively low," within 3.1.8 Cultural Resources, Page 162. L-3.4
  5. LADWP is not the owner of the Big Creek East-West Transmission Line as stated in Appendix B-Section 4(f) Evaluation, under B2-Section 4(f) De Minimis Determination No. 2 Big Creek East-West Transmission Line, Page B-33. L-3.5
  6. Relocations of LADWP Transmission Line Towers may be required and the statement stating, "None of the towers would be removed or relocated as the result of the project," including the conclusion under Appendix B-Section 4F-Page B-43 and B-44, will need amendment. Also, additional Right of Way for the widening of SR-138 would require additional public roadway easements grants from LADWP. L-3.6
  7. Provide plans illustrating the LADWP Transmission Line Right of Way boundaries within Caltrans' improvements. Include towers and clearances from proposed improvements. Also, provide grading plan and utility plans, including any other plans illustrating the impacts to the LADWP Transmission Line Right of Way. L-3.7
  8. Conductor Clearances will be subject to the review and approval of the Transmission Engineering Group. The LADWP may need a copy of the conductor survey illustrating the cross sections showing our existing conductors and proposed improvements. See attached LADWP Conductor Survey Instructions. The Transmission Engineering Group will use the data to calculate and confirm that conductor clearances meet the State of California, Public Utilities Commission, General Order No. 95. L-3.8
  9. All construction activities shall adhere to the LADWP's Standard Conditions for Construction. See attachment 1. L-3.9
  10. Provide the location and elevations (heights) of all above and below ground structures, including the cross sections of existing and proposed improvements within and adjacent to the LADWP Transmission Line Right of Way. All ground elevations are to remain unchanged from existing conditions after proposed improvements associated with the Caltrans project improvements are completed. Cut & fill slopes inside the LADWP Transmission Line Right of Way steeper than 2 horizontal to 1 vertical require retaining structures or geotechnical report approval. L-3.10
- Note: Grading activity resulting in a vertical clearance between the ground and the transmission line conductor elevation less than thirty-five feet or as noted in the State of California, PUC, General Order 95 within the LADWP Transmission Line Right of Way is unacceptable. Ground cover for all below ground utilities shall not be less than four (4) feet.
11. When grading activity affects the transmission line access roads, Caltrans shall replace the affected access roads using the LADWP's Access Road Design Criteria. See attachment 2. L-3.11

## Responses to Comment Letter L-3 Los Angeles Department of Water & Power – Environmental Planning

### Response to Comment L-3.9

All construction activities will adhere to LADWP's Standard Conditions for Construction.

### Response to Comment L-3.10

Although preliminary studies did not identify the need to revise or relocate the existing transmission line crossings, the possibility exists that when the corridor expands, new criteria or additional impacts will need to be resolved. All impacts and detailed design information will be coordinated during final design of the facilities and LADWP will be closely coordinated with to insure design approvals.

### Response to Comment L-3.11

Although preliminary studies did not identify the need to revise or relocate the existing transmission line crossings, the possibility exists that when the corridor expands, new criteria or additional impacts will need to be resolved. All impacts and detailed design information will be coordinated during final design of the facilities and LADWP will be closely coordinated with to insure design approvals.

### Response to Comment L-3.12

Although preliminary studies did not identify the need to revise or relocate the existing transmission line crossings, the possibility exists that when the corridor expands, new criteria or additional impacts will need to be resolved. All impacts and detailed design information will be coordinated during final design of the facilities and LADWP will be closely coordinated with to insure design approvals.

### Response to Comment L-3.13

Although preliminary studies did not identify the need to revise or relocate the existing transmission line crossings, the possibility exists that when the corridor expands, new criteria or additional impacts will need to be resolved. All impacts and detailed design information will be coordinated during final design of the facilities and LADWP will be closely coordinated with to insure design approvals.

### Response to Comment L-3.14

Although preliminary studies did not identify the need to revise or relocate the existing transmission line crossings, the possibility exists that when the corridor expands, new criteria or additional impacts will need to be resolved. All impacts and detailed design information will be coordinated during final design of the facilities and LADWP will be closely coordinated with to insure design approvals.

### Response to Comment L-3.15

Although preliminary studies did not identify the need to revise or relocate the existing transmission line crossings, the possibility exists that when the corridor expands, new criteria or additional impacts will need to be resolved. All impacts and detailed design information will be coordinated during final design of the facilities and LADWP will be closely coordinated with to insure design approvals.



Dear Mr. Koninski  
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12. Cathodic protection system, if any, shall have a design that does not cause corrosion to the LADWP Facilities. A detailed design of the cathodic protection system shall be submitted for approval to the LADWP.
13. All aboveground metal structures including, but not limited to, pipes, drainage devices, fences, and bridge structures located within or adjoining the Right of Way shall be properly grounded, and shall be insulated from any fencing or other conductive materials located outside of the Right of Way. For safety of personnel and equipment, all equipment and structures shall be grounded in accordance with State of California Code of Regulations, Title 8, Section 2941, and National Electric Code, Article 250.
14. The LADWP Transmission Line Right of Way contains high-voltage electrical conductors; therefore, Caltrans shall utilize only such equipment, material, and construction techniques that are permitted under applicable safety ordinances and statutes, including the following: State of California Code of Regulations, Title 8, Industrial Relations, Chapter 4, Division of Industrial Safety, Subchapter 5, Electrical Safety Orders; California Public Utilities Commission, General Order No. 95, Rules for Overhead Electric Line Construction.
15. No grading shall be conducted within the LADWP Transmission Line Right of Way without prior written approval of the LADWP.
16. No structures shall be constructed within the LADWP Transmission Line Right of Way without prior written approval of the LADWP.
17. The LADWP prohibits drainage structures or the discharging of drainage onto the transmission line rights of way. Concentrated runoff can cause erosion especially to the transmission line tower footings.
18. Caltrans shall compact all fill slopes within the LADWP Transmission Line Right of Way. The compaction shall comply with applicable Building Code requirements.
19. An area within 100 feet on all sides of each tower shall remain open and unobstructed for maintenance and emergencies, including periodic washing of insulators by high-pressure water spray. An Utility Agreement between LADWP and Caltrans may be required if the proposed widening of the highway is determined to negatively impact LADWP's ability to safely maintain and operate the transmission lines in question.
20. No grading is allowed below the top of tower footing within the LADWP Transmission Line Right of Way, in the immediate vicinity of the towers.
21. Additional conditions may be required following review of detailed site plans, grading/drainage plans, etc.
22. This reply shall in no way be construed as an approval of any project.

L-3.12

L-3.13

L-3.14

L-3.15

L-3.16

L-3.17

L-3.18

L-3.19

L-3.20

L-3.21

Comments from the Water System:

1. There are false statements about LADWP owning and operating two pipes near Highway 138 and Three Points Road within 3.1.8 Cultural Resources, Page 155. At that location, LADWP owns, operates, and maintains one pipe, the First Los Angeles Aqueduct (FLAA). The Second Los Angeles Aqueduct (SLAA) pipeline crosses under Highway 138 at 170<sup>th</sup> Street West which is not mentioned in this DEIR. The FLAA was completed in 1913 whereas the SLAA was completed in 1970.
2. The FLAA is partially buried near Three Points Road and Highway 138 as discussed within 3.1.8 Cultural Resources, Page 161. The SLAA is a buried steel pipeline at 170<sup>th</sup> Street West and Highway 138.

L-3.22

## Responses to Comment Letter L-3 Los Angeles Department of Water & Power – Environmental Planning

### Response to Comment L-3.16

Although preliminary studies did not identify the need to revise or relocate the existing transmission line crossings, the possibility exists that when the corridor expands, new criteria or additional impacts will need to be resolved. All impacts and detailed design information will be coordinated during final design of the facilities and LADWP will be closely coordinated with to insure design approvals.

### Response to Comment L-3.17

Although preliminary studies did not identify the need to revise or relocate the existing transmission line crossings, the possibility exists that when the corridor expands, new criteria or additional impacts will need to be resolved. All impacts and detailed design information will be coordinated during final design of the facilities and LADWP will be closely coordinated with to insure design approvals.

### Response to Comment L-3.18

Although preliminary studies did not identify the need to revise or relocate the existing transmission line crossings, the possibility exists that when the corridor expands, new criteria or additional impacts will need to be resolved. All impacts and detailed design information will be coordinated during final design of the facilities and LADWP will be closely coordinated with to insure design approvals.

### Response to Comment L-3.19

Although preliminary studies did not identify the need to revise or relocate the existing transmission line crossings, the possibility exists that when the corridor expands, new criteria or additional impacts will need to be resolved. All impacts and detailed design information will be coordinated during final design of the facilities and LADWP will be closely coordinated with to insure design approvals.

### Response to Comment L-3.20

Although preliminary studies did not identify the need to revise or relocate the existing transmission line crossings, the possibility exists that when the corridor expands, new criteria or additional impacts will need to be resolved. All impacts and detailed design information will be coordinated during final design of the facilities and LADWP will be closely coordinated with to insure design approvals.

### Response to Comment L-3.21

Although preliminary studies did not identify the need to revise or relocate the existing transmission line crossings, the possibility exists that when the corridor expands, new criteria or additional impacts will need to be resolved. All impacts and detailed design information will be coordinated during final design of the facilities and LADWP will be closely coordinated with to insure design approvals.

Dear Mr. Koninski  
Page 4  
September 19, 2016

3. The LA Aqueduct doesn't have an "East Branch" within 3.2.2 Water Quality and Storm Water Runoff, Page 195, Table 63. L-3.23
4. DEIR mistakenly mentions two buried pipes and one partially exposed near Highway 138 and Three Points Road within Appendix B, B-30. At that location, LADWP owns, operates, and maintains one pipeline, the FLAA. L-3.24
5. Figure 6 within Appendix B, B-32, shows the proposed highway improvements going over the FLAA at a radius. Crossings are recommended at straight sections and as close to 90° as possible. L-3.25
6. General Information about the SLAA:  
The construction of the SLAA was completed in 1970. The SLAA is approximately 177 miles long and is made up of different types of cross sections ranging from pipelines, conduits, and channels. In Antelope Valley, the SLAA is a 78-inch welded steel pipeline installed parallel to 170<sup>th</sup> Street West and crosses under Highway 138.
7. Please refer to attached Policy for Use, Sale, Licensing, or General Access to Los Angeles Department of Water and Power Water Service Organization Property. L-3.26

General Comments:

1. Include LADWP on Table 33: Potential Affected Utility Systems under 3.1.5 Utilities/Emergency Services, Page 78. L-3.27

For questions regarding the above Power System comments and Right of Way issues, please contact Mr. David Nevarez in Right of Way Engineering at (213) 367-3821. For questions regarding the above water system comments, please contact Gabriel Vargas at (213)-367-1271. For any other questions, please contact Nadia Parker of my staff at 213-367-1745.

Sincerely,

  
Charles C. Holloway  
Manager of Environmental Planning and Assessment

AL:vf  
c/enc: Aiden Leong  
c: Mr. David Nevarez  
Mr. Gabriel Vargas  
Nadia Parker

## Responses to Comment Letter L-3 Los Angeles Department of Water & Power – Environmental Planning

### Response to Comment L-3.22

Section 3.1.8 (Cultural Resources) has been revised to clarify information related to the First Los Angeles Aqueduct location. The Second Los Angeles (SLAA) pipeline that crosses under Highway 138 at 170th Street West is not mentioned because it is modern in age.

### Response to Comment L-3.23

The phrase "East Branch" in relation to the LA Aqueduct has been removed.

### Response to Comment L-3.24

The discussion on the Los Angeles Aqueduct has been revised for clarity in section B2 (Section 4(f) De Minimis Determination) of Appendix B.

### Response to Comment L-3.25

Comment is acknowledged. The purpose of Figure 6 of Appendix B is to show the general locations of Section 4(f) properties. During the final design phase of the project, consideration will be given to the placing the crossings at the straight section as recommended by the comment

### Response to Comment L-3.26

Although preliminary studies did not identify the need to revise or relocate the existing transmission line crossings, the possibility exists that when the corridor expands, new criteria or additional impacts will need to be resolved. All impacts and detailed design information will be coordinated during final design of the facilities and LADWP will be closely coordinated with to insure design approvals.

### Response to Comment L-3.27

The LADWP is already included in Table 35.

L-4

---

**Subject:** FW: NW138 along Ave D, West Lancaster, Land Projects Mutual Water Co Well #8  
**Attachments:** PrivateNumber\_20160927\_143503.wav

**From:** Deborah Boyd [<mailto:dckboyd@gmail.com>]  
**Sent:** Tuesday, September 27, 2016 3:16 PM  
**To:** NW138  
**Subject:** NW138 along Ave D, West Lancaster, Land Projects Mutual Water Co Well #8

Good Afternoon,

Land Projects Mutual Water Company has Well #8 on a lot along Ave D on the south side, east of 85th St West. The Assessor Parcel Number is 3220-022-045.

Well #8 is our main well to supply water to our 560 +- metered customers.

Will there be a new roadway paved over the well?

L-4

So far, no one has contacted the Water Company to discuss the well location and the new 138 roadway. Board meetings, 6 pm second Tuesday of the month, at the office, see below.

Land Projects Mutual Water Company Office:  
8810 W Ave E8  
Lancaster, CA 93536  
Ph. 661-948-2550  
Fax. 661-948-3622. Fax

Thank you for your help,

Deborah C Boyd, RCE  
Land Projects Mutual Water Company, Director  
Hm ph 661-942-2680

## Responses to Comment Letter L-4 Land Projects Mutual Water Company

### Response to Comment L-4

When the project enters the next phase, the design phase, Caltrans will coordinate with Land Projects Mutual Water Company to coordinate relocation or protection of the well. As part of Mitigation Measure UT-1, Caltrans would coordinate with all affected private and public service utilities during the design stage. Final relocation/protection in place measures would be incorporated into the final plans and specifications.



L-5

## Responses to Comment Letter L-5 Santa Clarita Valley Chamber of Commerce

Response to Comment L-5  
Your comment in support of the Project's DEIR is noted.

September 19, 2016

Mr. Ron Kosinski  
Deputy District Director  
California Department of Transportation  
Division of Environmental Planning (NW SR-138)  
100 S. Main Street, MS-16A  
Los Angeles, California 90012

### RE: NORTHWEST STATE ROUTE 138 CORRIDOR IMPROVEMENT PROJECT

Dear Mr. Kosinski:

I am writing today on behalf of the Santa Clarita Valley Chamber of Commerce (SCVCOOC), which is in favor of the joint project by Caltrans and the Federal Highway Administration in regards to State Route-138. This project will improve mobility and operations on SR-138, enhance safety, accommodate current and future projected traffic conditions, and facilitate improved goods movement within northern Los Angeles County.

The planned improvements will accommodate both population and economic growth in the future. As a business advocacy organization, the Corridor Improvement Project will stimulate economic growth and job development consistent with the objects of the Antelope Valley Area Plan (AVAP).

Although the corridor currently functions as a bypass for people and goods movement, the planned improvement will greatly enhance this function.

The region is home to Edwards Air Force Base and this corridor provides critical mobility and employment opportunities in the space technology and alternative energy sector.

Caltrans and Metro have both initiated an outreach program that has included a number of meetings with elected officials, town councils, stakeholders, and the community at large. We have been kept apprised of the status of the project and have been provided input through the scoping process. This has allowed the SCVCOOC, as well as members of the public, to continue to provide input on the project.

We support the conclusions of the Draft Environmental Impact Report and appreciate Caltrans and Metro working with us proactively for the betterment of our community. Thank you for your time and consideration.

L-5

Sincerely,

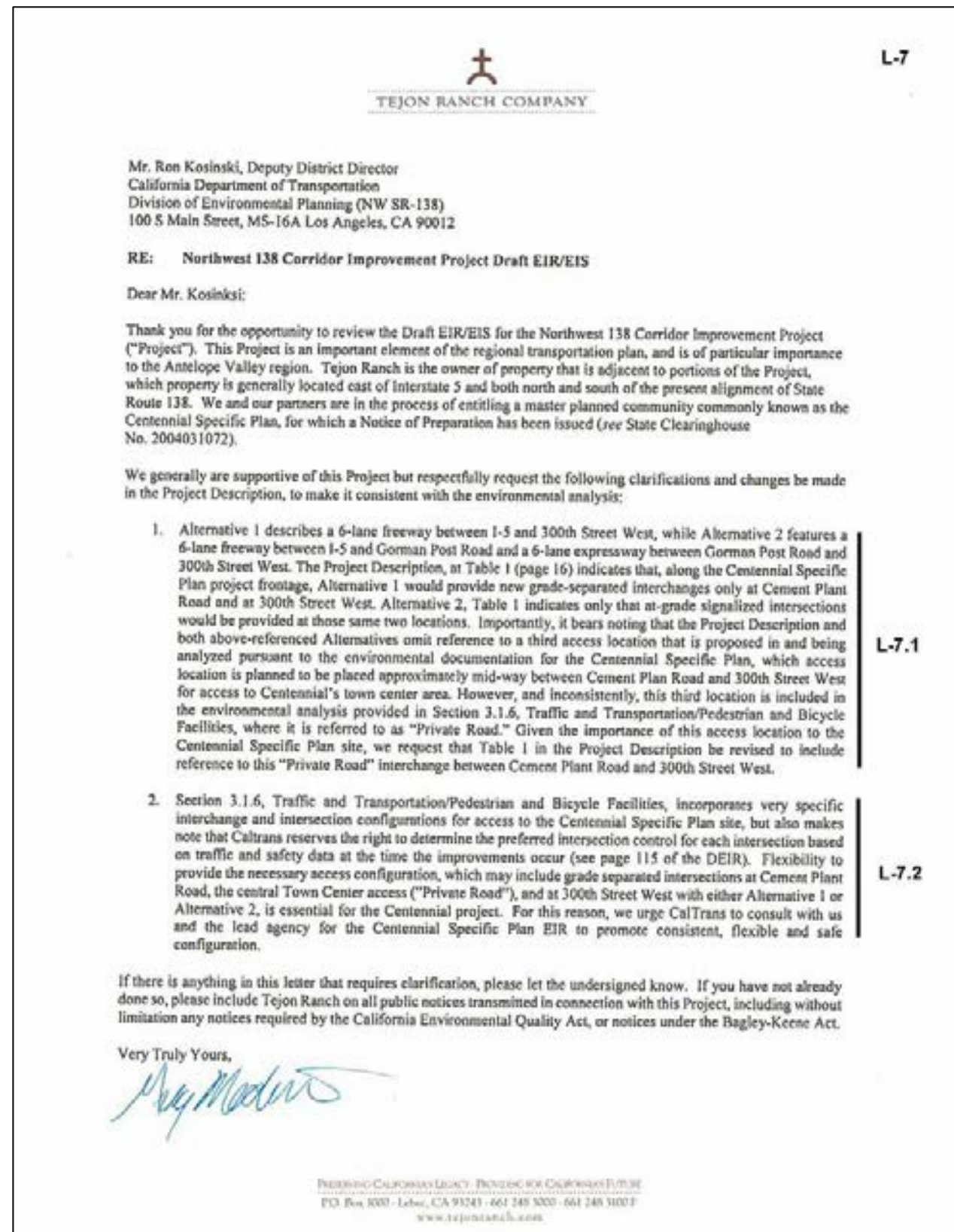
A handwritten signature in black ink, appearing to read "Curtis Woods".

Curtis Woods  
Chairman, Santa Clarita Valley Chamber of Commerce  
CC: Hon. Michael D. Antonovich, Supervisor 5<sup>th</sup> Dist.



**Responses to Comment Letter L-6  
Golden State Gateway Coalition**

Response to Comment L-6  
Your comment in support of the Project's DEIR is noted.



## Responses to Comment Letter L-7 Tejon Ranch Company

### Response to Comment L-7.1

The proposed land use in the western opportunity area is included along with other regional growth in the traffic forecasting completed for the project. The existing access location in this area are shown as improved and are included as part of the proposed project. The Centennial development, which is within the western opportunity area, is not an approved project. The County and Caltrans will need to work together to determine the access type and locations to NW 138 for the Centennial development during Centennial entitlement process and the County and Caltrans approval processes.

### Response to Comment L-7.2

Local Development-Intergovernmental Review (LD-IGR) is a mandated ongoing statewide effort focused primarily on avoiding, eliminating, or reducing to insignificance, potential adverse impacts of local development on the transportation system. Caltrans is proud to share our expertise with other jurisdictions and assist them throughout their land use planning and decision-making processes, consistent with the requirements of the National Environmental Policy Act (NEPA), California Environmental Quality Act (CEQA), Streets and Highways Code, and numerous planning and zoning laws that affect our stewardship of the State Highway System. This Program is directed to use 'best practices' analysis methodologies that focus on: improving person-capacity of our multi-modal transportation system; efficiently moving goods and services; and accurately describing transportation tradeoffs with other community values. These values include: a sound business economy with housing near employment; a healthy 'climate change sensitive' environment, and equally safe access for both motorized and non-vehicular transportation users.

Caltrans has planning staff within each of its 12 Districts statewide that are responsible for carrying out the LD-IGR program. Local government staff is encouraged to contact their respective district planning contacts for more information regarding how Caltrans can engage with local partner agencies through the LD-IGR program.

Caltrans works with local jurisdictions early and throughout their land use planning and decision-making processes through the Local Development-Intergovernmental Review (LD-IGR) program. Caltrans seeks to reduce vehicle trips associated with proposed new local development and recommends appropriate mitigation measures for dealing with the remaining transportation impacts of such development. Through this program Caltrans supports local development that addresses state priorities including achieving sustainable land use development patterns consistent with the goals of SB 375.

Further information on the LD-IGR program, including local Caltrans District office contact information, can be found at the following website:

[http://www.dot.ca.gov/hq/tpp/offices/ocp/igr\\_ceqa.html](http://www.dot.ca.gov/hq/tpp/offices/ocp/igr_ceqa.html)



September 19, 2016

To Whom It May Concern,

On behalf of the Pacific Crest Trail Association (PCTA), I write to you in regards to the Northwest 138 Corridor Improvement Project-Draft Environmental Impact Statement/Report (DEIS/DEIR).

Our 11,500-member organization is the primary private partner with the United States Forest Service, Bureau of Land Management, National Park Service, and California State Parks in the management and protection of the Pacific Crest National Scenic Trail (PCNST) from Mexico to Canada. Last year alone, programs organized under PCTA's leadership provided over 91,000 hours of volunteer labor to manage the PCNST on the ground and we have participated in dozens of planning processes from the national to the local level in that time.

As I am sure you know, the PCNST was designated a National Scenic Trail by Congress in 1968 as part of the National Trails System Act. It runs 2,650 miles from the Mexican border through California, Oregon and Washington, terminating at the Canadian border. It's an opportunity for hikers and equestrians alike, to have an experience that ranges from a few hours to a few months at a time and it is both a national and international resource.

With any trail that runs north-south along the entire length of the western United States, there will be locations where the trail has to cross roads. It is PCTA's job to make sure that road crossings are safe and have as little impact to the PCT experience as possible. Currently the trail crosses Hwy 138 at a location with limited traffic, few lanes to cross and long lines of sight to provide opportunities to cross safely.

In Chapter 2, page 16 of the DEIS/DEIR states in Table 6 that for Alternatives 1 and 2: "New grade separation structures (standard Box Culverts) are proposed to accommodate bicycle, recreational use, and maintenance access" for the existing Pacific Crest Trail crossing.

I think it important to note the special clearances needed in order for this to be a viable option. According to the USDA's Equestrian Design Guidebook for Trails, Trailheads, and Campgrounds, the minimum width of the culvert would need to be 7 feet wide and 10 feet high (although 12 feet is preferred). According to PCNST specifications, the clearing area for the trail should be 8 feet wide and a minimum of 10 feet high. Due to the specifications above it would be advisable if not necessary for

L-8.1

## Responses to Comment Letter L-8 Pacific Crest Trail Association

### Response to Comment L-8.1

The project team identified the proper sizing of the facility early in the process in coordination with the Pacific Crest Trail Association. From those meetings a 12'X12' minimum opening was identified for the existing location of the Pacific Crest Trail. As part of the project, a comprehensive drainage study was completed to identify and design proper off-site cross drainage facilities to convey the required roadway drainages through the proposed roadway facility. The undercrossing identified was not designed as a drainage facility and is not required to convey the roadway design flows. The proposed crossing at the existing location was designed as a multi-purpose trail crossing and does not include drainage flows. A second future location of the Pacific Crest Trail was also identified and planned for in the project design in the vicinity of 300th Street West. The crossing at 300th Street West has also been considered and is accommodated within the intersection control options provided for the SR-138/300th Street West intersection planning. No under or overcrossings are required at the proposed future trail location to accommodate the crossing of SR-138.

the travel way of the box culvert to be at least 8 feet wide and 12 feet high. It is also necessary to take into consideration other design factors including the approach to the culvert from each direction.

Additional concerns for the culvert solution include the history of significant mud flows in the area. In October, 2015 the local area was significantly impacted by significant rainfall that caused mudslides burying people, cattle and highways. Both Interstate 5 and Highway 58 were closed. Somewhere in the neighborhood of 33 miles of PCNST were damaged or destroyed. Given this history, I have serious concerns about the safety and feasibility of using a culvert as the means for road crossing in this area.

L-8.1

A better and seemingly safer option to consider would be a pedestrian, equestrian and wildlife overcrossing of the road. This may prove to be a significantly better design when considering the approaches to an overcrossing (versus a culvert), open air for equestrian use, and that many culvert crossings of the trail turn into area trash depositories (and not from recreational trail users) and the potential for mudslides.

It was noted in Appendix B that the current crossing of the PCNST at Highway 138 is not considered a Section 4(f) because "no public easement for recreation purposes is available. This segment is not considered 'on publicly owned recreation land.'" This needs further examination as the USFS holds both encroachment permits and easements on the proposed new location of Highway 138. Specifically "this exclusive easement hereby granted is for the construction, reconstruction, maintenance, and the full, free and quiet use and enjoyment of the Pacific Crest Trail over and across the above described premises according to the centerline description contained herein." Although this easement document is one of many examples, it is evident that the segment is considered on publicly owned recreation land and should be qualified as Section 4(f). The PCNST has been used by recreational trail users since the early 1980s when the easements and encroachment permits were signed. There has been continuous use in this area and the route is under public ownership via the US Forest Service. For this reason it does meet the 4(f) criteria.

L-8.2

Addressing the realignment of the PCNST with regards to the Tejon Ranch Conservation Easement, it is public knowledge that a realignment of the Trail has been in the works for many years. The original route for the PCNST that was approved by Congress and recorded in the January 30, 1973 Federal Register Notice, shows the route crossing Hwy 138, crossing through Tejon Ranch and up Blue Mountain in the same approximate location as the proposed realignment. This would move the PCNST crossing from 269<sup>th</sup> Street W. to 300 Street W. Having a safe road crossing for this new alignment is significant. Although there is currently no easement for this area held by the US Forest Service, it is my understanding that the Tejon Ranch is willing to enter into a conveyance agreement with the USFS and there will be a trail easement for the PCNST. I understand that lack of a signed easement makes it difficult to consider the future PCT alignment be considered for Section 4(f) but perhaps the Federal Register notice reopens that possibility. I am hopeful that through collaboration, CalTrans, Tejon Ranch, the US Forest Service and the PCTA can work together to find a win-win situation for this future crossing, that all options be considered and that the final decision be made with the best data and input as this project progresses.

L-8.3

I look forward to working with you as this project develops. If you have any additional questions, please don't hesitate to contact me via email at [akass@pcta.org](mailto:akass@pcta.org) or via phone 951-257-4100.

## Responses to Comment Letter L-8 Pacific Crest Trail Association

### Response to Comment L-8.2

Caltrans appreciates the comments and easements provided by the Forest Service and the PCT Association for the PCT segments in the vicinity of the existing SR-138. The FS and PCTA are correct that the trail at this location has been in continuous use on the ground and is considered publicly owned. However, as stated in the revised Appendix B, some segments of the trail that are subject to the easements are located on the land that has previously been dedicated to transportation purpose as part of the local transportation system. FHWA's Guidance on trails says that if a publicly owned shared use path or trail is primarily used for transportation and is an integral part of the local transportation system, the requirements of Section 4(f) do not apply. In addition, if the publicly owned path or trail is simply described as occupying the right-of-way of the highway and is not limited to any specific location within the right-of-way, a Section 4(f) use of land would not occur provided that adjustments or changes in the alignment of the highway or the trail would not substantially impair the continuity of the path or trail. Therefore Section 4(f) requirements would not apply to some portions of the PCT that are within the land dedicated to the 270th Street and existing highway right-of-way (see the Appendix B of the Final EIR/EIS for more information.)

Caltrans also acknowledges that the FS has easements from the Tejon Ranch Corporation for some portions of the PCT (from Avenue C-6 to Avenue C-8 and from 380 feet to 0.5 mile south of the existing SR-138 right-of-way) and no dedication for public road is evident for these portions. Therefore, these portions maybe considered publicly owned recreation land and is protected by Section 4(f). The Appendix B of the EIR/EIS has been revised to document this discussion (see Appendix B for more information). The Appendix concludes that no use of these portions of the trail under Section 4(f) would result from the project.

### Response to Comment L-8.3

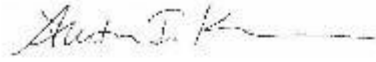
To accommodate bicycle, recreational use, and maintenance access across the proposed SR-138 right-of-way, seven new standard box culverts are proposed, including one east of 300th Street West. Coordination with affected stakeholders will continue as detailed plans are developed.



**Responses to Comment Letter L-8  
Pacific Crest Trail Association**

See previous page.

Sincerely,



Anitra I. Kass  
Southern California Regional Representative  
Pacific Crest Trail Association

L-9



Los Angeles/Ventura Chapter

**CHAPTER OFFICERS**

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BIA-LAV President
- Keith Herren, Williams Homes  
BIA-LAV Vice President
- Ken Melvin, CalAtlantic Homes  
BIA-LAV Treasurer
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- Michelle Weedon, Meyers Research
- Rick White, Larrabure Framing
- Norm Witt, Cook Hill Properties

September 19, 2016

Mr. Ron Kosinski, Deputy District Director  
California Department of Transportation  
Division of Environmental Planning (NW SR-138)  
100 S Main Street, MS-16A  
Los Angeles, CA 90012

RE:Northwest 138 Corridor Improvement Project Draft EIR/EIS

Dear Mr. Kosinski:

Thank you for the opportunity to review the Draft EIR/EIS for the Northwest 138 Corridor Improvement Project. This project is a critical component of the regional transportation plan, and is of particular importance to the Antelope Valley region.

We respectfully request that the Final EIR/EIS add a new alternative to address the planned buildout of the Economic Opportunity Areas (EOA) in the Antelope Valley. The 2015 Antelope Valley Area Plan (AVAP), approved by the Los Angeles County Board of Supervisors, is the culmination of many years of collaborative efforts by multiple stakeholders to develop a vision for balanced economic development and environmental stewardship of the Antelope Valley. By focusing future significant development within the three designated EOAs, as well as existing communities, the AVAP charts a responsible path forward for economic growth while embracing the many benefits of maintaining the rural and open space character of vast areas of Antelope Valley.

It appears that the traffic volumes projected for the area may not have fully accounted for EOA development pursuant to the AVAP, particularly in the Central EOA area. While substantial new development activities in the Central EOA are not at present imminent, SR 138 serves as a vital regional transportation and goods movement corridor that should take into account the future needs of the Antelope Valley pursuant to the approved AVAP.

We suggest that the appropriate approach for addressing the growth planned in the Central EOA is to add a new alternative to the Final EIR that more clearly includes this development and other elements

L-9.1

350 South Bixel Street, Suite 100, Los Angeles, California 90017 Office: 213.797.5994 www.bialav.org  
"The Voice Of Residential Building And Development"

**Responses to Comment Letter L-9  
Building Industry Association of Southern California – Los Angeles/Ventura Chapter**

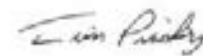
**Response to Comment L-9.1**

The traffic analysis completed for the project includes and accommodates the AVAP Economic Opportunity Areas. The proposed design accommodates the land use and future traffic demand for these EOA's, including the Central Economic Opportunity Area.

of the AVAP, and that projects traffic volumes and roadway design needs consistent with the Fehr & Peers traffic analysis already completed in 2015 for the AVAP Environmental Impact Report (AVAP EIR). We urge you to either adopt this new alternative, or at minimum authorize as part of the preferred project the acquisition of sufficient ROWs and incorporation of improvement designs that would accommodate this approved development plan for the AVAP.

We also urge you to revisit the cost estimates included for the preferred alternative, which is substantially more expensive than anticipated. **L-9.2**

Sincerely,



Tim Piasky  
Chief Executive Officer

## Responses to Comment Letter L-9 Building Industry Association of Southern California – Los Angeles/Ventura Chapter

### Response to Comment L-9.2

The Cost Estimates prepared for the project have been developed using traditional methods of estimating costs and risk associated with future pricing of improvements. A Value Analysis was also prepared for this project that further identified cost element risks that have been included in the project cost estimates. These estimates are based on mid-term construction contract timing and have been generated from current cost data and escalated to reflect the mid-term of construction.



CALIFORNIA  
NATIVE PLANT SOCIETY

**Los Angeles /Santa Monica Mountains Chapter**

15811 Leadwell Street  
Van Nuys, California 91406-3113

Mr. Ron Kosinski, Deputy District Director  
California Department of Transportation  
Division of Environmental Planning (NW SR-138)  
100 S Main Street, MS-16A Los Angeles, CA 90012  
ATTN: Isidro Panuco

VIA EMAIL: [nw138@metro.net](mailto:nw138@metro.net)

**RE: NORTHWEST HIGHWAY 138 CORRIDOR  
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)  
Northern Los Angeles County CA**

Dear Mr Kosinski,

California Native Plant Society (CNPS) is a science and policy based interest group formed a half century ago. CNPS works hard to protect California's native plant heritage and preserve it for future generations. CNPS actively promotes the use of science in land use and management decisions through our *Online Rare Plant Inventory* and essential reference book: *Manual of California Vegetation*, 2nd Edition, both of which are the most advanced resources available for identifying and managing critical habitat in California. We work closely with decision-makers, scientists, and local planners to advocate for well-informed and environmental friendly policies, regulations, and land management practices.

Our chapter sphere of influence includes northern Los Angeles County. We are locally active with issues both in urban and open space areas. Additionally, our parent offices and Conservation Director located in Sacramento are engaged with development in the Mojave Desert and adjacent environs.

We respectfully submit short comment to this document today with the caveat that the information contained in this correspondence does not fully articulate our knowledge of the project area and concern of specifics as detailed in the DEIR. Our chapter was informed about the project over the past weekend thus limited in the ability to thoroughly review and offer substantive and science-based comment.

CNPS understands the need for improvement to the highway corridor based on age class of the existing roadway, current and proposed development in the vicinity. We are keenly knowledgeable of the abundance of special plant and wildlife in the area, many which are endemic to the special soils, water features and habitat conditions of that part of the high desert. The numerous listed plants and animals that are part of the

CNPS, LA/SMM Chapter, September 19, 2016, page 1

## Responses to Comment Letter L-10

### California Native Plant Society – Los Angeles/Santa Monica Mountains Chapter

#### Response to Comment L-10

Thank you for your comment. Your request for involvement is noted. Numerous early coordination meetings occurred between Caltrans and resource agencies such as United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and United States Army Corps of Engineers (USACE). In general, the purpose of these meetings was to provide agency personnel with the latest project design information, proposed approaches to survey protocol, impact analysis, and to evaluate potential mitigation measure potential. The input from agencies was also helpful with regard to all of these topics, especially design criteria, survey protocol, and impact analysis. Refer to section 5.3 (Consultation and Coordination with Public Agencies) and section 5.3.3 (Biological Resource Coordination) for further information.

On January 5, 2017 Caltrans received concurrence from USFWS on a determination that the proposed project is not likely to adversely affect the federally endangered southwestern willow flycatcher (*Empidonax traillii extimus*), least Bell's vireo (*Vireo bellii pusillus*), or California condor (*Gymnogyps californianus*).

project corridor are trophically connected to sustain the entire plant and animal community extending far beyond the geographic scope of the project. Our organization, along with California Department of Fish and Wildlife and other conservation based agencies and groups recognize the high level of current and historic significance the Highway 138 corridor has as a biological corridor that emanates from the lower Mojave Desert contiguously through Tejon Ranch, Cuyama Valley, Carrizo Plains, Lower Salinas Valley and the Central Coast Mountains to Monterey County.

We urge your agency to collaborate at the regional level with other agencies, groups as ours and biological experts to ensure the design, construction and maintenance of the NW Highway 138 Corridor protects the existing environmental integrity of the project area in perpetuity. We look forward to being part of this discussion. Kindly add our contact information to all forthcoming Metro project scoping and public notice heretofore.

Sincerely,

Snowdy Dodson, Chair  
Los Angeles/Santa Monica Mountains Chapter  
California Native Plant Society

CNPS, LA/SMM Chapter. September 19, 2016, page 2

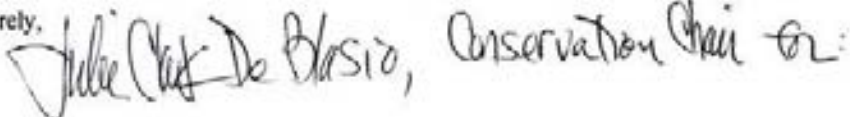
## Responses to Comment Letter L-10

### California Native Plant Society – Los Angeles/Santa Monica Mountains Chapter

See previous page.

project corridor are trophically connected to sustain the entire plant and animal community extending far beyond the geographic scope of the project. Our organization, along with California Department of Fish and Wildlife and other conservation based agencies and groups recognize the high level of current and historic significance the Highway 138 corridor has as a biological corridor that emanates from the lower Mojave Desert contiguously through Tejon Ranch, Cuyama Valley, Carrizo Plains, Lower Salinas Valley and the Central Coast Mountains to Monterey County.

We urge your agency to collaborate at the regional level with other agencies, groups as ours and biological experts to ensure the design, construction and maintenance of the NW Highway 138 Corridor protects the existing environmental integrity of the project area in perpetuity. We look forward to being part of this discussion. Kindly add our contact information to all forthcoming Metro project scoping and public notice heretofore.

Sincerely,  
 Julie Clark De Blasio, Conservation Chair

Snowdy Dodson, Chair  
Los Angeles/Santa Monica Mountains Chapter  
California Native Plant Society

## Responses to Comment Letter L-10

### California Native Plant Society – Los Angeles/Santa Monica Mountains Chapter

See previous page.



CENTER for BIOLOGICAL DIVERSITY

*Because life is good*

*protecting and restoring natural ecosystems and imperiled species through  
science, education, policy, and environmental law*

**via email and USPS**

September 19, 2016

Mr. Ron Kosinski, Deputy District Director  
California Department of Transportation  
Division of Environmental Planning (NW SR-138)  
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Los Angeles, CA 90012  
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**RE: Comments on Northwest State Route 138 Corridor Improvement Project and Draft Environmental Impact Report/Environmental Impact Statement**

Dear Director Kosinski,

These comments are submitted on behalf of the Center for Biological Diversity (Center) regarding the Draft Environmental Impact Report/Environmental Impact Statement on the Northwest State Route 138 Corridor Improvement Project (DEIR/S) which proposes to expand the footprint of the existing State Route 138 significantly from a two-lane highway to a four- to six-lane highway. The Center for Biological Diversity is a non-profit conservation organization that works to secure a future for all species and their habitats through science, law and creative media, focusing on protecting lands, waters and climate that species need to survive. The Center has over 1.1 million staff, members and on-line activists in California and throughout the United States, including those who live in, know and enjoy the biological diversity and world class landscape of northern Los Angeles County, including the Antelope Valley area.

As the DEIR/S notes, the landscape in which the SR-138 expansion is proposed is not only home to and ecologically functional for numerous rare and common plants and animals, but a portion of it, which is proposed for the greatest expansion in the western part of the Antelope Valley, is at a key connectivity area between the Transverse Ranges, the Sierras Nevada Range, the Mojave Desert and the Southern Coastal Zone. Few regions in California are as crucial for wildlife connectivity as this particular area is. Noting that, we submit the following comments on the DEIR/S.

**I. Purpose and Need Flawed**

The purpose for the propose project is identified as:

- Improve mobility and operations on SR-138 and in NW Los Angeles County;
- Enhance safety within the SR-138 Corridor based on current and future projected traffic conditions;

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[www.BiologicalDiversity.org](http://www.BiologicalDiversity.org)

**Responses to Comment Letter L-11  
Center for Biological Diversity**

See next page.

- Accommodate foreseeable increases in travel and goods movement within northern Los Angeles County.

The need is based on an assessment of the future transportation demands, existing capacity of the facility, historic accident data, existing non-standard roadway features, present and future social demands, and forecasted economic development. (at p. i)

While we support remedying safety hazards on SR-138, the present and future social and economic needs remain unconvincing based on the data presented in the DEIR/S. From the traffic/transportation section, it appears that the majority of the traffic congestion issues are on the eastern end of the existing SR-138, not the western end. And yet, the western end is proposed for the largest expansion – from two to six lanes, while the eastern end is only proposed for a two to four lane expansion. Data is not provided in the Transportation section about the increases in travel and goods. Therefore, we believe the DEIR/S for the project should focus on addressing the upgrades in the safety of the existing SR-138 while increasing the crucial wildlife connectivity across SR-138.

L-11.1

### II. Inadequate Alternatives Analyzed

The DEIR/S only analyzes three alternatives. In addition to No Action, it analyzes Alternative 1 which is proposed to include a 6-lane freeway from the I-5 interchange to 300<sup>th</sup> Street West, and a 4-lane expressway from 300<sup>th</sup> Street West to the SR-14 interchange generally following the existing alignment of SR-138. Alternative 1 also includes a “design option” which would bypass Antelope Acres to reduce impacts to this community. It also includes analysis of Alternative 2 which is proposed to include a 6-lane freeway from the I-5 interchange to Gorman Post Road, a 6-lane Expressway from Gorman Post Road to 300<sup>th</sup> Street West, a 4-lane expressway from 300<sup>th</sup> Street West to 240<sup>th</sup> Street West, and a 4-lane limited access conventional highway from 240<sup>th</sup> Street West to the SR-14 interchange, generally following the existing alignment of SR-138. No alternative or series of alternatives are provided that would reasonably upgrade the existing SR-138 for safety purposes without facilitating future development which will impact sensitive biological, degrade air quality, increase greenhouse gas emissions and degrade the unique natural values of the Antelope Valley and northern Los Angeles County. The Center expressly requests that the DEIR/S be recirculated to evaluate an alternative or alternatives that address safety without facilitating future development.

L-11.2

### III. Transportation Analysis Does Not Support Alternatives

Section 3.1.6 (Traffic and Transportation/Pedestrian and Bicycle Facilities) is confusing because it appears from Table 38: Intersection LOS Existing Conditions (at p. 89) that improvements to traffic flow are needed at the eastern end of the Proposed project, from approximately 170<sup>th</sup> Street west to SR-14 – not on the western end. Figure 20 (Daily Roadway Volumes Existing Conditions) also reaffirms that the eastern end is the more trafficked area (at p. 92). Yet all alternatives other than the No Action have the greatest expansion of SR-138 on the western end of the project. Please clarify why the proposed SR-138 expansion alternatives do not conform to the actual use data provided in the DEIR/S.

L-11.3

## Responses to Comment Letter L-11 Center for Biological Diversity

### Response to Comment L-11.1

The traffic forecast volumes were developed based upon the SCAG 2012 SCS model. Based on the forecast volumes, there is more growth in the western economic opportunity area. Based on the land use in the model, the traffic volumes are greater on the western end in the forecast year of 2040. The facility sizing of six lanes west of 300th Street West and four lanes east of 300th Street West was developed based on the approved forecast volumes presented in the project traffic analysis.

### Response to Comment L-11.2

In the Alternatives studied but rejected, Alternative 3 - Transportation System Management (TSM) alternative was developed to specifically study an alternative to improve safety and operations, but not complete major widening to accommodate anticipated growth. This alternative was identified through public scoping as many residents in the corridor believed that was an option that should be studied. The team completed detailed studies for this alternative, but unfortunately while addressing the shorter term safety and operations needs in the corridor, it did not address the future traffic volumes anticipated based on expected land uses or regional traffic growth increases in the corridor. The TSM alternative was dropped from future consideration as it did not meet the stated purpose and need of the project.

### Response to Comment L-11.3

The project traffic analysis was completed and utilized land use information from the County and Cities within the County as represented in the 2012 SCAG SCS/RTP. The Antelope Valley Area Plan provided updates to the land use in the Antelope Valley and confirmed the land use in the Economic Opportunity areas along the corridor. As development is limited within the corridor, these identified Economic Opportunity areas concentrate the land use to these areas. The Western Economic Opportunity Area is the larger of the areas and resides on the western portion of the corridor. This is why the facility is larger on the western portion rather than the eastern. There are several existing intersections that are identified for improvements in the near term and many of these are on the eastern end of the project. After the initial safety improvements are completed, the capacity of the roadway will then be completed. The approved land use data reflects more growth in Western Economic Opportunity Area which shows more mainline volumes in the planning horizon (2040).



**IV. Biological Resources**

The DEIR/S devotes much of the biological section to an analysis of existing connectivity, which is a key factor in keeping this unique landscape intact. This effort has provided important data on the current use under/over SR-138 by wildlife, and provides the opportunity to safeguard wildlife passage in the area. Based on this data, all alternatives considered in the DEIR/S must incorporate more robust and effective wildlife passage opportunities with any improvements in SR-138.

L-11.4

In general, we failed to see any required mitigation acquisition/set asides for impacts to sensitive communities and wildlife. We do not see that replanting/weeding is adequate to offset temporary and permanent impacts to species, their habitat and rare plants. The DEIR/S needs to clearly identify the avoidance, minimization and mitigation that will occur as a result of the project.

L-11.5

We take exception to the DEIR/S determining that ALL of the projects included in Table 104: Reasonably Foreseeable Actions "would incorporate avoidance, minimization and/or mitigation measures that would result in reduced or less than significant impacts to sensitive." (at p. 302). Eight of the seventeen projects listed in the table did not include the actual acres of impacts to the sensitive natural communities. Therefore absent the acreage, it is unclear how the DEIR/S can make the determination that adequate measures could be put in place to reduce the impacts to less than significant. Similarly despite the actual acres of sensitive species habitat for regional projects being unknown, Table 119 and text, state "when added to all other approved projects within the region the impact to individuals is expected to remain low" (at p. 370). Because a number of these projects have not gone through a public environmental review process, no data is publicly available and these data are not provided in this DEIR/S. Therefore the DEIR/S cannot make such a determination, based on lack of data. The conclusion drawn here is speculative at best.

L-11.6

Because the proposed mitigation measure Bio-1 for protecting sensitive riparian communities is prefaced with "whenever possible" (p. 302), it provides no assurances that these critical communities will not be impacted. The current language leaves mitigation at Caltrans' future discretion as to what is "possible." Stronger language that provides assurance of actual mitigation, especially for these communities that host threatened and endangered birds during part of their lifecycle, needs to be included.

L-11.7

Numerous places in the DEIR/S include statements that require 2 years of monitoring/re-establishment (Bio-3 at p. 303 for re-establishment). This short time-frame is not standard practice for mitigation impacts through replanting. Instead a minimum 5-year reestablishment should be required to help ensure replanting is successful and interim adaptive management can be implemented to successfully re-establish the impacted native vegetation. In addition, an additional 5-monitoring without adaptive management needs to be incorporated to actually monitor the longer-term outcome of the effort. More importantly, establishment criteria and success criteria need to be identified and included in a revegetation plan that is included as part of the DEIR/S. This is also crucial because of the documented use of the riparian habitat by the

L-11.8

**Responses to Comment Letter L-11  
Center for Biological Diversity**

**Response to Comment L-11.4**

There are approximately 72 existing cross culverts within the project limits. Approximately 47 existing cross culverts will be maintained or expanded. Approximately 25 cross culverts will be abandoned and an additional 93 cross culverts will be constructed to maintain hydrologic integrity and support wildlife movement. The expanded highway will have culverts ranging in size from 24 inches to 10 ft. by 10 ft. and vary between reinforced concrete pipes, reinforced concrete boxes, and corrugated metal pipes. A detailed wildlife passage impact assessment shall be conducted during the design phase to confirm the proposed culverts for wildlife passage will be effective according to standards outlined in Section 3.3.1 Wildlife Movement and Habitat Connectivity, BIO-7 and BIO-8, as additionally set forth in FHWA Wildlife Crossing Structure handbook (2011) and in a manner as natural and easy for wildlife to cross such that they will promote use by local wildlife with consideration to current land use, approved projects within the area, and further coordination with the California Department of Fish and Wildlife (CDFW) and the US Fish and Wildlife Service (USFW).

**Response to Comment L-11.5**

Section 3.3 (Biological Environment) has been revised to include further avoidance, minimization, and mitigation measures for sensitive communities and wildlife. In general all temporary impacts will be replanted, and all permanent impacts will be mitigated at 2:1 ratio. A habitat mitigation monitoring plan (HMMP) will be established during the final design phase. The HMMP will expand on mitigation opportunities and mitigation acquisition to offset potential impacts to biological resources.

**Response to Comment L-11.6**

Table 112 has been updated to include the actual acres of impacts to sensitive natural communities for those projects for which the information is available.

**Response to Comment L-11.7**

BIO-1 has been updated as follows: All sensitive vegetation communities shall be preserved in place. An approved biologist shall protect these vegetation communities by establishing an environmentally sensitive area (ESA) prior to the onset of ground disturbance, using brightly colored fencing and monitoring any clearing and grubbing related construction activities. An approved biologist and licensed arborist will oversee the placement and design of this fencing.

**Response to Comment L-11.8**

The plant monitoring and re-establishment period has been updated and changed for all native vegetation communities: On-site mitigation plantings within Caltrans Right-Of-Way shall have a separate landscape contract with a 2 year plant propagation period, 3 year plant establishment period, and 5 year monitoring period. On-site mitigation plantings shall be monitored by a qualified biologist seasonally to determine health and viability. If it is determined that an on-site planting is in poor health, it shall be replaced by a healthy individual and shall continue to be monitored during the 5 year monitoring period.

federally and state endangered southwestern willow flycatcher (at p. 366-367). While these birds appear to be migrants, the relatively rare riparian habitat upon which this species relies as it migrates is key to successful reproduction. Therefore a revegetation plan should also address the wildlife, including rare species that rely upon it.

L-11.8

Like Bio-1, Bio-13 also includes the phrase "when possible," which provides no assurances that wildlife crossing will be constructed or implemented to benefit wildlife connectivity. Despite the surveys to characterize wildlife connectivity in the area, this mitigation measure fails to capitalize on the need to keep the landscape connected. Stronger language needs to be included that insures wildlife connectivity will be implemented.

L-11.9

Bio-13 (k) (at p. 305) discusses fencing. While we support keeping wildlife off of highways to prevent injury and death, fencing introduces a whole host of new impacts, none of which are analyzed in the DEIR/S. Fencing restricts wildlife movement and creates a barrier that wildlife must circumnavigate which often leaves them easy prey for predators<sup>1</sup>. It also provides additional perching opportunities for avian predators to more successfully hunt prey than the desert landscape typically provides.<sup>2</sup> The DEIR/S is vague as to where "drift fencing" would be implemented and what potential benefits/impacts would result from fencing in these locations. It is also unclear who would maintain the fences (Bio-13 (m) at p. 305)

L-11.10

Bio-30 (at p. 331) suffers the same inadequate timeline and lack of planning for mitigation of impacts to rare plants. Where is the revegetation plan? It should be included as part of the DEIR/S for public review. Two years of re-establishment monitoring is an inadequate amount of time to evaluate re-establishment over the long-term (see above comments on Bio-3). If plants are replanted within the SR-138 right of way, their long-term survival is questionable, therefore much more stringent success criteria need to be developed and addressed in the DEIR/S.

L-11-11

Bio-31 (at p. 332) is also inadequate because it fails to address a proper mitigation ratio for off-site mitigation.

L-11.12

Page 332 discusses the mitigation acquisition for round-leafed filaree (*California macrophylla*) and alkali mariposa lily (*Calochortus striatus*). However, it admits that the area of impact is still undetermined based on surveys that are to be done this year. Both of these species are herbaceous perennials that appear above ground and are identifiable when conditions are optimal. Because southern California is in its fifth year of drought, and NOAA's forecast for 2016-17 is La Nina conditions for southern California,<sup>3</sup> plants may not show above ground identifiable plant material, and therefore the full extent of the population of these rare plants are not likely to be adequately identified during the survey(s). We therefore urge a robust evaluation of the populations based on all of the available data, including soils and hydrology, which these species have a special affinity for. In addition, the proposed 2:1 mitigation ratio for these rare plants that meet the criteria for State listing is inadequate. At a minimum, these rare plants need to be mitigated at a minimum 3:1 ratio. Then the question becomes, is there adequate habitat

L-11.13

<sup>1</sup> <http://www.latimes.com/local/california/la-me-solar-bird-deaths-20160831-snap-story.html>

<sup>2</sup> <https://www.fws.gov/southwest/es/arizona/Documents/SpeciesDocs/FTHL/RM55620-5+2016Final%200003.pdf>

<sup>3</sup> [http://www.epa.gov/ncsp/ncsp/products/predictions/long\\_range/lsas05.html](http://www.epa.gov/ncsp/ncsp/products/predictions/long_range/lsas05.html)

## Responses to Comment Letter L-11 Center for Biological Diversity

### Response to Comment L-11.9

BIO-7 and BIO-8 on pp. 335 - 338 indicate that wildlife crossings will be constructed as part of the proposed project. Furthermore, a detailed wildlife passage impact assessment shall be conducted during the final design phase to confirm the proposed culverts for wildlife passage will be effective with consideration to current land use, approved projects within the area, and further coordination with CDFW and USFWS.

### Response to Comment L-11.10

Clarification has been provided regarding purpose of wildlife fencing to prevent injury, death, and encourage the use of wildlife crossings. Wildlife fencing along with escape ramps is supported by USFWS and CDFW to prevent roadkill and to funnel wildlife into cross culverts.

### Response to Comment L-11.11

Section 3.3 (Biological Environment) has been revised to include further avoidance, minimization, and mitigation measures for sensitive communities and wildlife. In general all temporary impacts will be replanted, and all permanent impacts will be mitigated at 2:1 ratio. A habitat mitigation monitoring plan (HMMP) will be established during the final design phase. The HMMP will expand on mitigation opportunities and mitigation acquisition to offset potential impacts to biological resources.

### Response to Comment L-11.12

Clarification for rare plant off-mitigation has been provided in BIO-28 on pg. 367 as follows: During the final design phase of the project, an onsite mitigation feasibility analysis shall be conducted. If it is deemed that on-site relocation of individuals or on-site plantings within Caltrans ROW are not possible after construction is complete, off-site mitigation shall be completed within the region and shall be preserved in perpetuity. Efforts will be made to acquire lands adjacent to the project limits with equal habitat, equal hydrology, and equal soil conditions. Caltrans anticipates off-site mitigation for permanent impacts at a 2:1 ratio and temporary impacts at a 1:1 ratio for rare plant species and shall be coordinated with CDFW. With the use of avoidance and minimization measures, on-site mitigation plantings and the purchase of mitigation parcels it is anticipated at this time that this project would not result in a net loss of this sensitive plant species. When combined with other approved projects in the region of the BSA, the cumulative effect on this sensitive plant is expected to remain low.

### Response to Comment L-11.13

A 2:1 mitigation ratio will be implemented for direct permanent impacts to round-leafed filaree (*California macrophylla*) and alkali mariposa lily (*Calochortus striatus*). Round-leafed filaree and alkali mariposa lily are not federally/state-listed or proposed species and these rare plants will be commensurate with this mitigation ratio. Impact to areas of direct temporary impact will be mitigated by saving filaree seeds, lily bulbs, and transferring whole plants to a nursery for propagation and keeping them alive and healthy for later transplantation in a mitigation area with similar soil and hydrology conditions. Also, 8-12 inches of topsoil salvage will be used to help facilitate the germination and growth of harvested seeds in the on-restoration areas of the project, and to account for rare plant seeds that may be within the topsoil.

available to be acquired? The DEIR/S provides no indication whether adequate mitigation lands are available, even at the inadequate 2:1 ratio. Without an analysis of whether adequate mitigation lands are available, the proposed mitigation is speculative and insufficient to mitigate impacts to these rare plants to less than significant levels.

L-11.13

Table 116: Special Status Wildlife Species Potentially Occurring or Known to Occur in the Project Area (starting at p. 334) needs to include the desert kit fox, which are "protected furbearing mammals" under California Code of Regulations, Title 14, section 460 and may not be "taken" at any time. As such the DEIR/S fails to analyze the impacts to this species as required under CEQA. Because desert kit fox were identified in the wildlife connectivity study as using the proposed project site, the DEIR/S needs to identify the density of kit foxes on the proposed project site, including natal and other dens.

L-11.14

Table 116 also downplays the status of the tricolored blackbird, which was emergency listed in 2014 as endangered, but that emergency listing expired in 2015. However the California Fish and Game Commission will be making a decision on the status of the declining bird shortly. We suggest that a more robust analysis of this species be included in the DEIR/S.

Despite the fact that 85% of the proposed project site is noted to be burrowing owl habitat, protocol level surveys were not done, and only now proposed after the DEIR/S is out for public review (at p. 342). That leaves the public in the dark about the number of burrowing owl that will be affected by the project, and how the proposed project will avoid, minimize or mitigate impacts to this declining species. If "passive relocation" is proposed to avoid immediate direct take of burrowing owls, ultimately there will still be a net loss of the burrowing owls' available habitat, and "relocated" birds will be forced to compete for resources with other resident burrowing owls and may move into less suitable habitat, ultimately resulting in "take". A Burrowing Owl Protection Plan should be developed to clarify how burrowing owls will be addressed and explicitly include long-term monitoring of passively relocated birds in order to evaluate survivorship of passively relocated birds. Additionally, requirements for constructed burrows should be included as mitigation for the destruction of impacted burrows. Other projects have been required to construct two burrows for every burrowing owl burrow destroyed.

L-11.15

Bio-34 (at p. 350) and Bio-118 stipulate trash pick up during construction to avoid golden eagle and California condors scavenging carrion (ground squirrels). However, this measure identifies the larger issue of sensitive wildlife (California condors, golden eagles and other species) being put in harm's way while scavenging on road kill. The DEIR/S needs to include roadkill pick-up in order to avoid attracting scavenging sensitive species onto the proposed expanded SR-138 so additional mortalities to sensitive wildlife are avoided. Because the California condor is still at low numbers in the wild in southern California, relies on scavenging for sustenance, has over 3,700 acres of foraging areas within the proposed project area, and is expanding its range, it is prudent that the DEIR/S include avoidance measures to prevent setting up conflicts between condors and traffic by minimizing roadkill carrion. This would also reduce the numbers of ravens which are subsidized by roadkill and are a known cause mortality on sensitive species including the federal and state threatened desert tortoise.

L-11.16

## Responses to Comment Letter L-11 Center for Biological Diversity

### Response to Comment L-11.14

Desert kit fox will be included in the discussion of animal species. Tricolored blackbirds will also be included in the analysis. Additional tricolored blackbird mitigation has also been provided as follows: All riparian areas within Quail Lake are outside of the proposed construction zone and will be designated as an Environmentally Sensitive Area (ESA) and no work will be conducted within the areas to avoid potential impacts to potential tricolored blackbird habitat. The areas will be fenced off clearly by the use of obvious, orange ESA exclusion fencing along the California Department of Water Resources (DWR) chain-link fence prior to the onset of ground disturbance. An approved avian biologist will oversee the placement and design of this fencing.

Sound barriers shall be installed along the perimeters of Quail Lake adjacent to the proposed construction zone. Noise effects will not exceed 60 dBA Leq from the boundaries of the Preferred Alternative. Caltrans shall monitor construction activities during tricolored blackbird nesting season to monitor for potential noise impacts to nesting tricolored blackbirds.

Permanent impacts to tricolored blackbird foraging habitat shall be mitigated off-site at a 2:1 ratio with consideration to the lands' proximity to Holiday Lake and Quail Lake as well as consideration to the lands within the San Andreas Rift Zone SEA and Antelope Valley IBA. Efforts shall be made to preserve foraging habitat with agricultural conservation easements. Off-site mitigation shall be preserved in perpetuity. Temporary impacts to tricolored blackbird nesting habitat at Quail Lake shall be mitigated for at Holiday Lake. Coordination shall occur with the Antelope Valley Audubon Society, West Valley County Water District, LA County Fire Department and the California Department of Fish and Wildlife to maintain water levels to support tricolored blackbird nesting habitat at Holiday Lake and to conduct controlled burns to refresh the riparian habitat.

### Response to Comment L-11.15

The 2016 Burrowing Owl habitat assessment and survey report are included as an appendix to the updated NES. It is available upon request. The Preferred Alternative will result in impacts to approximately 1,307.95 acres of potential burrowing owl habitat and 366 burrows (permanent impacts to 145 burrows and temporary impacts to 221 burrows). Although 366 burrows were found during surveys, only one active burrow with a pair of burrowing owls was found. This burrow is located over 2,500 feet north of the Alternative 2 boundaries and impacts to the breeding territory are not expected.

### Response to Comment L-11.16

The following measures will be included in section 3.3.4 (Animal Species):

- Implementation of a trash abatement program throughout the project's construction area during all phases of construction.
- Wildlife corridor and wildlife fencing will minimize wildlife-vehicle collisions that will supply carrion for food.
- The implementation of a 24-hour roadkill removal protocol during the operational phase of the Preferred Alternative.
- Prior to the initiation of construction activities, all project personnel will be educated regarding CACO within and adjacent to the project area.

#### V. Key Reports Missing

The DEIR/S relies on numerous reports that are appendices to the Natural Environment Study (NES). However, the NES that was posted online<sup>4</sup> is missing all the appendices including key reports as follow:

- Appendix A Project Maps
- Appendix B Plant Life Compendium
- Appendix C Wildlife Compendium
- Appendix D Tree Inventory
- Appendix E Federal USFWS Species List
- Appendix F California Natural Diversity Database (CNDDB) Search Results
- Appendix G Vegetation Mapping Report
- Appendix H Federal Jurisdictional Delineation Reports
- Appendix I State Jurisdictional Delineation Reports
- Appendix J Wildlife Corridor Study Report
- Appendix K General Raptor Breeding and Foraging Reports: 2014 and 2015
- Appendix L Southwestern Willow Flycatcher and Least Bell's Vireo Survey Report
- Appendix M California Gnatcatcher Habitat Assessment and Surveys Report
- Appendix N Burrowing Owl (BUOW) Habitat Assessment Report
- Appendix O Preliminary Nocturnal Small Mammal Investigation Reports: 2014 and 2015
- Appendix P Mohave Ground Squirrel (MGS) Habitat Suitability Assessment Report
- Appendix Q Special Status Amphibian Habitat Assessment and Surveys Report
- Appendix R 2014 Focused Desert Tortoise (*Gopherus Agassizii*) Survey Report
- Appendix S Federally Listed Large Branchiopod Habitat Assessment Report
- Appendix T Sensitive Plant Survey Report
- Appendix U Insect Survey Report

The appendices from the Wildlife Crossing Report were also unavailable on the pdf that was posted.<sup>5</sup> It appears that there was additional useful information for the public in those appendices as well which included:

- Appendix A – Tracking Station Locations and Station Photographs
- Appendix B – Remote Camera Station Locations and Station Photographs
- Appendix C – Select Remote Camera Photographs
- Appendix D – Pronghorn Station Locations and Station Photographs
- Appendix E – Incidental Observations Locations and Map
- Appendix F – Wildlife Corridor Study Results Map

The absence of these key reports that are the basis of the analyses in the DEIR/S do not inform the public and decision makers and disadvantages the public review process. Their absence makes it impossible to provide adequate informed comments.

<sup>4</sup> [http://www.dot.ca.gov/d7/env-docs/docs/nw138tech/Nature%20Environment%20Study%20\(NES\).pdf](http://www.dot.ca.gov/d7/env-docs/docs/nw138tech/Nature%20Environment%20Study%20(NES).pdf)

<sup>5</sup> <http://www.dot.ca.gov/d7/env-docs/docs/nw138tech/Wildlife%20Crossing%20Report%20.pdf>

L-11.17

## Responses to Comment Letter L-11 Center for Biological Diversity

### Response to Comment L-11.17

Electronic copies of the reports and appendices have been posted on the following websites:

- <http://www.dot.ca.gov/d7/env-docs/>
- <https://www.metro.net/projects/nw138/>

Physical copies are available by request.

**VI. Analysis of the Project's GHG Emission Impacts is Fundamentally Flawed and Incomplete**

The DEIR/S GHG emission impacts analysis fails to actually make a comparison or a significance determination based on the existing environmental conditions. The DEIR/S appears to downplay the significance of facilitating more vehicles and therefore more GHG emissions on SR-138 by framing the analysis in an improper way: "An individual project does not generate enough GHG emissions to significantly influence global climate change. Rather, global climate change is a cumulative impact." (DEIR/S at p. 400). The DEIR/S must still calculate the anticipated amount of GHGs resulting from traffic and must still evaluate the impact for its cumulatively significant effect.

L-11.18

Existing physical conditions in the project area are, with very limited exceptions, the baseline against which CEQA requires environmental effects to be measured. The DEIR/S fails to provide such a baseline. It acknowledges in the purpose and need that the project is needed in anticipation of additional traffic (DEIR/S at p. i) and therefore additional GHGs will be created. However, while the DEIR/S provides the current baseline traffic (at p. 88), curiously it does not use these data to calculate the current GHG emissions. While the Climate Change section discussed the various state and federal laws, executive orders, the DEIR/S fails to actually analyze the expected GHG emissions from the project.

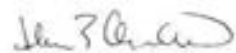
L-11.19

Instead the DEIR/S relies on the project objective of reducing congestion (at p. 401) which reduces GHGs in general, except that it is unclear that SR-138 is actually currently congested or that it will be in the future. On the current evidence, the congestion reduction effects are speculative or illusory, and do not correspond to actual GHG emissions reductions.

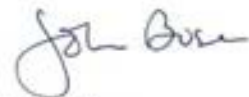
**VII. Conclusion**

Based on the inadequacies of the DEIR/S pointed out above, we request that a recirculated DEIR/S be produced that includes the data that is currently lacking and provides an actual analysis of impacts in areas that are currently lacking. Thank you for the opportunity to submit these comments, and please feel free to contact us with any questions.

Sincerely,



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**Responses to Comment Letter L-11  
Center for Biological Diversity**

**Response to Comment L-11.18**

CEQA requires a lead agency to make a good faith effort to identify impacts and gives the lead agency discretion on the approach to analyze impacts. Caltrans has used the best available modeling data (EMFAC 2014/SMAQMD RCEM) to analyze greenhouse gas emissions related to the project and have disclosed those projected emissions for both construction and operations activities within the DEIR/S. While it is challenging to link the direct impacts of the proposed project to the global greenhouse gas effects on a cumulative scale to climate change, Caltrans is committed to reducing GHG emissions as outlined in the DEIR/S.

**Response to Comment L-11.19**

Projected GHG emissions have been modeled and compared to the existing/ baseline conditions and future build and no-build conditions.

Carolyn Mulvihill, USEPA, [Mulvihill.carolyn@epa.gov](mailto:Mulvihill.carolyn@epa.gov)  
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**Responses to Comment Letter L-11**  
**Center for Biological Diversity**

See previous page.



L-12

August 31, 2016

Mr. Ron Kosinski  
Deputy District Director  
California Department of Transportation  
Division of Environmental Planning (NW SR-138)  
100 S. Main Street, MS-16A  
Los Angeles, California 90012

**RE: NORTHWEST STATE ROUTE 138 CORRIDOR IMPROVEMENT PROJECT**

Dear Mr. Kosinski:

On behalf of the Greater Antelope Valley Economic Alliance (GAVEA), I'd like to express our support of the joint project by Caltrans and the Federal Highway Administration in regards to State Route-138.

The planned improvements will accommodate future population and economic growth for our region by improving mobility, enhance safety and facilitate improved goods movement. As the regional economic developer, we recognize the Corridor Improvement Project as a viable means to stimulate economic growth and job development consistent with the objects of the Antelope Valley Area Plan (AVAP).

Our region is home to Edwards Air Force Base, Mojave Air and Space Port and Palmdale Plant 42 where Lockheed, Boeing and Northrop reside. This corridor provides critical mobility and employment opportunities in the aerospace and aviation technology and renewable energy industry sectors.

Through Caltrans and Metro's outreach program we have been kept apprised of the status of the project and have provided our input via the scoping process. We support the conclusions of the Draft Environmental Impact Report and appreciate Caltrans and Metro working with us proactively for the improvement of our regional transportation corridors.

L-12

Thank you for your favorable consideration of this vital transportation project!

Respectfully,

*Kimberly Maevers*

Kimberly Maevers,  
President and CEO

CC: Hon. Michael D. Antonovich, Supervisor 5<sup>th</sup> Dist.

P.O. Box 5477 | Lancaster, CA 93539 | 661.722.2201 | 661.722.2210 Fax | [www.socalleadingedge.org](http://www.socalleadingedge.org)

## Responses to Comment Letter L-12 Greater Antelope Valley Economic Alliance

Response to Comment L-12

Thank you for your comment. Your support of the Project's DEIR has been noted.



Three Points-Liebre Mountain Town Council  
P.O. Box 76  
Lake Hughes, CA 93532  
[3pointsliebremountain@gmail.com](mailto:3pointsliebremountain@gmail.com)

19 September 2016

SENT VIA EMAIL, US MAIL

Mr. Ron Kosinsky, Deputy District Director  
California Department of Transportation  
Division of Environmental Planning  
100 South Main Street, MS-16A  
Los Angeles, CA 90012  
email: [nw138@metro.net](mailto:nw138@metro.net)

Dear Mr. Kosinsky,

SUBJECT: Draft Environmental Impact Report comments, Northwest State Route-138

Our Town Council, located at the juncture of Three Points Road/Highway 138 (SR 138) to the north, running to Old Ridge Road/Highway 138 to the west, south of the Angeles National Forest (ANF) Boundary for approximately ten miles to the east, appreciates the opportunity to comment on the Draft Environmental Impact Report (DEIR). Our community values its "doorstep" location in direct proximity to the ANF, the Los Padres National Forest, spectacular views of both the San Gabriels' Liebre Mountain and the Tehachapi Mountains and their convergence with the Transverse Ranges, as well as outstanding and impressive views of the Antelope Valley floor that are only part of the privilege and benefits we enjoy, which are provided by such natural surroundings. Part of our stated mission as a council is to "maintain our rural atmosphere and protect our area, through mounted opposition, from any party intending to damage our environment or lifestyle." Certainly, we see as an infringement on our way of life and enjoyment of our properties; the construction of highway improvements, ongoing maintenance, edge effects, a project footprint totaling 4,536 acres; and its associated impacts of increased traffic, noise, fire danger, degradation of air quality, viewshed, water quality, biological impacts; cumulative impacts of growth-related development, and additional major infrastructure projects; all related to the expanded highway and increased development it will bring.

#### Growth Inducing Impacts

The justification of this NW SR 138 expansion assumes development of the planning area, including three Economic Opportunity Areas (EOA), two of which are *completely undeveloped now*. The West EOA appears to be very nearly owned in its entirety by Tejon Ranch. Table 9 shows only one "partially completed" Tejon Ranch commercial/industrial center project in Kern County, and four others as "planned," meaning they exist on Kern and in Los Angeles County zoning maps, with no current need or demand (Ch. 3.1.1.1, p. 27). This a major infrastructure project that seeks to "connect" non-existent urban and industrial development--with other *rural* communities, as well as the Lancaster/ Palmdale area. The document states, "The need for the proposed project is derived from foreseeable increases in travel demand that would exceed the current capacity of SR-138" (DEIR, Ch. 2, p.11).

## Responses to Comment Letter L-13 Three Points-Liebre Mountain Town Council

See next page.



Mr. Ron Kosinsky, Deputy District Director  
California Department of Transportation 2

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We assert that the growth-inducing aspects of this and other combined major infrastructure projects is underrated by the DEIR. How does the project, purportedly supported by Los Angeles County General Plan, that supposedly "discourage[s] sprawling development patterns. . . encourage[s] infill development in areas near transit, services and existing infrastructure," when in "the immediate vicinity of the proposed project, predominant land uses are a largely rural, ex-urban settlement and sparsely populated with very low density" and identifies "Significant Ecological Areas and Agricultural Resource Areas exist[ing] along the route," and as a result, *nothing* to "infill"(Ch. 3.1.1.1, p. 25). The *proposed* development in the western EOA is described as justification, in large part, for this project.

L-13.1

Chapter 1.2, Table 4 indicates a 101% population change of 598,000 to 1,191,665 between the years 2003 and 2030. On the other hand, only 51% change in employment growth from 193,437 local jobs to 292,691 means many, many more commuters, rather than "sustainable growth" and so-called "smart growth." This project will actually encourage automobile transportation between the North County and areas of employment in Santa Clarita, Bakersfield, Lancaster/Palmdale, and the Los Angeles Basin, despite assertions of "Future growth is projected to focus on job creation to provide a better job and housing relationship and increasing the quality of life or existing and future residents" (Ch. 3.1.2, p.40). How will the project affect north/south I-5 traffic levels?

L-13.2

The DEIR has assumed low-density land use zoning and water adjudication to be major constraints to development in the project area, stating "growth in the study area would be restricted by several factors. The primary restriction is a diminishing aquifer and water limitations," except for, ironically, far-flung EOAs in the northwestern and central project area (Ch. 1.2, p. 9). However, our community of Three Points lies outside the water adjudication area, and could reasonably foresee increased burden of additional development, from perceived water availability, as a result of this project. Please remember that a Los Angeles County Hauled Water Ordinance is under review that could open the possibility of additional development and sprawl in the Antelope Valley, encouraged by transportation infrastructure development in our area. This must be addressed in the Final EIR as it relates to the supposed no-growth impacts claimed by the document.

L-13.3

Large lot size minimums in our community would be canceled out with specific plans and proposed subdivisions that require land use amendment--furthering the possibility of future zone change for accommodating growth. This would be ultimately fueled by new use patterns because of SR 138 and other future infrastructure or development projects; hence, we face the probability of increased development, and subsequent change to our rural existence. This is supported by the document statement regarding EOAs: "future planning may be needed to determine *any appropriate land use and zoning changes needed as infrastructure projects are completed*" (Ch. 3.1.2, p. 40). Not only that, but "Improving mobility, accessibility, and safety has the potential to enhance the attractiveness of the area for additional economic and residential development," (Ch. 3.1.2, p. 42). Assuredly, we have always been "prepared to forego additional infrastructure in order to live in a very remote rural environment and enjoy the benefits offered by such an environment," but, will we be able to have both remote rural environment *and* accessibility provided by an improved NW SR 138 and 23,000 homes and 14 million square feet of commercial/ industrial space bordering our town council area that is, curiously, not considered "very remote" or lacking in expectation of infrastructure improvements (Ch. 3.1.2, p. 41)?

L-13.4

Furthermore, the DEIR states rather audaciously, "No avoidance, minimization and/or mitigation measures are proposed as the project is not anticipated to have an extensive influence on regional growth," when at the same time the Caltrans Natural Environment Study, March 2016 reveals: "The widening of SR-138 is expected to create growth inducement that will increase human disturbance associated with all-terrain or off-highway vehicle use, littering, vagrancy, pollution, introduction of pet species. New residential and commercial construction in the area is also expected to occur which will contribute to the edge effect of adjacent habitat. These new residential and commercial development projects include Centennial Ranch, Newhall Ranch, Tejon Industrial Complex, Southern California Logistics Airport, Palmdale Airport and Sunshine Landfill" (NW SR-138 Corridor Improvement Project NES, Ch. 4.6.6, p. 116).

L-13.5

## Responses to Comment Letter L-13 Three Points-Liebre Mountain Town Council

### Response to Comment L-13.1

The need for the proposed project is derived from foreseeable increases in travel and goods movement and higher than average state-wide fatal accident rates. Foreseeable increases in travel and goods movement were identified in the project traffic analysis, which utilized land use information from the County and Cities within the County as represented in the 2012 SCAG SCS/RTP. The Antelope Valley Area Plan provided updates to the land use in the Antelope Valley and confirmed the land use in the Economic Opportunity areas along the corridor. As development is limited within the corridor, these identified Economic Opportunity areas concentrate the land use to these areas. The Western Economic Opportunity Area is the larger of the areas and resides on the western portion of the corridor. This is why the facility is larger on the western portion rather than the eastern. There are several existing intersections that are identified for improvements in the near term and many of these are on the eastern end of the project. After the initial safety improvements are completed, the capacity of the roadway will then be completed. The approved land use data reflects more growth in Western Economic Opportunity Area which shows more mainline volumes in the planning horizon (2040).

### Response to Comment L-13.2

The traffic volumes along I-5 have been included in the traffic analysis for the project. The increase in traffic levels on I-5 is primarily from the approved land uses that are included in the SCAG 2012 SCS regional model and not from the improvements on NW-138. As I-5 is a significant regional route, the volumes on I-5 reflect consistent regional growth of the volumes along I-5 with our without the improvements on NW-138. With the improvements along NW-138, the connections to I-5 are expected to experience growth and are proposed to being improved through the use of acceleration and deceleration lanes along the merge points of I-5 to assist I-5 operations at these locations.

### Response to Comment L-13.3

The Draft Environmental Impact Report for the Single-Family Residential Hauled Water Initiative for New Development indicates that there would be no significant impacts to population and housing related to induced substantial population growth as a result of the initiative. The proposed project is a transportation project, which is not anticipated to result in an increase in water availability.

Mr. Ron Kosinsky, Deputy District Director 3  
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The Final EIR must justify the statement that “the central and eastern portion of the study area is projected to have little to no growth, and the statement: “Development projects are proposed within the . . . Central EOA” with “Development plans for Fox Airfield. . . currently underway” (Ch. 3.1.2, p. 41). The eastern portion of the study area includes the immediately adjacent SR 14 and the projected High Desert Corridor for goods and transportation movement east and west. Impacts cannot be judged in isolation, but the projected, foreseeable, direct and indirect impacts of construction, ongoing maintenance, population growth, adjacent major infrastructure projects, supports the very real possibility of land use and zoning changes forecast by the DEIR, which contradictorily states “The proposed project would have a negligible degree of influence on regional growth” (Ch. 3.1.2, p. 43). Moreover, our residents will, without doubt, experience the associated impacts of not only construction, but *increasing* traffic, *increasing* noise, *increasing* degradation of air and water quality and biological resources from the proposed project, and, as yet totally unbuild EOA and residential units in the western project area. Explain how sprawl will *not* result from the “improved mobility, enhanced safety, and increases in travel and goods movement in the northern Los Angeles County” (S.2, p. 1).

L-13.6

Visual and Aesthetic Resources

Visual and aesthetic resources encompass this entire highway improvement project, and we see no reason to exclude mitigation measures to improve and enhance visual experience of the area. Several items worth evaluation and discussion are absent from the DEIR. Firstly, Caltrans has identified a segment of the NW SR 138 as a “Botanical Management Area (BMA),” that is comprised of notable roadside Joshua-Juniper Woodland, as well as an assortment of wildflowers, and is in proximity to preserved land at Fairmont Buttes Poppy Reserve. However, no mention is made of this BMA. Comprehensively, the stretch of roadways from Grapevine, Gorman, and Lancaster has provided views of exceptional wildflower displays and takes travelers and visitors from around the country and the world, to the State of California Poppy Reserve, accessed at 170<sup>th</sup> Street West and SR 138. Road Right-of-Way preservation and/or restoration of native vegetation and wildflowers should be included in any mitigation for not only special or rare species, but all native flowers. An excerpt from The Highway, an *environment.transportation.org/pdf/HighRoad/HighRoad-13.pdf* file, referencing BMAs, lists the benefits of preserving native vegetation along roadsides:

L-13.7

“California Wildflowers in Landscape Design: Nurturing Nature”

The California Department of Transportation’s wildflower program has evolved into a holistic approach to native vegetation in the state. Dubbed California Wildflowers in Landscape Design (California WILD), the program recognizes the complex interaction of all plant forms that occur together in nature and the stages of natural landscapes that change over time. Caltrans has found that protection, preservation, and enhancement of naturally occurring and self-sustaining native roadside vegetation is cost effective, environmentally sound, functional, and aesthetically pleasing.

A significant aspect is the Botanical Management Area program, which identifies, studies, and manages state highway right-of-way locations that are environmentally significant, natural remnants of California’s botanical diversity. Sites are chosen for their biological integrity, species diversity, need for resource protection, and suitability for scientific evaluation, among other criteria. To date, management plans have been developed for 20 sites statewide.

**Responses to Comment Letter L-13  
Three Points-Liebre Mountain Town Council**

**Response to Comment L-13.4**

There are no community planning efforts underway within the project study area to update and/or create new community plans. Future planning efforts include the Centennial project which is located in the Western Economic Opportunity Area as defined in the adopted Antelope Valley Area Plan.

The interaction of supply and demand for housing and business properties in the land market produces the pattern of development within an area. Within this market, households and businesses create demand for new buildings and locations while developers provide these products within the supply and cost constraints of local government. External factors, such as zoning laws and proximity of public transit and roadways also influence this relationship. Local government actions attract or discourage development by influencing the supply of land available for development/redevelopment; densities at which development can occur; and directly or indirectly the cost of development. Also, developers’ projects can be constrained by the ability of local governments to provide needed infrastructure.

The need for the project is based on an assessment of the existing and future transportation demand in the project area compared to the existing capacity of the facility. The improvements included in the alternatives were developed based on the approved land use plan by Los Angeles County and as defined in the Southern California Association of Governments (SCAG) forecast traffic volumes for the 2040 horizon year. The improvements will not be needed until the traffic increases and the traffic increases are based on how quickly the land use buildout occurs. As new locations are considered for development, Los Angeles County as the approving agency will need to determine future improvements that are required to meet the access locations agreed to with this project and provide for local circulation for property access as a condition of approval.

It is anticipated that the early improvements in the corridor will focus on safety and operations and will not include capacity improvements. As the traffic increases in the corridor, the capacity improvements will be implemented, as funding is available. A Draft Freeway Agreement has been prepared that will be executed between Caltrans and Los Angeles County to agree to these future intersection locations. The types of intersection control will be determined as warranted by needs and timing. The locations will not change, the types of control will be determined based on the conditions that warrant the improvements.

Mr. Ron Kosinsky, Deputy District Director  
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Through its comprehensive vegetation management program, Caltrans is helping to grow community pride with low-maintenance, cost efficient, drought-tolerant, environmentally beneficial landscapes. Wildlife habitat is improved and California's diminishing natural resources are preserved and protected.

L-13.7

Wildflower views have become a vital economic resource supporting not only the Poppy Reserve, but many travel related businesses from Gorman to Lancaster and beyond. In order to protect this resource, consideration/mitigation must include discussion of preservation, replacement, enhancement—in perpetuity, and adequate access. Additional information can be found at: State of California Department of Transportation, Office of State Landscape Architecture at (916) 654-4814, and [https://www.environment.fhwa.dot.gov/ecosystems/greeneroadsides/gr\\_spring02p6.asp](https://www.environment.fhwa.dot.gov/ecosystems/greeneroadsides/gr_spring02p6.asp).

Secondly, discussion of Key View #1, at the transition from NB I-5 to NW SR 138 expresses "The view most of the year is of dry grasses and sparse chaparral scrub on the hillsides," but also "moderate-high in visual quality" with the "stunning backdrop for the traveler unused to snow" (Ch. 3.1.7, p. 128). The document neglects the wildflower season that draws visitors off the freeway to nearby Gorman—winter and spring provide "vividness" and "notable landmark features" during those seasons at this Key View. We stress at this point, our displeasure at the statements repeatedly assuming "This is a major highway outside population centers. It is unlikely that nearby residents consider this their local roadway and therefore viewer sensitivity is anticipated to be low" (Ch. 3.1.7, p. 129). We residents travel these roadways often and for a variety of reasons, and consider the area to possess great natural beauty, and aside from proposed development, many locations along I-5 and the NW SR 138 are preserved because of their aesthetic and biological value. Please strike comments pertaining to low visual qualities of viewshed to residents, using it as an excuse for impinging on the amazing views (including Quail Lake) residents are privileged to see on a regular basis (KV#1 to SR 14). We see striking wildflowers and wildflower fields, Joshua-Juniper Woodland, Desert Scrub, Oak Woodlands, Savannah, Native Grassland, Riparian Habitat, other flora, mountain ranges; and fauna, like Pronghorn Antelope, bears, bobcats, badgers, Golden Eagles, and California Condors, just to name a few. The western portion of the highway is surrounded by a commanding example of California Floristic Province, worthy of preservation.

L-13.8

Thirdly, no reference is made to the Antelope Valley Area Plan 2015 Scenic Drives Map; while not codified, it indicates intent to recognize visual assets important to Los Angeles County and its residents. State Route 138, west of 245<sup>th</sup> Street West, and continuing to Gorman constitutes a "Priority Scenic Drive" (AVAP 2015, Map 4.2, <http://planning.lacounty.gov/tnc/documents/>). Signalization, and roadway sign placement overhead, and sign color, lighting, and billboards would affect the scenic qualities of the drive, and in our opinion, increases the document's evaluation of viewer sensitivity to more than "moderate" and visual impacts to "significant." Every effort must be made to mitigate visual impacts, including all related structures, which may require additional consultation with communities affected, Caltrans District Landscape Architects or other State officials with expertise in visual mitigation, and additional planning efforts.

L-13.9

Visual impacts due to lighting require shielded, downward directed lighting for preservation of dark night skies. The DEIR mentions the Los Angeles County Rural Outdoor Lighting Ordinance, and the need for "context sensitive street lighting designs" (Ch. 3.1.7, VIS-2, p. 145). The ordinance was implemented at a time when LED outdoor lighting was not common or anticipated as being in wide-spread use. What are the requirements of freeway and expressway lighting? How would overhead-lit signs reduce lighting impacts to residents and wildlife below the grade of the roadway? Downward shielding may not be completely effective in preserving residents' and visitors' enjoyment of dark night skies, especially if blue light emitting LEDs are used (<http://www.ida.darksky.org/assets/documents/Reports/IDA-Blue-Rich-Light-White-Paper.pdf>). At the same time, it is well documented that night lighting adversely affects human health, as outlined by the American Medical Association Council on Science and Public Health recent report titled "Human and Environmental

L-13.10

## Responses to Comment Letter L-13 Three Points-Liebre Mountain Town Council

### Response to Comment L-13.5

The statement in the NES is not representative of the growth-related impact assessment performed for the project. The assessment followed the Guidance for Preparers of Growth-Related, Indirect Impacts Analyses by California Department of Transportation.

While highway improvements in general have the ability to enhance accessibility within local communities, the preferred alternative would generally follow the existing alignment of SR-138 and would not accommodate new access points to and/or from the study area that would result in growth pressures in areas where such access does not presently exist. A Draft Freeway Agreement has been prepared that will be executed between Caltrans and Los Angeles County for consistency with future access and circulation within the region. As a result, the project would not provide access to areas previously inaccessible or improve access in ways that would foster local development beyond that which is already planned, and would not affect the rate, amount, or type of growth envisioned in the Antelope Valley Area Plan.

### Response to Comment L-13.6

An analysis of potential cumulative impacts has been undertaken for the proposed project. A Cumulative Impacts discussion is included for each respective section in Chapter 3 (Affected Environment, Environmental Consequences, and Avoidance, Minimization, and/or Mitigation Measures). Cumulative impacts are those that result from past, present, and reasonably foreseeable future actions, combined with the potential impacts of the proposed project. A cumulative effect assessment looks at the collective impacts posed by individual land use plans and projects. Cumulative impacts related to Biological Resources (Natural Communities), Noise, and Farmland are anticipated as a result of the proposed project.

### Response to Comment L-13.7

Avoidance, mitigation and minimization measures for existing vegetation (VIS-1 in DEIR) includes preserving existing vegetation to the extent practicable and minimizing disturbance of existing native vegetation during construction. Additionally, non-natives disturbed by the project will typically be replaced with native varieties to enhance on-going habitat reclamation efforts. Preservation, replacement and enhancement is an active goal for the landscapes of this project.

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Effects of Light Emitting Diode Community Lighting.” Furthermore, “The report details findings from an increasing body of scientific evidence that implicates exposure to blue-rich white light at night to increased risks for cancer, diabetes and cardiovascular disease. Not only is blue-rich white LED street lighting five times more disruptive to our sleep cycle than conventional street lighting, according to the report, but recent large surveys have documented that brighter residential nighttime lighting is associated with reduced sleep, impaired daytime functioning and a greater incidence of obesity” (<http://darksky.org/ama-report-affirms-human-health-impacts-from-leds/>).

L-13.10

Finally, lighting and the natural environment is quite impactful, as evidenced by studies observing serious harm and changes to animal and insect behavior from nighttime lighting. As indicated in the book Ecological light pollution, Frontiers in Ecology and the Environment, By Dr. Travis Longcore and Catherine Rich, “Light pollution has demonstrable effects on the behavioral and population ecology of organisms in natural settings. . . . derived from changes in orientation, disorientation, or misorientation, and attraction or repulsion from the altered light environment, which in turn may affect foraging, reproduction, migration, and communication” (2004). The alteration of the ambient light level at night can result in an otherwise suitable habitat being avoided or unusable. Artificial light in the environment may thus be considered a chronic impairment of habitat. We request the Final EIR recognize and discuss detailed impacts to dark night skies, humans and the natural environment, from lighting in general, as well as blue frequency lighting to humans and the natural environment, and outline mitigation that must include non-blue signage and street lighting, as well as properly shielded lighting fixtures. Also, there is a need to discuss the rendering of what may be currently considered acceptable habitat preservation at the roadside and the effects of lighting rendering habitat unusable to wildlife for any purpose, and include suitable detailed mitigation actions, or through either avoidance in wildlife corridors, wetlands, riparian areas, and other habitat, or habitat replacement of equal or enhanced quality and kind, to be preserved in perpetuity. We recommend the International Dark Skies Association website, <http://darksky.org/about/>, for comprehensive information regarding light pollution and wildlife, and preservation of dark night skies.

L-13.11

Hydrology

The DEIR recognizes the potential for construction-related pollutants to be transported into run-off and deposited in downstream receiving waters, as well as siltation and nutrient deposition that will eventually travel downstream into the Santa Clara River watershed, which includes Pyramid Lake. The Lake is currently considered a 303(d) listed water body by the Los Angeles Water Quality Control Board for both sediment and mercury, yet, there is neither a comment letter from this board regarding the proposed project filed in the appendices, nor discussion of their recommended measures regarding TMDLs or Best Management Practices, or ongoing water testing, in the DEIR. This should include, also, Quail Lake, and any blue line stream, or wetland predicted to be affected by not only construction, but ongoing and long term impacts to water quality to humans, wildlife, and natural communities.

L-13.12

L-13.13

Please provide discussion for impacts and mitigation for any current or future TMDLs from discharge of polluted run-off to wetlands, riparian habitats, ROWs; areas that may be used by wildlife as water sources. This project and others proposed in the study area are “cumulative impacts to resources in the project area may result from residential, commercial, industrial, and highway development. These land use activities can degrade habitat and species diversity through consequences such as displacement and fragmentation of habitats and populations, alteration of hydrology, contamination, erosion, sedimentation, disruption of migration corridors, changes in water quality, and introduction or promotion of predators” (Ch. 3.2.2, p. 176). We might add the FEIR include detailed mitigation measures beyond the scope of current Best Management Practices (BMP), since it is reasonable to ascertain that these procedures have not been successful in preventing pollution in waterways to date; hence, the high number of 303(d) listed waterways in Los Angeles County that are adjacent or within to urban and suburban growth areas over the last thirty years. Reconsider the validity of the DEIR statements: “No substantial or adverse changes in the physical, chemical, or biological characteristics of the aquatic environment

L-13.14

**Responses to Comment Letter L-13  
Three Points-Liebre Mountain Town Council**

**Response to Comment L-13.8**

Vividness is one of three descriptive terms used in evaluating visual quality according to Federal Highway Administration (FHWA) guidelines. Adherence to these guidelines provides a framework for quantitative evaluation of visual quality that minimizes emotional attachment and encourages objective thinking. Granted, visual quality is powerful because of the emotional and aesthetic values we bring to a view, however, the FHWA method of analysis provides distinct terms which retain meaning from visual assessment unit to visual assessment unit, from one project to another, in any location, under any circumstances, enabling rational comparisons. Vividness is briefly described as the extent to which the landscape is memorable and is associated with distinctive, contrasting, and diverse visual elements. A rating of low vividness for VAU 1 was given in recognition of the large area (hundreds or thousands of acres) of similar hillsides and plant types. This is not to say that the hillsides are not beautiful, but that contrasting and diverse visual elements are not present in a highly vivid arrangement during the majority of the year. Wildflowers are vivid when present, but are seldom seen from this vantage point. Overall, the area shows high intactness and unity, the other two descriptive terms used by the FHWA to evaluate scenic quality.

**Response to Comment L-13.9**

This project proposes to minimize visual impacts to the corridor and preserve the existing scenic qualities to the extent possible while meeting the purpose and need of the project.

**Response to Comment L-13.10**

Freeway and Expressway lighting requirements are primarily for safety purposes. Areas of conflict require safety lighting to meet highway design standards. Illumination of signs is also considered safety related to allow motorists to clearly see roadway guidance and informational signs. Lighting shields and focused spot lighting can reduce light impacts outside the intended uses for safety. These are common features that can be incorporated into projects to reduce lighting spilling outside the intended purposes.

**Response to Comment L-13.11**

Project design will be done in compliance with the Rural Outdoor Lighting District Ordinance of Los Angeles County. The Ordinance established regulations that conserve energy and resources and promote dark skies for the enjoyment and health of humans and wildlife, while permitting reasonable uses of outdoor lighting for nighttime safety and security. The regulations include limitations on allowable light trespass, fully shielding outdoor lighting, and imposes maximum heights of fixtures.

**Response to Comment L-13.12**

The document was made available to the Los Angeles Regional Water Quality Control Board for review, and no comments have currently been received. In the 2010 Integrated Report (Clean Water Act 303(d) List/305(b) Report), the Los Angeles RWQCB listed Pyramid Lake as an impaired water body with mercury as the pollutant. The Los Angeles RWQCB has not developed the mercury TMDL for Pyramid Lake. The alternatives would be required to comply with the Construction General Permit (CGP). Please refer to section 3.2.2 (Water Quality and Storm Water Runoff) for impact analysis.

Mr. Ron Kosinsky, Deputy District Director  
California Department of Transportation

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are expected to result from project operation. In addition, because the project would include BMPs to reduce pollutants of concern in runoff from the project area, and the proposed storm drain system would be sized to accommodate the build-out of the project, water quality impacts during operation. . . would not be adverse" (Ch. 3.2.2, p. 185).

Continuing and increased discharge of pollutants, over time, from roadway surfaces through the life of the project must be considered a significant impact to wetlands, riparian areas, blue line streams, ephemeral washes and streams, as well as standing water in culverts and ditch-type infiltration areas and drainages along the length of the NW SR 138. Even though wetlands, lakes, and riparian areas are located in the western portion of the project, other areas along the proposed highway ROWs will experience standing water containing roadway pollutants after heavy rains, as they do now, especially in the areas closer to the SR 14. "Extremely flat terrain" on the valley floor contains several areas that pool water, since water will sheetflow to the lowest areas surrounding Avenue D and Avenue C. Please rethink the one-half inch per hour estimate of infiltration rate and add water coming from even slightly higher areas. Observances of migratory waterfowl are not uncommon in drainage areas and those also containing water long enough to grow reeds.

L-13.15

Provide frequent publicly disclosed testing results and evaluation for water and soil qualities related to pollutants, and provide detailed mitigation plans for addressing impacts to waters, areas of directed infiltration in soils, wetlands, blue line streams, and riparian habitat that may be affected "downstream" and/or outside the study area that are currently "unpolluted," or even minimally or moderately affected now. Please list all known and expected roadway pollutants, their current levels, and what the project considers acceptable levels to be allowed in waterways, ephemeral streams, washes, blue line streams, springs, etc. Provide also, information from the Department of Water Resources regarding any construction or project-related discharge, clean-up, and maintenance plans for water quality. Please be aware that *Coccidioides immitis* is known to exist in the soil, also transmitted through fugitive dust, can be transported to other locations targeted for reception of removed silt and sediments from storm drains and collection areas. Discuss disposal of soil and possible "transplantation" of fungal spores.

L-13.16

L-13.17

L-13.18

Air Quality

Please explain in more detail the more widespread and cumulative effects to human and biological resources as a result of the project. The DEIR determines better air quality, and thus, no impact. However, residents have been exposed to the burning of toxic waste or fuels at the Cement Plant located on Tejon Ranch; pollution drift from the San Joaquin Valley—having some of the most polluted air in the country; additional air pollution from the Centennial Ranch Industrial complex; auto and truck traffic from the Interstate 5. Particulate matter, including fugitive dust, blown by high winds in the Antelope Valley, exposes residents and visitors to *Coccidioides immitis*, and is also known to aggravate or induce pulmonary disease in adults, sensitive receptors, and children. So far, the Antelope Valley Air Quality Management District's Rule 403 has been unsuccessful in preventing fugitive dust from development sources, especially during high wind events, recurring drought, and loss of water resources for use in agriculture. Predictions from climate modeling indicate increasing temperatures across the valley. Explain the "urban heat island effect" of the project combined with tens of thousands of acres of solar facilities, and resulting increases in fugitive dust from the SR 138 and Rights-of-Way.

L-13.19

Biological Environment

Significant Ecological Areas

The DEIR Chapter 3.3 p. 287, Biological Environment, discusses regulatory settings regarding oversight by the California Department of Fish and Wildlife (CDFW) of native plants and habitat. Under the same section, the document identifies the Los Angeles County Regional Planning's Significant Ecological Area Technical

L-13.20

**Responses to Comment Letter L-13  
Three Points-Liebre Mountain Town Council**

**Response to Comment L-13.13**

Best Management Practices (BMPs) have been refined to better describe how impacts on waterways would be minimized to reduce impacts on water quality. Appropriate BMPs such as silt fencing, fiber rolls, straw bales, or other measures would be implemented during construction to minimize the potential for dust, debris, and construction materials to fall into waterways, or otherwise leave the construction area. In addition, Storm Water Treatment BMPs, a Storm Water Data Report, and a Storm Water Management Plan would be implemented for both alternatives as part of the project. With implementation of recommended measures, BMPs, and development of a storm water management plan (SWMP), direct impacts associated with both Alternatives would be less than significant.

**Response to Comment L-13.14**

Construction Best Management Practices (BMPs) would be designed to retain sediment and other pollutants in the project area so they would not reach receiving waters, storm water discharges and authorized non-storm water discharges are not anticipated to cause or contribute to any violations of applicable water quality standards or objectives, or adversely impact human health or the environment. In addition, because construction BMPs would be designed to retain sediment and other pollutants in the project area so they would not reach receiving waters, runoff during construction would not contain pollutants in quantities that would create a condition of nuisance or adversely affect beneficial uses of any water bodies. Therefore, water quality impacts during construction of the build alternatives would not be adverse.

**Response to Comment L-13.15**

The 0.5 inches per hour infiltration rate is based on published data from the United States Department of Agriculture's Natural Resources Conservation Service Web Soil Survey. In-situ permeability tests will be conducted during the final design phase for each potential Best Management Practice site, including biofiltration swales and stripes and infiltration trenches, to obtain a site-specific infiltration rate for BMP design and sizing.

**Response to Comment L-13.16**

Measures to mitigate for unavoidable impacts (both permanent and temporary) on jurisdictional features will be coordinated with the US Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and the California Department of Fish and Wildlife during the permitting process with consideration of on-site restoration, off-site mitigation, and in-lieu fees. In general, the ratios are based on the amount and quality of the impacted jurisdictional features of the agencies. In determining appropriate mitigation ratios for impacts to waters of the State, RWQCB staff considers Basin Plan requirements (minimum 1.5:1 mitigation ratio for impacts to wetlands) and utilizes 12501-SPD Regulatory Program Standard Operating Procedure for Determination of Mitigation Ratios, published December 2012 by the USACE, South Pacific Division.

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Advisory Committee (SEATAC), and even though they are not a permitting agency, project impacts would be best identified in Significant Ecological Areas (SEA) by the SEATAC. We advise the project to extend review and advice status to the Committee, since they were instrumental in past review of the Centennial Ranch Specific Plan development area that will ultimately benefit from expansion of the current NW SR 138, and identified as part of the intended extension of Portal Ridge/Liebre Mountain SEA 58, now known as San Andreas SEA 17, before it was excised through a motion by the Los Angeles County Board of Supervisors; and also to review of impacts and mitigation to SEA 10, Joshua-Juniper Woodland, in the central portion of the study area.

L-13.20

Fragmentation has already affected the SEA 10 via the NW Hwy 138, industrial-scale solar development, and now this "improvement" project threatens further loss of connectivity by increasing the roadway barrier to passage between the north and south portions of these particular woodlands. Mitigation plans should address the potential loss of 639 Joshua trees; and properly research the possibility of transplantation success. Brief research online reveals a 35-40% two year survival rate; so more research and results need to be provided that indicate replanting Joshua trees is an adequate and successful and complete mitigation strategy, and a plan for mitigation or restoration if attempts fail. Ongoing monitoring for a minimum of five years is necessary. There are no maps of the SEAs included in the document. SEA overlays should be included in project maps that show, in detail and exactness, the impacted areas of both areas. The project should also consider wildlife crossing culverts where the NW SR 138 will increase fragmentation and create a larger barrier to passage of terrestrial wildlife through this special status natural community. There are at least three areas that should be considered for implementation of wildlife crossing structures, easily identified on SEA maps, including the far eastern portion of SEA 10 that is in direct proximity to the State of California Poppy Reserve and Desert and Mountain Conservation Authority lands south of NW SR 138, to include a portion of Fairmont Butte, which already adjoins the Poppy Reserve.

L-13.21

L-13.22

L-13.23

There is no numbered total of juniper trees to be affected, only acreage. Please detail transplantation and restoration success for these trees, and alternative mitigation strategies should transplantation fail. Furthermore, the Natural Environment Study (NES) indicates a Tree Inventory (Appendix D) that has not been made available to discern numbers of other trees that will be lost or impacted due to construction and completion of the proposed project.

L-13.24

No sensitive or special status natural communities should be used as construction access or parking areas, storage, or lay-down or construction preparation areas, or off-site locations for detention basins, or borrow sites (Ch. 3.3, p. 287). The DEIR should identify all areas subject to disturbance from the project, and map those areas so members of the public can adequately evaluate locations as they relate to sensitive natural communities.

L-13.25

There is reference to the "Vegetation Mapping Report found in Appendix G" of the NES for "detailed descriptions of the vegetation communities and land cover types. Unfortunately, the Caltrans website that lists the document, provides a digital version of the NES *without* Appendices A through U, that containing maps and wildlife studies reports. These, again are referenced in the DEIR, without the reader's ability to access and review source documents (<http://www.dot.ca.gov/d7/srv/docs/docs/nw138tech/>, NES, Appendices, pp. 126-147). Missing Reports: Appendix A: Project Maps, Appendix B: Plant Life Compendium, Appendix C: Wildlife Compendium, Appendix D: Tree Inventory, Appendix E: Federal USFWS Species List, Appendix F: California Natural Diversity Database (CNDDB) Search Results, Appendix G: Vegetation Mapping Report, Appendix H: Federal Jurisdictional Delineation Reports, Appendix I: State Jurisdictional Delineation Reports, Appendix J: Wildlife Corridor Study Report, Appendix K: General Raptor Breeding and Foraging Reports: 2014 and 2015, Appendix L: Southwestern Willow Flycatcher and Least Bell's Vireo Survey Report, Appendix M: California Gnatcatcher Habitat Assessment and Surveys Report, Appendix N: Burrowing Owl (BUOW) Habitat Assessment Report, Appendix O: Preliminary Nocturnal Small Mammal Investigation Reports: 2014 and 2015, Appendix P: Mohave

L-13.26

## Responses to Comment Letter L-13 Three Points-Liebre Mountain Town Council

### Response to Comment L-13.17

Oil, grease, heavy metals, and other hazardous particulates discarded from cars, trucks, or buses are common roadway pollutants. The current levels of roadway pollutants within the project area are not currently available. Best Management Practices would be implemented to minimize impacts from roadway pollutants.

### Response to Comment L-13.18

The project would be required to comply with the National Pollution Discharge Elimination System (NPDES) Program, including the Construction General Permit. As part of the NPDES program, a Storm Water Pollution Prevention Plan would be developed. In addition, Low Impact Design efforts to maintain or restore pre-project hydrology, as well as provide overall water quality improvement of discharges would be implemented as feasible. See section 3.2.2 (Water Quality and Storm Water Runoff) of the EIR/EIS.

### Response to Comment L-13.19

Because the project would result in beneficial impacts on air quality, the project would not contribute to adverse cumulative impacts on air quality from other past, present, or reasonably foreseeable future projects. Section 3.2.6 (Air Quality) includes analysis related to fugitive dust and greenhouse gas emissions.

### Response to Comment L-13.20

The Final EIR/EIS will be provided to the Significant Ecological Area Technical Advisory Committee (SEATAC) for review regarding impacts on Significant Ecological Areas (SEA).

### Response to Comment L-13.21

When impacts to Joshua tree woodland are unavoidable, trees and large shrubs shall be trimmed under the direction of a licensed arborist. Large trees and shrubs marked for removal would be relocated and/or transplanted between November and January using a 90 inch tree spade to a nursery or by a qualified arborist and preserved to be replaced on-site once construction is complete, or within temporary construction easements along the project corridor. Mitigation options include the Peterson Ranch Mitigation Bank which is within the boundaries of the San Andreas Rift Zone SEA. Another option will be with the Antelope Valley Conservation Resource District and maybe in coordination with the Transition Habitat Conservancy for parcels within the Joshua Tree Woodland SEA.

### Response to Comment L-13.22

A map depicting Significant Ecological Areas in relation to the project limits has been added to section 3.3.1 (Natural Communities). (See Figure 68)

<p>Mr. Ron Kosinsky, Deputy District Director California Department of Transportation</p>	<p>8</p>	<p>19 September 2016</p>
<p>Ground Squirrel (MGS) Habitat Suitability Assessment Report, Appendix Q: Special Status Amphibian Habitat Assessment and Surveys Report, Appendix R: 2014 Focused Desert Tortoise (<i>Gopherus Agassizii</i>) Survey Report, Appendix S: Federally Listed Large Branchiopod Habitat Assessment Report, Appendix T: Sensitive Plant Survey Report, Appendix U: Insect Survey Report.</p>	<p>L-13.26</p>	
<p><i>Wildlife Movement</i></p>		
<p>Firstly, it is appropriate to begin with a quote from Drs. Paul Beier, and Reed Noss, from "Do Habitat Corridors Provide Connectivity?" (<i>Conservation Biology</i>, Vol. 12, No. 6, Dec. 1998, pp. 1241-1252).</p>	<p>L-13.27</p>	
<p>Our review has shown that evidence from well designed studies supports the utility of corridors as a conservation tool. All else being equal and in the absence of complete information, it is safe to assume that a connected landscape is preferable to a fragmented landscape. Natural landscapes are generally more connected than landscapes altered by humans, and corridors are essentially a strategy to retain or enhance some of this natural connectivity. Therefore, those who would destroy the last remnants of natural connectivity should bear the burden proving corridor destruction will not harm target populations.</p>		
<p>It would have been useful to have the Caltrans listed reports from their website placed on the MTA web pages addressing the NW SR 138 environmental review documents. The NES referenced throughout the DEIR was neither attached in its Appendices, nor, as mentioned above, complete in its appendices. The Wildlife Crossing Study (WCS) was mentioned (DEIR p. 294), but not the specific title, i.e., "A wildlife corridor study was conducted in 2014-2015." Furthermore, the Appendix J "for maps and further details on these stations" was not available in the WCS; a mitigation table (no maps) was used in Appendix J in the DEIR. Technical Studies located on the DOT website for the SR 138 did not include the "Interim Wildlife Permeability Analysis Report, 2014," by ECCORP, which informed the WCS. This lack of documentation availability has caused a great deal of inefficiency in determining the scope and adequacy of studies. This writer expressed a need for additional time for commenting at the outreach meeting introducing the DEIR on August 27<sup>th</sup>, at Grace Chapel, Neenach, and was certainly justified due to the difficulties with documentation, and the request was not satisfied. One location website for <i>all</i> associated documents is necessary, and should have been distributed with the project flash-drive DEIR. We expect the Final EIR to address these shortcomings, and to know that adequate review was not possible, and verify that changes will be necessary beyond the Final EIR, since comments cannot be ascertained from unavailable documents and provided by the end of the comment period. We request that further collaboration with a variety of organizations and agencies be continued, so necessary changes can be made beyond September 19<sup>th</sup>.</p>	<p>L-13.28</p>	
<p>Please require that additional crossing studies be implemented before the release of the FEIR. The WCS indicates that "limitations" prevented adequate study for the <u>Revised Final Wildlife Corridor Study Report, SR 138 Northwest Corridor Improvement Project</u>, by stating:</p>	<p>L-13.29</p>	
<p>Along with precipitation events, high wind events experienced during the Spring survey compromised data collection at the tracking stations. In some instances, the tracks at the stations would be so distorted from high winds and dirt blowing over the surface of the station that the tracks were unidentifiable. Although the high winds were worst during the Spring Survey, wind was an issue for reading tracks throughout all four surveys and may have resulted in the loss of data. Although the study comprised</p>		

## Responses to Comment Letter L-13 Three Points-Liebre Mountain Town Council

### Response to Comment L-13.23

There are approximately 72 existing cross culverts within the project limits. Approximately 47 existing cross culverts will be maintained or expanded. Approximately 25 cross culverts will be abandoned and an additional 93 cross culverts will be constructed to maintain hydrologic integrity and support wildlife movement. The expanded highway will have culverts ranging in size from 24 inches to 10 ft. by 10 ft. and vary between reinforced concrete pipes, reinforced concrete boxes, and corrugated metal pipes.

### Response to Comment L-13.24

Section 3.3.1 (Natural Communities) has been revised to include the total acreage of juniper trees to be affected.

### Response to Comment L-13.25

Section 3.3.1 (Natural Communities) identifies the acreages of impact on each sensitive natural community for the Build Alternatives. In addition, the section includes avoidance and minimization measures applicable to each affected sensitive natural community that would be implemented to avoid and minimize impacts.

### Response to Comment L-13.26

Electronic copies of the reports and appendices have been posted on the following websites:

- <http://www.dot.ca.gov/d7/env-docs/>
- <https://www.metro.net/projects/nw138/>

Physical copies are available by request.

### Response to Comment L-13.27

To promote a connected landscape, additional cross culverts will be constructed for wildlife passage. There are approximately 72 existing cross culverts within the project limits. Approximately 47 existing cross culverts will be maintained or expanded. Approximately 25 cross culverts will be abandoned and an additional 93 cross culverts will be constructed to maintain hydrologic integrity and support wildlife movement during the operational phase of the Preferred Alternative. Culverts will range in size from 24 inches to 10 ft. by 10 ft. and vary between reinforced concrete pipes, reinforced concrete boxes, and corrugated metal pipes. A detailed wildlife passage impact assessment shall be conducted during the final design phase to confirm the proposed culverts for wildlife passage will be effective according to standards outlined in Section 3.3.1 Wildlife Movement and Habitat Connectivity, BIO-7 and BIO-8, as additionally set forth in FHWA Wildlife Crossing Structure handbook (2011) and in a manner as natural and easy for wildlife to cross such that they will promote use by local wildlife with consideration to current land use, approved projects within the area, and further coordination with CDFW and USFWS.

<p>Mr. Ron Kosinsky, Deputy District Director California Department of Transportation</p>	<p>9</p>	<p>19 September 2016</p>
<p>surveys conducted during each of the four seasons, none of the surveys were conducted during the height of spring or summer. The Spring survey was conducted during the first full week of the spring season and the summer survey was conducted approximately 1.5 weeks prior to the end of the summer season. Generally speaking, mating, young rearing, and/or dispersal activities are common during the mid-spring to mid-summer timeframe for the study's target mammals and the study was not able to capture this activity period. The timing of the surveys was driven by contract limitations and could not be changed (p. 58).</p>	<p>L-13.29</p>	
<p>This poses an issue with study results during times when "dispersal" would have been active, and apparently, "contract limitations," rather than proper timeframe may have caused a skewed analysis.</p>		
<p>Items that should be addressed in the EIR concern the adequate location of crossing culverts, and recommendations that they be located in areas with immediate land conservation to preserve the integrity and justify the expense of their construction. We suggest that the project contribute to land conservation in the corridors immediately, or in the near term, and in perpetuity to limit development in needed area. Consider the location of currently preserved lands, SEAs—designated but not protected, with a minimum of 1000 foot corridors, with the possibility of <i>enhanced</i> preservation, since impacts will increase over time. It is far more cost effective to save habitat and corridor areas now, than restore them in the future. Please provide review of all the proposed corridor-culvert construction and measure to the best known information, like that provided by the Center for Biological Diversity, in their paper by Monica Bond, titled, "Principles of Wildlife Corridor Design" (2003).</p>	<p>L-13.30</p>	
<p>Please also consult, in conjunction with wildlife movement issues, the United States Geological Survey paper regarding adequate conservation efforts in identified areas of high biological evolutionary value. These "biodiversity hot-spots" need additional consideration with regard to conservation, preservation, and connectivity ("Are hotspots of evolutionary potential adequately protected in southern California?," Amy G. Vandergast, Andrew J. Bohonak, Stacie A. Hathaway, Joshua Boys, Robert N. Fisher, U.S. Geological Survey, Western Ecological Research Center, published by Elsevier, Ltd., 2008). Note that areas of particular significance are located in the project's northwest area, in the electronic copy provided, and sent via U.S. Mail.</p>	<p>L-13.31</p>	
<p>There is a growing body of evidence that climate change will affect movement, food sources, predation, reproduction, and viability of wildlife resources. Predictions are that many species affected by heating on the valley floor will move upslope, causing a shift in available resources and likely decline in wildlife populations. Discuss mitigation possibilities for this movement and the importance of conservation, and presence of adequately placed corridors to the south, toward Portal Ridge, where conservation land exists; west to Liebre Mountain and the convergence of the Tehachapis, San Gabriels, and the Transverse Ranges; and to the north with its gradual upslope to the Tehachapis, which is also facing serious fragmentation due to solar and wind development, in addition to cumulative impacts from the proposed project.</p>	<p>L-13.32</p>	
<p>Discuss effects to the Audubon designated Antelope Valley Important Bird Area. As part of the Pacific Flyway, the areas of the Antelope Valley are extremely important to raptors, songbirds, migratory waterfowl. Each acre developed contributes to one lost for foraging, nesting, and resting. The Audubon Society stresses their importance: National Audubon Society's designation of Important Bird Areas is the result of a global effort to identify and conserve habitat vital to birds and other biodiversity. Since 1985, Important Bird Areas have been designated in six continents, nearly 200 countries and territories, and 48 of the 50 United States. As of 2008, there were over 10,000 Important Bird Areas throughout the world. The Antelope Valley is one of 424</p>	<p>L-13.33</p>	

## Responses to Comment Letter L-13 Three Points-Liebre Mountain Town Council

### Response to Comment L-13.28

Electronic copies of the reports and appendices have been posted on the following websites:

- <http://www.dot.ca.gov/d7/env-docs/>
- <https://www.metro.net/projects/nw138/>

Physical copies are available by request.

### Response to Comment L-13.29

The wildlife corridor study established baseline conditions of wildlife crossings within the project limits. There are currently approximately 72 existing cross culverts within the project limits. Approximately 47 existing cross culverts will be maintained or expanded. Approximately 25 cross culverts will be abandoned and an additional 93 cross culverts will be constructed to maintain hydrologic integrity and support wildlife movement. Culverts will range in size from 24 inches to 10 ft. by 10 ft. in width and height, and ranging from 80 ft. to 200 ft. in length and vary between reinforced concrete pipes, reinforced concrete boxes, and corrugated metal pipes. A detailed wildlife passage impact assessment shall be conducted during the final design phase to confirm the proposed culverts for wildlife passage will be effective according to standards outlined in Section 3.3.1 Wildlife Movement and Habitat Connectivity, BIO-7 and BIO-8, as additionally set forth in FHWA Wildlife Crossing Structure handbook (2011) and in a manner as natural and easy for wildlife to cross such that they will promote use by local wildlife with consideration to current land use, approved projects within the area, and further coordination with CDFW and USFWS.

### Response to Comment L-13.30

There are currently approximately 72 existing cross culverts within the project limits. Approximately 47 existing cross culverts will be maintained or expanded. Approximately 25 cross culverts will be abandoned and an additional 93 cross culverts will be constructed to maintain hydrologic integrity and support wildlife movement during the operational phase of the Preferred Alternative. The operational phase will have culverts ranging in size from 24 inches to 10 ft by 10 ft. in width and height, and ranging from 80 ft. to 200 ft. in length and vary between reinforced concrete pipes, reinforced concrete boxes, and corrugated metal pipes. A detailed wildlife passage impact assessment shall be conducted during the final design phase to confirm the proposed culverts for wildlife passage will be effective according to standards outlined in Section 3.3.1 Wildlife Movement and Habitat Connectivity, BIO-7 and BIO-8, as additionally set forth in FHWA Wildlife Crossing Structure handbook (2011) and in a manner as natural and easy for wildlife to cross such that they will promote use by local wildlife with consideration to current land use, approved projects within the area, and further coordination with CDFW and USFWS.

### Response to Comment L-13.31

Section 3.3.1 (Natural Communities) has been revised to reflect the updated Wildlife Impact Analysis, which includes a discussion of the western area of the project limits identified as an area of high biological evolutionary value in Vandergast 2008.



<p>Mr. Ron Kosinsky, Deputy District Director California Department of Transportation</p>	10	19 September 2016
<p>considered <i>Globally Important Bird Areas</i> which identify essential sites that provide habitat for (i) rare, threatened or endangered birds, (ii) exceptionally large congregations of shorebirds, or (iii) exceptionally large congregations of waterfowl. A portion of the IBA of the Antelope Valley are described thus described:</p>		
<p>The remnant Joshua Tree Woodland in this area supports one of the farthest west populations of Le Conte's Thrasher in the state. Now existing as a meta-population fragmented by subdivisions, its future is uncertain. The grassland bird community is most impressive in winter, when large numbers of raptors concentrate in the area. Large flocks of Vesper Sparrows, Horned Lark and Mountain Bluebirds also occur here, widely extirpated elsewhere in the Los Angeles area. The agricultural fields, especially alfalfa, are productive year round. Winter brings Mountain Plover, whose flocks are among the last in southern California. After wet winters, nesting grassland species like Northern Harrier linger well into spring, and occasionally even breed. Swainson's Hawk maintains its southernmost breeding outpost in the state here. As this IBA lies in the path of a major spring migrant route for songbirds, these windbreaks can host hundreds of vireos, thrushes and warblers during April and May. Fields that receive effluent from local water treatment facilities can support hundreds of White-faced Ibis and shorebirds, and these fields support a group of around 200 Long-billed Curlews in fall and winter. This IBA is seeing rapid transformation from an agricultural/wildland landscape to an urban zone of tract homes and planted trees. Much of the conservation efforts in the western Mojave (e.g. BLM's West Mojave Habitat Conservation Plan) have focused on protected the Desert Tortoise, and have not effectively reflected significant bird habitats.</p>		
<p>Please provide a complete list of all bird surveys, and projected loss of foraging, nesting, and migratory bird use, including raptors, passerines, waterfowl. List cumulative effects from growth inducement, solar facilities and wind, piecemeal development of individual single family residences, additional lattice transmission towers, commercial development, etc. Please consult, also, all available wildlife studies that may have occurred in non-drought years.</p>		
<p>Because of the projected build date of the project and its reliance on public funding, and possible extension of a start date, we see the need for a supplemental EIR should the project take many more years to implement. Environmental conditions will change and increased need for evaluation and mitigation will appear.</p>		
<p>"There would not be growth-related indirect impacts to environmental resources of concern" (Ch.3.1.2, p. 43). Prove that loss of over 4,000 acres that the project will comprise will have no permanent direct or indirect effects on rural communities and environmental resources, when we can look at urbanized areas crisscrossed by freeways and beset by pollution of land, air and water, and loss of habitat landscapes. Certainly, we see as an infringement, the construction of highway improvements and ongoing maintenance; associated impacts of increased traffic, noise, fire danger, degradation of air quality, viewshed, water quality, biological impacts; cumulative impacts of growth-related development, and additional major infrastructure projects, and all related</p>		

L-13.33

L-13.34

L-13.35

L-13.36

## Responses to Comment Letter L-13 Three Points-Liebre Mountain Town Council

### Response to Comment L-13.32

Mitigation options include the Peterson Ranch Mitigation Bank which is within the boundaries of the San Andreas Rift Zone SEA. Another option will be with the Antelope Valley Conservation Resource District and in coordination with the Transition Habitat Conservancy for parcels within the Joshua Tree Woodland SEA and to acquire agricultural construction easements.

### Response to Comment L-13.33

An analysis of the proposed project's impact to Antelope Valley Important Bird Areas has been included as part of the updated Natural Environment Study (Caltrans, December 2016) and will be incorporated in section 3.3 (Biological Environment).

### Response to Comment L-13.34

The list of bird surveys are appendices to the Natural Environment Study and are available upon request. The projected loss of nesting and foraging habitat for permanent impacts to approximately 746.49 acres of suitable nesting and foraging habitat and temporary impacts to approximately 200.66 acres would occur within areas of the proposed project designated as Important Bird Areas.

### Response to Comment L-13.35

When an environmental impact report has been prepared for a project, no subsequent or supplemental environmental impact report is required, unless "substantial changes" in the project or its circumstances will require major revisions to the EIR. Namely, one or more of the following events occurs:

1. Substantial changes are proposed in the project that will require major revisions of the environmental impact report due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report due to the involvement of new significant environmental effects or a substantial increase in the severity of identified significant effects.
3. New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available. New information includes:

The project will have one or more significant effects not discussed in the previous EIR; Significant effects previously examined will be substantially more severe than shown in the previous EIR; mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but Caltrans declines to adopt them; or mitigation measures or alternatives, which are considerably different from those analyzed in the previous EIR, would substantially reduce one or more significant effects on the environment, but Caltrans declines to adopt them.

If any of the 3 circumstances above occurs, then Caltrans will prepare a supplemental EIR.

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19 September 2016

to the expanded highway and increased development it will bring. However, continued effort by Caltrans and MTA is necessary to develop and provide much improved study and mitigation opportunities in collaboration with rural communities, pertinent agencies, and interested organizations. Please note, I have enclosed several photographs and items that may be of interest for studies regarding wildlife and viewshed in a digital copy sent via US Mail, with this letter included, postmarked September 19<sup>th</sup>.

L.13.36

Respectfully submitted on behalf of our Town Council,



Susan Zahnter  
Vice President

### Responses to Comment Letter L-13 Three Points-Liebre Mountain Town Council

#### Response to Comment L-13.36

The need for the project is based on an assessment of the existing and future transportation demand in the project area compared to the existing capacity of the facility. The improvements included in the alternatives were developed based on the approved land use plan by Los Angeles County and as defined in the Southern California Association of Governments (SCAG) forecast traffic volumes for the 2040 horizon year. The improvements will not be needed until the traffic increases and the traffic increases are based on how quickly the land use buildout occurs. Local land use decisions are at the local level and Caltrans is responsible for implementing and maintaining the state infrastructure identified in these plans. A widening of SR-138 in this area needs to comply with the local land use decisions and the transportation elements identified to allow the growth to occur. The preferred alternative would generally follow the existing alignment of SR-138 and would not accommodate new access points to and/or from the study area that would result in growth pressures in areas where such access does not presently exist. A Draft Freeway Agreement has been prepared that will be executed between Caltrans and Los Angeles County for consistency with future access and circulation within the region. As new locations are considered for development, Los Angeles County as the approving agency will need to determine future improvements that are required to meet the access locations agreed to with this project.

September 16, 2016

[NW138@metro.net](mailto:NW138@metro.net)

Mr. Ron Kosinski, Deputy District Director *RK*  
California Department of Transportation  
Division of Environmental Planning  
(NW SR-138)  
100 South Main Street, MS-16A  
Los Angeles, CA 90012

Dear Mr. Kosinski,

NW SR-138 (Project)

Community Character

Section 3.1.1. The actual Antelope Acres boundaries are incorrectly listed in the Draft Environmental Impact Report (DEIR). The Antelope Acres boundaries are Avenue "A" and 80<sup>th</sup> St. West to Ave "E", Avenue "E" at 70<sup>th</sup> St. West to Avenue "J", Ave "J" to 110<sup>th</sup> St. West to Lancaster Road and Lancaster Road to 170<sup>th</sup> St. West and 170<sup>th</sup> St. West to Avenue "A". This is an error and is not addressed in the DEIR. This needs to be corrected.

L-14.1

Section 3.1.4.1 The Project build alternatives would directly impact the community of Antelope Acres. With or without a bypass option, the community does not disappear or become uninhabited at Avenue C, but continues to the Kern County border. Page 62. Anything other than a No Build alternative would have significant environmental impacts for the established community because of the physical changes. (Also see page 78)

NOT ADDRESSED: Expressways/highways create urban sprawl. Notice the Centennial Project is requiring a six lane highway. Centennial Project is not rural. It would be considered urban sprawl.

L-14.2

The presence of a freeway, expressway or limited access conventional highway would restrict residents traveling north and south. It could also create a North/South Valley separate character that currently does not exist.

L-14.3

Section 3.1.2. Growth (Page 42) Alternatives 1 and 2 would change accessibility in the study area. " to enhance the attractiveness of the area for additional economic and residential development."

L-14.4

Regardless of efforts to mitigate its appearance, any high speed roadway detracts from the feel of a community, especially a rural community. It is not able to be mitigated to an insignificant level. On page 43 is the following sentence.

### Responses to Comment Letter L-14 Antelope Acres Town Council

#### Response to Comment L-14.1

Section 3.1.1 (Land Use) has been revised with the correct Antelope Acres boundaries.

#### Response to Comment L-14.2

The Centennial project is located in the Western Economic Opportunity Area as defined in the adopted Antelope Valley Area Plan. The Southern California Association of Governments (SCAG) model includes the approved land use of Los Angeles County and was utilized in developing travel demand forecasts for the project. The north/south movements within the corridor have been accommodated and coordinated with the existing and future traffic patterns in the region based upon approved land use. A Draft Freeway Agreement has been prepared that will be executed between Caltrans and Los Angeles County for consistency with future access and circulation within the region.

#### Response to Comment L-14.3

The proposed project would be consistent with Antelope Valley Area Plan Policy M 9.3 (*Ensure that bikeways and bicycle routes connect communities and offer alternative travel modes within communities*). The project would improve existing pedestrian routes and create new pedestrian routes. Pedestrian overcrossings are proposed at 3 locations to facilitate pedestrian and bicycle movement through the corridor. The three pedestrian overcrossings considered are in the communities of Antelope Acres and Neenach, serving current pedestrian needs. The three locations include 75th Street or 77th Street, 100th Street, and 280th Street. Community input from the High Desert Cyclists also indicated that 60th Street and 90th Street are used as the primary routes for north-south movements across SR-138. Intersection treatment options such as signalized intersections, roundabouts, and vehicular overcrossings provide an improved bicycle crossing at these two locations. The north/south movements within the corridor have been accommodated and coordinated with the existing and future traffic patterns in the region based upon approved land use. A Draft Freeway Agreement has been prepared that will be executed between Caltrans and Los Angeles County for consistency with future access and circulation within the region.

<p>"There would not be growth related indirect impacts to environmental resources of concern." These are contradictory statements. Would you please justify this?</p>	<p>L-14.4</p>
<p>The resulting community aesthetic character would be changed because the presence of a highway/expressway or limited access conventional highway infrastructure would detract from the open space look and feel of the Antelope Acres community.</p>	
<p>Mitigation measures, such as native landscaping and low level lighting will not mitigate the area to "the sensitive existing environment in which it is constructed."</p>	
<p>These measures will not mitigate the problems to an acceptable level. The results of the proposed mitigation sound like an opinion. On whose opinion, as opposed to facts, were these measures based?</p>	<p>L-14.5</p>
<p><u>Trails</u></p>	
<p>Page 32 See Goal M 10. A unified and well maintained multi-use (equestrian, hiking, and mountain bicycling trail system that links destinations such as rural town centers and recreation areas throughout the Antelope Valley.</p>	
<p>Policy M 10 states: Implementation of the adopted Trails Plan for the Antelope Valley in cooperation with the cities of Lancaster and Palmdale. Ensure adequate funding on an ongoing basis.</p>	<p>L-14.6</p>
<p>Why is Los Angeles County <u>not</u> included in the implementation the adopted Trails Plan for the Antelope Valley?</p>	
<p>Page 33 Please stipulate</p>	
<p>Page 36 Build Alternative 1 and 2 Environmental Consequences</p>	<p>L-14.7</p>
<p>States: Several bicycle and pedestrian facilities as well as hiking trails will be maintained and/or enhanced with the SR 138 Corridor project. Equestrian trails must also be included. Why are equestrian trails not to be maintained or enhanced?</p>	
<p>Page 36. Parks and Recreation - Affected Environment.</p>	
<p>Affected environment is considered one half mile of the project vicinity. What is the alternative protection to the parks and recreation facilities shown in Table if they are not protected by the Park Preservation Act? Will these equestrian trails, bikeways and hiking and other trails no longer exist?</p>	
<p>2</p>	

## Responses to Comment Letter L-14 Antelope Acres Town Council

### Response to Comment L-14.4

While highway improvements in general have the ability to enhance accessibility within local communities, both build alternatives would generally follow the existing alignment of SR-138 and would not accommodate new access points to and/or from the study area that would result in growth pressures in areas where such access does not presently exist. As a result, the project would not provide access to areas previously inaccessible or improve access in ways that would foster local development beyond that which is already planned, and would not affect the rate, amount, or type of growth envisioned in the Antelope Valley Area Plan.

The NW SR-138 Visual Impact Assessment (VIA) concluded that the primary viewers of visual change would be motorists, bikers and residents. The most sensitive viewer to the change would be residential users and the overall viewer response rating is moderate. The overall visual impact is characterized as moderate. Refer to Section

The VIA generally follows the guidance outlined in the publication Visual Impact Assessment for Highway Projects published by the Federal Highway Administration (FHWA) in March 1981. The following steps were followed to assess the potential visual impacts of the proposed project:

- A. Define the project location and setting.
- B. Identify visual assessment units and key views.
- C. Analyze existing visual resources (visual character and visual quality) and resource change.
- D. Describe viewers and predict viewer response.
- E. Depict the visual appearance of project alternatives and assess their visual impacts.
- F. Propose measures to avoid, minimize or mitigate visual impacts

### Response to Comment L-14.5

All County identified multimodal facilities, including bike, pedestrian, and equestrian trails are enhanced where they cross the existing or proposed highway. Improvements off the corridor are not included with this project.

### Response to Comment L-14.6

All County identified multimodal facilities, including bike, pedestrian, and equestrian trails are enhanced where they cross the existing or proposed highway. Improvements off the corridor are not included with this project

The Department of Parks and Recreation recognized the necessity to plan for the future when the Valley was built out. Several Antelope Acres residents, as well as Sierra Club Members, used County issued GPS units to accomplish the Antelope Acres section of the Comprehensive Antelope Valley Trails Plan (2008). The trails cross Highway 138 in five places within the Antelope Acres boundary, to ensure there will always be equestrian access.

- Kern Connector Trail crosses the Highway 138 at 85<sup>th</sup> Street West. It goes from Avenue H, north to the Kern County line.
- Highway 138 at 90<sup>th</sup> Street West. This is considered part of the Kern Connector Trail. It goes along 90<sup>th</sup> Street West north and connects at Avenue C with the Kern County Connector Trail.
- Antelope Acres Access Trail crosses Highway 138 at 93<sup>rd</sup> Street West.
- The Johnson Trail crosses Highway 138 at 110<sup>th</sup> Street West.
- 130<sup>th</sup> Street West Trail connects to the California Poppy Trail, which is south of Highway 138 to the trails around Little Buttes area and Avenues C and B.
- The Portal Ridge Connector Trail crosses the California Poppy Trail and Highway 138 at approximately 135<sup>th</sup> Street West.

L-14.8

Why are these trails not included in the DEIR?

Relocation

Section 3.1.2. Relocation and real Property Acquisition would adversely affect community character and cohesion.

Regardless of rural designation, replacement areas are extremely un-similar to the Antelope Acres. This would be agreed upon by everyone who lives in all areas referred to. The areas identified for relocation, Green Valley, Lake Hughes, Elizabeth Lake and Leona Valley, are scenic and rural, but do not offer the openness or similar value of residences or opportunity for business relocations. The Quartz Hill unincorporated community is irregularly bordered by the City of Lancaster. Urban encroachment, sprawl, and planning for development of Big Box Stores critically differentiate the Quartz Hill area as a desired location for replacement from a truly rural area. P. 70

L-14.9

Statistics do not portray the reality of the relocation problem.

The Relocation Assistance Program states "... such persons would not suffer disproportionate injuries as a result of projects design for the benefit of the public as a whole."

However, without full reimbursement, it will be impossible for people not to suffer "disproportionate injuries" to what they are leaving, whether it is economic, physical, or emotional.

**Responses to Comment Letter L-14  
Antelope Acres Town Council**

**Response to Comment L-14.7**

The California Park Preservation Act of 1971 provides that a public agency that acquires public parkland for non-park use must either pay compensation that is sufficient to acquire substantially equivalent substitute parkland or provide substitute parkland of comparable characteristics. The proposed project would not result in acquisition of public parkland for non-park use.

Section 4(f) of the Department of Transportation Act of 1966, codified in federal law at 49 United States Code (USC) 303, declares that "it is the policy of the United States Government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites." Section 4(f) specifies that the Secretary [of Transportation] may approve a transportation program or project . . . requiring the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, state, or local significance, or land of an historic site of national, state, or local significance (as determined by the federal, state, or local officials having jurisdiction over the park, area, refuge, or site) only if:

- there is no prudent and feasible alternative to using that land; and
- the program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use.

Hungry Valley Off-Road Vehicular Recreation Area was evaluated relative to the requirements of Section 4(f) in Appendix B. It was determined that the proposed project does not cause a constructive use of the Hungry Valley Off-Road Vehicular Recreation Area because the proximity impacts would not substantially impair the protected activities, features and attributes of this facility. All of the properties listed in Table 10 would remain after construction of the proposed project.

**Response to Comment L-14.8**

All County identified multimodal facilities, including bike, pedestrian, and equestrian trails are enhanced where they cross the existing or proposed highway. Improvements off the corridor are not included with this project.

**Response to Comment L-14.9**

The Relocations and Real Property Acquisition Section has been revised to state: "Caltrans' Relocation Assistance Program would provide advisory services to assist individuals and businesses being displaced by the project. Additional plans to minimize hardships on potential displacees will be developed further following owner and occupant interviews. These interviews will provide a greater understanding of household demographics and financial challenges facing each respective owner and occupant."

<p>Please explain, according to the Relocation Assistance Program, how this can be avoided, especially considering the areas stated for relocation?</p>	<p>L-14.9</p>
<p><u>Noise</u></p>	
<p>Sound walls would not help minimize visual impacts or noise. A sound wall, in fact, does little to eliminate sound in a rural setting where all sound can be heard from distances farther away because of a lack of competing noise. There is a quietness that magnifies the sounds that exist. Sound walls block mountain views as well as expansive views of neighbors, which creates the rural effect.</p>	<p>L-14.10</p>
<p>The necessity of sound walls indicates the intolerable level expected of high-speed traffic noise, especially impacting the quiet of rural living.</p>	
<p>What facts or examples demonstrate that a sound wall helps retain the quiet of rural living?</p>	
<p><u>Lighting</u></p>	
<p>Safety lighting, as well as truck and car traffic lights, create another loss of ability to see starry night skies, due to cumulative light pollution. Safety lighting, combined with truck and car traffic lights are not addressed. Would you please address this and explain how light from a typical freeway can be mitigated to a level of insignificant?</p>	<p>L-14.11</p>
<p><u>Utilities</u></p>	
<p>Antelope Acres is served by two separate water districts. Other residences have their own wells. Land Projects Mutual Water Company, (the major water source for the Antelope Acres south of Avenue D) did not appear to be consulted for the Project. Sundale Water District (north of Avenue D) is only mentioned. Why is this? (Page 78).</p>	<p>L-14.12</p>
<p><u>Visual/Aesthetics</u></p>	
<p>Section 3.1.7. KV-13 – Looking west toward 90<sup>th</sup> Street West – existing condition. THIS IS WHAT "RURAL" LOOKS LIKE. This is not low to moderate visual quality. This is high visual quality. This is what people move here for.</p>	<p>L-14.13</p>
<p>These photos and simulations are deceptive and do not show the amount of paving, traffic, sound walls, safety barriers, overpasses, roundabouts, underpasses, or anything that might be built in the area for Alternative 1 or 2. The Project will change the rural character to that of a developing town. The impact should be high.</p>	

## Responses to Comment Letter L-14 Antelope Acres Town Council

### Response to Comment L-14.10

In accordance with state and federal noise guidelines and regulations, a traffic noise impact study was performed for the proposed Northwest 138 Corridor Improvement Project to evaluate noise impacts due to the project as well as to determine feasible and reasonable abatement measures to impacted noise sensitive land uses. Full impact analysis, study methodologies and procedures, and preliminary noise abatement measures are presented in the Traffic Noise Study Report. A field noise investigation was conducted to determine existing noise levels and environment and gather information necessary for the study. Existing ambient noise levels provide a base line for comparison to predicted future noise levels and environment with the project.

Noise abatement in the form of noise barriers has been identified and recommended to impacted noise sensitive land uses. Per the state and federal policies, only acoustically feasible and reasonable abatement may be recommended and implemented as part of the project. Noise barrier is determined to be acoustically feasible if it provides a minimum of 5 decibel reduction in noise which is considered readily perceivable change/reduction. Noise barrier also has to be reasonable considering costs of constructing abatement measures/noise barriers and viewpoints of impacted residences. Noise abatement/barrier will not be provided if a majority of property owners that the noise barrier is intended for oppose the construction of noise barrier.

In rural environment, traffic noise can be more sensitive to hearing as compared to urban environment where there are other noise sources that muffles the traffic noise. Noise barriers, when constructed near the source (highway) or the receiver (homes/noise sensitive land uses), are effective in abating/reducing noise from traffic especially in flat terrain. The noise barrier blocks the path of sound and reduces the sound/noise. The sound energy also decreases as the sound travels from its source to the receiver, hence, further reducing the sound/noise (further the receiver is from the source, more loss of sound energy). If the ground surface between the source and receiver is soft (dirt, vegetation, etc.), then the ground also absorbs certain amount of sound/noise, hence resulting in additional reduction in noise. Therefore, noise barriers, when built near the source/highway, are effective in providing noise abatement to impacted noise sensitive land uses even in rural areas.

### Response to Comment L-14.11

The project design would be done in compliance with the Rural Outdoor Lighting District Ordinance of Los Angeles County. To preserve the dark night sky as a natural resource in the desert region communities, dark-sky compliant lighting will be selected to minimize light pollution cast into the sky while maximizing light cast onto the ground, as appropriate. A lighting plan will be developed that requires project lighting to be appropriately shielded. Avoidance, Mitigation and Minimization measures for lighting, including VIS-2 in section 3.1.7 (Visual/Aesthetics), propose shielded lights and adherence to Dark Skies precepts when possible.

<p>Alternative 2. The amount of paving and man made elements, "...would be incompatible with the visual character of the existing view."</p>	<p>L-14.13</p>
<p>The next sentence states "...change is moderate-low negative change." How can the visual character of the existing view be incompatible and at the same time have moderate-low negative change?</p>	
<p>KV-14 – Avenue C looking west, existing condition. This photo shows, again, the beauty of the rural setting in the opinion of the people who moved here. The overall visual quality here is considered high. Page 142 The overpass simulation seems to be purposely taken to make the overpass almost unable to be seen.</p>	
<p>Page 146 – Visual – "The primary overall visual effect of the project would be the increased urban character..." How can this not be a significant environmental impact? The difference between an urban and rural character is extreme.</p>	<p>L-14.14</p>
<p>According to the description, "sparse desert scrub" is misleading. Much of this is considered second growth desert that slowly is being reclaimed from farmland. This is providing not only beautiful views, but bringing back lost habitat for wildlife. Page 124.</p>	
<p>The key views taken to demonstrate the aesthetic visual component did not include the Mountain and Desert Conservancy land at 150<sup>th</sup> Street West and Avenue D/Highway 138. It did not include photos taken when the area was covered with Poppies, Lupin and other desert wildflowers or Fall photos when second growth desert is brightened with brilliant yellow flowers of the Rabbit Brush. Rabbit Bush is one of the first native bushes to re-establish itself.</p>	<p>L-14.15</p>
<p>The statement that "diversity is low due to the likeness of color..." is another inaccurate conclusion because it does not take into account the change in color and texture of our beautiful desert at different times of the year and with the varying amounts of rainfall.</p>	
<p>P. 141. Alternative 2 KV-13 would "...add to light and heat reflection that would be visually intrusive and imply urban development that does not otherwise exist." "The natural character would be changed to include more man-made elements. ...incompatible with the visual character of the existing view."</p>	
<p>To rural residents, this change would not be designated moderate-low, but <u>high</u> and unable to be mitigated.</p>	
<p>P. 141. KV-14. The photo clearly shows Little Buttes. The DEIR does not mention how the view of Little Buttes will be compromised by the project. KV-14 photo of the 4-lane expressway at Avenue C and 90<sup>th</sup> Street West admits "the introduction of large man-made elements would be incompatible with the</p>	<p>L-14.16</p>

## Responses to Comment Letter L-14 Antelope Acres Town Council

### Response to Comment L-14.12

Water facilities on both sides of the highway have been identified. The Land Projects Mutual Water Company facilities are identified south of the highway, but unfortunately were misrepresented as Sundale Mutual Water District facilities. Section 3.1.5 (Utilities and Emergency Services) has been revised to make this correction. Caltrans will coordinate with Land Projects Mutual Water Company to coordinate relocation or protection of the well. As part of Mitigation Measure UT-1, Caltrans would coordinate with all affected private and public service utilities during the final design stage. Final relocation/protection in place measures would be incorporated into the final plans and specifications.

### Response to Comment L-14.13

The proposed project includes removal of non-native grasses within the project footprint and replanting with local native plant varieties as well as some other plants native to the Mojave desert. Neither of the two build alternatives proposed at this location include soundwalls, barriers, and over or underpasses. There are still long and short range open views and for this reason the rating of moderate resource change was given along with a viewer response rating of high.

### Response to Comment L-14.14

The statement "The primary overall visual effect of the project would be the increased urban character ..." is meant to indicate an incremental change on the spectrum from rural to urban, not a sudden reclassification.

### Response to Comment L-14.15

The phrase "sparse desert scrub" is reflective of the natural spacing of desert plants and is used to remind readers less familiar with the terrain that the normal condition is not like conventionally irrigated landscapes. Non-native plants on land impacted by construction will typically be removed and replaced with natives. Around the Antelope Acres area, the most common native plant communities (Rubber rabbitbrush scrub and Allscale scrub communities) do not include many trees. For functional reasons, taller Mojave Desert plants such as junipers, pines and tall shrubs such as Desert mountain-mahogany (*Cercocarpus ledifolius*) may be used at interchanges and where screening is desired.

Because it is not feasible to analyze all the views and seasons in which the proposed project would be seen, it is necessary to select a number of key views associated with visual assessment units that would most clearly demonstrate the change in the project's visual resources. Key views are intended to be representative of typical conditions, not seasonal events.

visual character of the existing view" The elements discussed do not include the visual change brought by thousands of truck and vehicle trips. The overall change should be stated as high.

Avenue C appears to be eliminated as a throughway and photos have not been made of the areas east of 90<sup>th</sup> Street West with the largest concentration of residents. The elimination of an historic airport (Little Buttes) and the viewshed of the people who live here will be radically altered. This is not discussed. Because this is a larger population area, a photo should have been used especially of this area. "Construction of this bypass road will bring thousands of motorists per year past houses on Avenue C". The many residents who live on streets coming off of Avenue C are also not discussed. This needs to be added to the DEIR.

L-14.16

P. 144. Summary of Visual Impacts. Throughout the DEIR every impact is negative and mitigation measures proposed are unable to fulfill the spirit of FHWA. Stated at the beginning of this section, the aesthetics should be given a much greater emphasis than this DEIR does. The project will effectively split the rural character of the Western Antelope Valley into a northern and a southern section. "Increased urban character..., reduction of desert landscape..., the construction of structures that would block views cannot be reduced to a negative visual change." Again, not addressed is the visual impact of thousands of cars and trucks and the distinct possibility of increased urban sprawl.

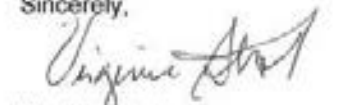
L-14.17

Connections

Intersection control based on traffic and safety data at the time of improvement gives Caltrans the right to determine all the stops, signals, and roundabouts for the Build Alternatives. Would this require extensive detours for residents to cross at specified intersections or to acquire access to Avenue D (Highway 138)?  
Page 103

L-14.18

Sincerely,

  
Virginia Stout  
President,  
Antelope Acres Town Council

**Responses to Comment Letter L-14  
Antelope Acres Town Council**

**Response to Comment L-14.16**

The simulated photo does not show the interchange well, making it look as if it blends into or impacts Little Buttes. Another simulation would have shown the interchange from close up, however, an attempt was made to show the interchange from the vantage point of a house midway down C Street, east of 90th Street West, simultaneously capturing more of the surrounding scenery. Little Buttes lies a bit more than 2,000 feet beyond the proposed interchange. Avoidance, Mitigation and Minimization measures for lighting, including VIS-8 in section 3.1.7 (Visual/Aesthetics), propose "To the extent practicable, keep elevated structures as low as possible or design to integrate them within the surrounding environment." Integrating the structure with Little Buttes would be avoided as they are far distant from each other. Keeping the structure as low as possible and minimizing intrusion into the view of Little Buttes is the preferred approach.

**Response to Comment L-14.17**

The NW SR-138 Visual Impact Assessment (VIA) concluded that the primary viewers of visual change would be motorists, bikers and residents. The most sensitive viewer to the change would be residential users and the overall viewer response rating is moderate. The overall visual impact is characterized as moderate. Refer to section 3.1.7 (Visual/Aesthetics).

The VIA generally follows the guidance outlined in the publication Visual Impact Assessment for Highway Projects published by the Federal Highway Administration (FHWA) in March 1981. The following steps were followed to assess the potential visual impacts of the proposed project:

- A. Define the project location and setting.
- B. Identify visual assessment units and key views.
- C. Analyze existing visual resources (visual character and visual quality) and resource change.
- D. Describe viewers and predict viewer response.
- E. Depict the visual appearance of project alternatives and assess their visual impacts.
- F. Propose measures to avoid, minimize or mitigate visual impacts

**Response to Comment L-14.18**

A Draft Freeway Agreement has been prepared that will be executed between Caltrans and Los Angeles County to agree to these future intersection locations. The types of intersection control will be determined as warranted by needs and timing. The locations will not change; the types of control will be determined based on the conditions that warrant the improvements.





August 10, 2016

VIA ELECTRONIC MAIL

Mr. Ron Kosinski, Deputy District Director  
California Department of Transportation  
Division of Environmental Planning (NW SR-138)  
100 S. Main Street, MS-16A  
Los Angeles, CA 90012  
[nw138@metro.net](mailto:nw138@metro.net)  
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**RE: Northwest State Route 138 Corridor Improvement Project and Draft Environmental Impact Report/Environmental Impact Statement – Request for Comment Period Extension**

Dear Director Kosinski:

Endangered Habitats League (EHL) respectfully requests an extension of the comment period on the Draft Environmental Impact Report/Environmental Impact Statement for the Northwest State Route 138 Corridor Improvement Project. For your reference, EHL is Southern California's only regional conservation group and an active participant in Los Angeles County and Metropolitan Transportation Authority planning endeavors.

The DEIR/DEIS contains many complex and technical issues and studies, and is hundreds of page in length. It is not feasible for members of the public to fully review with the current deadline. In order to fully review and comment, we believe an additional 30 days is necessary. Extension of the deadline would allow for a more comprehensive review by the public and more useful comments to your agency.

Thank you for considering our request to extend the comment period. I look forward to your reply.

Yours truly,

Dan Silver  
Executive Director

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## Responses to Comment Letter L-15 Endangered Habitats League

### Response to Comment L-15

The commenter was contacted regarding the request to extend the review period, and withdrew the request at that time.

**Responses to Comment Letter L-16  
Tejon Indian Tribe**

**Response to Comment L-16**

Thank you for your email comment dated September 16, 2016 regarding the status of the Tejon Indian Tribe’s participation in the SR-138 Northwest Corridor Project. Subsequent to your email, Caltrans communicated via emails and phone calls with Mr. Colin Rambo, Tribal Historic Preservation Technician for the Tejon Indian Tribe. As requested by Mr. Rambo, in October 2016, Caltrans provided the Tribe with copies for review of all cultural technical reports produced to date for the project. In the meantime, Caltrans was told on November 14, 2016 during a phone conversation with a representative of the Fernandeano Tataviam Band of Mission Indians that the Tejon Indian Tribe had deferred to her Tribe all consultation on the SR-138 Northwest Corridor Project. Caltrans contacted Mr. Rambo on the same day to verify if this was indeed the case. Mr. Rambo confirmed in an email dated November 14, 2016 that the Tribe had deferred all future consultation for the Project to the Fernandeano Tataviam Band of Mission Indians. Caltrans’ consultation with the Fernandeano Tataviam Band of Mission Indians is on-going.

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**Subject:** FW: Feedback - NW138 [#45]

**From:** Wufoo [mailto:no-reply@wufoo.com]  
**Sent:** Friday, September 16, 2016 2:31 PM  
**To:** NW138  
**Subject:** Feedback - NW138 [#45]

<b>Name *</b>	William Gollnick
<b>Email (you@email.com) *</b>	gollnickw@tejonindiantribe-nsn.gov
<b>Phone Number</b>	(661) 834-8566
<b>Select a Subject *</b>	Comment and/or Question
<b>Comment and/or Question *</b>	I recently received a note from President Bielli at Tejon Ranch asking about the Tejon Indian Tribe’s lack of participation or recognition in the Hwy 138 EIR. The Tejon Indian Tribe is the only federally-recognized tribe in Kern County and is recognized by most federal agencies as the entity with whom to work in Kern. Although 138 is in LA County, we are writing to share that we have been in favorable discussions with the Tejon Ranch regarding their Centennial project and wish to be formally included in subsequent steps as they are planned. Thank you for your attention.

L-17



COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400  
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998  
Telephone: (562) 699-7411, FAX: (562) 699-5422  
www.lacsd.org

GRACE ROBINSON HYDE  
Chief Engineer and General Manager

September 15, 2016  
Ref. Doc. No.: 3834647

Mr. Ron Kosinski, Deputy District Director  
California Department of Transportation  
Division of Environmental Planning (NW SR-138)  
100 South Main Street MS - 16A  
Los Angeles, CA 90012

Dear Mr. Kosinski:

**Response to DEIR for Northwest State Route 138 Corridor Improvement Project**

The County Sanitation Districts of Los Angeles County (Districts) received a Draft Environmental Impact Report (DEIR) for the subject project on August 8, 2016. We offer the following comments:

1. Previous comments submitted by the Districts in correspondence dated May 5, 2014 (copy enclosed), indicated that during construction, the Districts will require truck access into the Lancaster Water Reclamation Plant (LWRP) during the stated time frame. Upon further review, the Districts has determined that for health and safety reasons, unlimited access to the LWRP's main entrance off of Avenue D will be required at all times during construction of the proposed project.
2. The proposed project may impact existing and/or proposed Districts' facilities (e.g. trunk sewers, recycled waterlines, etc.) over which it will be constructed. Districts' facilities are located directly under and/or cross directly beneath the proposed project alignment. The Districts cannot issue a detailed response to, or permit construction of, the proposed project until project plans and specifications that incorporate Districts' facilities are submitted for our review. To obtain copies of as-built drawings of the Districts' facilities within the project limits, please contact the Districts' Engineering Counter at [engineeringcounter@lacsd.org](mailto:engineeringcounter@lacsd.org) or (562) 908-4288, extension 1205. When project plans that incorporate our facilities have been prepared, please submit copies of the same to the Engineering Counter for our review and comment.

L-17.1

L-17.2

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,  
  
Adriana Raza  
Customer Service Specialist  
Facilities Planning Department

AR:ar  
Enclosure

cc: M. Tatalovich  
Engineering Counter

DOC: 2387121.DI499



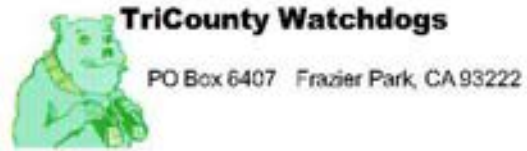
**Responses to Comment Letter L-17  
County Sanitation Districts of Los Angeles County**

**Response to Comment L-17.1**

Traffic Management Plans will be developed with the final design plans and will address the needs to provide continuous access to existing facilities within the corridor, including the Lancaster Water Reclamation Plant, east of SR-14 on Avenue D.

**Response to Comment L-17.2**

The project team coordinated and obtained as-built drawings from the District. During development of the final design plans, coordination will continue with the District to further define and understand all the District facilities that may be impacted or need to be protected in place.



16 September 2016

Mr. Ron Kosinski, Deputy District Director  
California Department of Transportation  
Division of Environmental Planning (NW SR-138)  
100 S Main Street, MS-16A Los Angeles, CA 90012  
[nw138@metro.net](mailto:nw138@metro.net)

We would like to thank Los Angeles County and Caltrans for a detailed DEIR on the expansion of SR 138. We are heartened to know that you recognize the great environmental impact the expressway and freeway will have on the Antelope Valley, and we are pleased that you carefully address mitigations for some impacts. However, we would like to express our concern that the environmental cost may be much greater than the DEIR assumes.

We do not agree that 36.8 miles of an extra two to four lanes on the 138 will have an effect that is "less than significant" on air quality, biological resources, hydrology, water quality, and noise, even with mitigation (App. A).

The northwestern part of the Antelope Valley has been designated a very Significant Ecological Area, and it would be difficult not to leave a major impact on these important lands even with the mitigations you have proposed. There are also dangers to the new communities that this expansion is designed to facilitate and to serve. These dangers are increased by climate change and its resultant periods of extreme weather (both drought and storms).

We therefore believe that, if you must expand SR 138, existing and future communities would be better served by a greatly reducing the size. For reasons we will list below, we urge you to drop the idea of building a six-lane freeway anywhere on the 138 and restrict expansion only to a four-lane expressway.

Here is why:

1. The federal and state funds designated for creating a 10 mile six-lane freeway would be better used to find alternate ways to move goods across the Antelope Valley. We specifically would like Caltrans to cut down on truck traffic by encouraging greater use of railroads to move goods. Truck traffic on the 138 has become very dangerous to wildlife and also increases air pollution (which is dangerous to all living creatures, including the new human communities planned for the area).

We note that Measure R, which is funding most of this project, is supposed to devote its funds to seven transportation categories as follows: 35% to new rail and bus rapid transit

L-18.1

## Responses to Comment Letter L-18 Tri-County Watchdogs

### Response to Comment L-18.1

Caltrans is working with the Southern California Association of Governments (SCAG) and other agencies to develop a statewide freight and good movement plan. That plan includes not only highway improvements, but other goods movement related improvements including rail. More information about the plan can be found at <http://www.dot.ca.gov/hq/tpp/offices/ogm/cfmp.html>. NW 138 improvements are included in the approved Measure R expenditure plan.

projects, 3% to Metrolink projects, 2% to Metro Rail system improvement projects, 20% to carpool lanes, highways and other highway related improvements, 5% to rail operations, 20% to bus operations, and 15% for local city sponsored improvements" (<https://www.metro.net/projects/measurer/>). In other words, 65% is supposed to go to public transportation projects and 20% to highways. But we have discovered that the proportionality approved by voters is apparently non-existent: the "Projects Status" section of the Measure R website reveals that over 60% of the current budget appears to be devoted to highway projects (\$32,054 million) while less than 40% (\$20,707.7 million) is assigned to rail and bus projects (<https://mtadash.nlmprojectservices.com/>). We urge CalTrans to adhere to Measure R and find ways to enhance SR 138 with rail transport instead of additional lanes.

L-18.1

2. In a time of drought, we should not be encouraging new development by building huge highways to accommodate a larger population in the Antelope Valley. We should hold development to a minimum for the next few decades.

L-18.2

3. Water Basins, Watersheds, and Water Quality, are critical in what is essentially a desert area and in this time of drought. An additional two to four lanes of asphalt will alter forever how the water flows and is recuperated into the watersheds that provide future drinking water.

Water evaporates more quickly on asphalt because it needs to travel before it can sink into the earth. We would like clearer information about how you intend to recuperate as much water as now finds its way into the watershed.

L-18.3

Water that flows over asphalt picks up chemicals in the asphalt including toxic residue from automobiles and trucks. We would like clearer information about what measures you are taking to "avoid, minimize, and compensate for" adverse effects from this process (p. 176).

4. An additional two to four lanes of traffic will increase risk to many wildlife species that regularly cross the highway. Every year there are large animals killed on 138 and Gorman Post Road especially during hunting season. We would like to see more attention given and more specifics about underpasses or overpasses that can function as wildlife corridors.

L-18.4

5. Flood plans: this area is very high in flash flooding. The slightest rain fall sets off flash flooding alerts in the Antelope Valley. In 2015 a storm brought flash flooding and debris which covered the I-5 for 24 hours and Highway 58 for several days. We are not convinced that your mitigations will fully contain the dangers of flash flooding. It might help if you would explain what your proposed BMP's are.

L-18.5

6. Some deaths from Valley Fever have recently been reported. The DEIR's discussion of Valley Fever is thorough except for one omission: there is a failure to acknowledge that the normal mode of dust control is watering down the disturbed soil. The only problem with this is that the *Coccidioidomycosis* thrives on moisture and then dry heat. So efforts to control the dust often only help the spores grow.

L-18.6

7. Last we mention the poppy-covered fields that the DEIR mentions in the "Visual/Aesthetics" section (3.1.7), but that are subsequently relegated to the "less than significant impact" category. In case you have never experienced the Antelope Valley in spring bloom, we attach a photo (2010, copyright Richard Dickey) to illustrate why we think it is one of the most spectacular events we have ever seen. We greatly fear that roads and development such a Significant Ecological Area with all its flora and fauna and its diversity can never be mitigated to less than significant.

L-18.7

## Responses to Comment Letter L-18 Tri-County Watchdogs

### Response to Comment L-18.2

Please refer to Chapter 1 for a discussion of the scope and need for the Project and Chapter 3 for a discussion of existing and future traffic conditions which support the stated need. The purpose of this project is to:

- Improve mobility and operations on SR-138 and in NW Los Angeles County;
- Enhance safety within the SR-138 Corridor based on current and future projected traffic conditions;
- Accommodate foreseeable increases in travel and goods movement within northern Los Angeles County.

The need for the project is based on an assessment of the existing and future transportation demand in the project area compared to the existing capacity of the facility. Existing access is maintained throughout the corridor. As new locations are considered for development, Los Angeles County as the approving agency will need to determine future improvements that are required to meet the access locations agreed to with this project and provide for local circulation for property access as a condition of approval. The improvements included in the alternatives were developed based on the approved land use plan by Los Angeles County and as defined in the Southern California Association of Governments (SCAG) forecast traffic volumes for the 2040 horizon year. Since the improvements are based on this information, they consider the potential traffic impacts in the horizon year. The improvements will not be needed until the traffic increases and the traffic increases are based on how quickly the land use buildout occurs.

### Response to Comment L-18.3

To minimize potential impacts, the project would incorporate Low Impact Design (LID) efforts to maintain or restore pre-project hydrology, as well as provide overall water quality improvement of discharges. Please refer to Section 3.3.2 (Water Quality and Storm Water Runoff) for further detail. In addition, infiltration devices are considered the preferred treatment BMP for its ability to treat Pollutants of Concern from typical highway runoff and recharge groundwater.

The discussion on Best Management Practices has been refined in Section 3.2.2 (Water Quality and Storm Water Runoff) to better describe how impacts on waterways would be minimized. With implementation of recommended measures, BMPs, and development of a storm water management plan (SWMP), direct impacts associated with both Alternatives would be less than significant. Measures to mitigate for unavoidable impacts (both permanent and temporary) on jurisdictional features will be coordinated with the US Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and the California Department of Fish and Wildlife during the permitting process with consideration of on-site restoration, off-site mitigation, and in-lieu fees. In general, the ratios are based on the amount and quality of the impacted jurisdictional features of the agencies. In determining appropriate mitigation ratios for impacts to waters of the State, RWQCB staff considers Basin Plan requirements (minimum 1.5:1 mitigation ratio for impacts to wetlands) and utilizes 12501-SPD Regulatory Program Standard Operating Procedure for Determination of Mitigation Ratios, published December 2012 by the USACE, South Pacific Division.

Sincerely yours,

for the Tri-County Watchdogs\*

Terry Kelling, President  
Katherine King, Secretary  
Rose Bryan, Board Member

\*The Tri County Watchdogs is an environmental organization that promotes preservation of natural resources, ecotourism, and responsible development in the area adjacent to Tejon Ranch. Our members come from Gorman, Lebec, Frazier Park, Pinon Pines, Lockwood Valley, and Pine Mountain Club, a large community that spans Kern, Los Angeles and Ventura Counties.

## Responses to Comment Letter L-18 Tri-County Watchdogs

### Response to Comment L-18.4

Section 3.3.1 (Natural Communities) has been revised to include additional wildlife crossing analysis. There are currently approximately 72 existing cross culverts within the project limits. Approximately 47 existing cross culverts will be maintained or expanded. Approximately 25 cross culverts will be abandoned and an additional 93 cross culverts will be constructed to maintain hydrologic integrity and support wildlife movement. Culverts will range in size from 24 inches to 10 ft. by 10 ft. in width and height, and ranging from 80 ft. to 200 ft. and vary between reinforced concrete pipes, reinforced concrete boxes, and corrugated metal pipes. A detailed wildlife passage impact assessment shall be conducted during the final design phase to confirm the proposed culverts for wildlife passage will be effective according to standards outlined in Section 3.3 .1 Wildlife Movement and Habitat Connectivity, BIO-7 and BIO-8, as additionally set forth in FHWA Wildlife Crossing Structure handbook (2011) and in a manner as natural and easy for wildlife to cross such that they will promote use by local wildlife with consideration to current land use, approved projects within the area, and further coordination with CDFW and USFWS.

### Response to Comment L-18.5

The project's impact on flood potential has been evaluated as part of the Draft Preliminary Drainage Report, Northwest 138 Corridor Improvement Project (Volumes 1 and 2). Where necessary, the roadway would be elevated above the surrounding area to prevent overtopping of the roadways during flood conditions. Please refer to the above mentioned report for a full analysis.

### Response to Comment L-18.6

Compliance with measures listed under Avoidance, Minimization, and/or Mitigation Measures in Section 3.2.6 (Air Quality) would control dust during project construction. Construction of the project will implement the South Coast Air Quality Management District (SCAQMD) dust control measures and comply with SCAQMD Rule 403 to minimize fugitive dust emissions. Available means to control dust will be implemented during the construction of the project. Water sources will be reviewed and the construction contractor will need to identify a plan to control wind erosion. Dust palliatives and limiting areas of impact during windy seasons will be very important to the overall dust control during construction. Other means are to limit the area of soil disturbance during construction activities to help control the areas that are vulnerable to erosion due to the wind and not expose more than is controllable. As a result, this measure would reduce the potential for contact with *Coccidioides immitis* spores and, as such, the potential for health impacts during construction of the project associated with Valley Fever would be minimized.

### Response to Comment L-18.7

Mitigation options include the Peterson Ranch Mitigation Bank which is within the boundaries of the San Andreas Rift Zone SEA. Another option will be with the Antelope Valley Conservation Resource District and maybe in coordination with the Transition Habitat Conservancy for parcels within the Joshua Tree Woodland SEA.



**Responses to Comment Letter L-18  
Tri-County Watchdogs**

Thank you for your comment.



Wendy Miller  
SCE Environmental Services  
6040 Inlandale Avenue  
Inlandale, CA 91702

L-19

Sent via electronic mail to [nw138@metro.net](mailto:nw138@metro.net)

September 16, 2016

Mr. Ron Kosinski, Deputy District Director  
California Department of Transportation  
Division of Environmental Planning (NW SR-138)  
100 S Main Street, MS-16A  
Los Angeles, CA 90012

RE: Draft EIR/EIS for the Northwest 138 Corridor

Dear Mr. Kosinski:

Southern California Edison (SCE) is pleased to submit the following comments on the Draft EIR/EIS for the Northwest 138 Corridor Project. The Draft EIR/EIS was developed to evaluate corridor alternatives and related operational improvements, including the widening of approximately 36.8 miles along State Route 138 (SR-138) between Interstate 5 (I-5) and State Route 14 (SR-14) in Los Angeles County.

**SCE's Electrical Facilities**

SCE provides electric service to the project area and maintains electrical transmission, distribution, substation, and other facilities located throughout the project area. The Draft EIR/EIS identifies existing SCE electric facilities that would require relocation as a part of the proposed project, including 122 12kV poles, 168 66kV poles, and 1 500kV tower. Numerous additional SCE facilities are located in the immediate vicinity of the project.

**Encroachment of SCE's Right-of-Way and Access Roads**

SCE is concerned that the proposed project may impact existing SCE facilities. The proposed project must not impose constraints on our ability to access, maintain, and operate current and future facilities.

SCE rights-of-way and fee-owned properties are purchased for the exclusive use of SCE to operate and maintain its present and future facilities. Any proposed relocation of facilities will be reviewed on a case-by-case basis. Approvals or denials will be in writing based upon review of the maps provided by the developer and compatibility with SCE right-of-way constraints and rights. Please forward five (5) sets of plans depicting SCE facilities, associated land rights, and relocation proposal to the following location:

Real Properties Department  
Southern California Edison Company  
2 Innovation Way  
Pomona, CA 91768

L-19.1

**Responses to Comment Letter L-19  
Southern California Edison – Environmental Services**

**Response to Comment L-19.1**

Preliminary plans were developed in coordination with SCE and with information provided by SCE. Existing and future right of way, clearances and access have been coordinated with SCE during development of the proposed project and will be coordinated further, in close coordination with SCE, during the subsequent design of the improvements.



Page 2 of 2

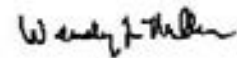
**General Order 131-D**

The construction, modification, and relocation of transmission lines, or electrical facilities that are designed to operate at or above 50 kilovolts (kV) may be subject to the California Public Utilities Commission's (CPUC) General Order 131-D<sup>1</sup>. The relocation of SCE power lines and other facilities should be identified and evaluated in the Final EIR/EIS for this project, and should include evaluation of all alternative location options for the relocated facilities. If such analysis is not included or inadequately addressed, SCE will be required to pursue a separate, mandatory CEQA review through the CPUC, which would delay approval of the SCE power line relocation portion of the project for two years or longer.

**L-19.2**

SCE appreciates the opportunity to comment on the Draft EIR/EIS for the Northwest 138 Corridor Project. If you have any questions, please contact me at [Wendy.Miller@sce.com](mailto:Wendy.Miller@sce.com) or (626) 633-4806.

Sincerely,



Wendy Miller  
Manager  
Environmental Services  
Southern California Edison

**Response to Comment L-19.2**

Impacts to the SCE facilities were identified early in the process, with assistance from SCE. With the conversion of the existing highway corridor to a more access controlled facility, we have identified alternatives that address utility relocation within the corridor. The information for relocation of SCE facilities was identified and included in the preliminary design of the alternatives and included in the environmental document. The relocation requirements were coordinated with SCE during the preliminary design and the build alternatives addressed the relocation of the applicable facilities. Subsequent CEQA analysis should not be required as the relocation of the facilities was included in the analysis of the alternatives.

<sup>1</sup> <http://docs.cpuc.ca.gov/PUBLICISHED/graphics/389.PDF>

**Responses to Comment Letter L-20**  
**Los Angeles County Department of Public Works**

Response to Comment L-20.1

The Bicycle Facilities discussion in section 3.1.6 (Traffic and Transportation/Pedestrian and Bicycle Facilities) has been revised to include Figure 23 (Existing and Proposed Bicycle Facilities).

September 28, 2016

Mr. Ron Kosinski  
Deputy Director  
California Department of Transportation  
Division of Environmental Planning (NW SR-138)  
100 South Main Street, MS-16A  
Los Angeles, CA 90012

Dear Mr. Kosinski:

**NORTHWEST STATE ROUTE 138 (SR-138) CORRIDOR IMPROVEMENT PROJECT  
DRAFT ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT  
STATEMENT (DEIR/DEIS)**

Thank you for the opportunity to review the Northwest SR-138 project DEIR/DEIS. The SR-138 is a 2-lane conventional highway that provides an alternate route for west to east traffic in northwest portion of Los Angeles County. This project would widen SR-138 between I-5 and SR-14. The project corridor spans west to east approximately 36.8 miles in the northwest portion of Los Angeles County. It also includes improvements to the connections ramps on I-5 on the west and connection ramps and structure over the SR-14 on the east.

The following County of Los Angeles Department of Public Works' comments are for your consideration and relate to the DEIR/DEIS only:

**General**

1. Public Works requests the opportunity to review the full EIR/EIS and supporting reports when it becomes available.

**Traffic**

1. Page 95 of the DEIR, *Bicycle Facilities* - Paragraph 3:  
Please provide a map of the bicycle facilities proposed along Ridge Route Road which depicts the alignment, limits, and connectivity to the SR-138.
2. Page 97 of the DEIR, *Circulation Improvements* - Bullet 6:

L-20.1

Mr. Ron Kosinski  
September 28, 2016  
Page 2

- Please provide a map of the bicycle facilities proposed along the access road within the western project limits Road which depicts the alignment, limits, and connectivity to the SR-138.
3. Page 100 of the DEIR, *Comparison of Alternatives* - Paragraph 1: Please provide a summary of side street delays at the study intersections for all alternatives described in the DEIR. Side street vehicle delays are desired to be Level of Service (LOS) E or better. **L-20.2**
4. Page 103 of the DEIR, Table 43 - Alternative 2:
- 4.1. The project proposes multiple traffic signals on the eastern portion of SR-138. Maintenance responsibilities for all proposed traffic signals along SR-138 should be discussed. **L-20.3**
- 4.2. What types of traffic signal communications lines are proposed? If the proposed project includes the installation of fiber optics in Caltrans right-of-way, LACDPW requests the shared use of the fiber optics.
5. Page 105 of the DEIR, Table 45: Revise table to reflect the maximum delay on any approach. **L-20.4**
6. Page 106 of the DEIR, Table 46:
- 6.1. Revise table to reflect the maximum delay on any approach and total intersection delay for all intersections. **L-20.5**
- 6.2. Displaced Left Turns are not recommended at intersections where pedestrian access and commercial development are in high demand. Please provide land use maps for the areas surrounding the Displaced Left-Turn.
- 6.3. Antelope Acres residents are expected to cross the un-signalized intersection of SR-138 at 90<sup>th</sup> Street West. Please provide a feasibility study analyzing the crossing needs of vehicles, bicycles, and pedestrians.
7. Page 107 of the DEIR, Table 47: Revise table to reflect the maximum delay on any approach and total intersection delay for all intersections. **L-20.6**
8. Page 111 of the DEIR, *All Alternatives, Year 2020/2025* - Paragraph 1: Table 51 should be referenced instead of Table 49. **L-20.7**

## Responses to Comment Letter L-20 Los Angeles County Department of Public Works

### Response to Comment L-20.2

Tables 49, 51, 59, and 61 have been added to section 3.1.6 (Traffic and Transportation/Pedestrian and Bicycle Facilities) to provide intersection delays.

### Response to Comment L-20.3

4.1. The maintenance of these facilities will be coordinated between the Caltrans and the County through a future maintenance agreement.

4.2. Noted.

### Response to Comment L-20.4

Table 47 has been revised to reflect the maximum delay on any approach.

### Response to Comment L-20.5

6.1. Table 49 has been added to section 3.1.6 (Traffic and Transportation/Pedestrian and Bicycle Facilities) to reflect the maximum delay on any approach.

6.2. Land use maps are provided in the appendix. Pedestrian volumes and commercial development are expected to be low at the locations identified for the Displaced Left-Turn treatments.

6.3. Different intersection treatment options were developed and analyzed to provide for vehicle, bicycle and pedestrian movements. Appropriate treatments will be analyzed as the corridor develops and improvements are identified for implementation. This includes the intersection at 90<sup>th</sup> Street West. The appropriate improvements will be analyzed as they designed for implementation.

### Response to Comment L-20.6

Table 51 has been added to section 3.1.6 (Traffic and Transportation/Pedestrian and Bicycle Facilities) to reflect the maximum delay on any approach.

### Response to Comment L-20.7

The revision has been made on pg. 122 in section 3.1.6 (Traffic and Transportation/Pedestrian and Bicycle Facilities)

Mr. Ron Kosinski  
September 28, 2016  
Page 3

9. Page 111 of the DEIR, Table 51:  
Provide a more quantitative reasoning for the reduction in truck percentages in the DEIR. **L-20.8**

10. Page 114 of the DEIR, Table 54:  
10.1. Revise table to reflect the maximum delay on any approach and total intersection delay for all intersections.  
10.2. Displaced Left Turns are not recommended at intersections where pedestrian access and commercial development are in high demand. Please provide land use maps for the areas surrounding the Displaced Left-Turn. **L-20.9**  
10.3. Antelope Acres residents are expected to cross the un-signalized intersection of SR-138 at 90<sup>th</sup> Street West. Please provide a feasibility study analyzing the crossing needs of vehicles, bicycles, and pedestrians.

11. Page 116 of the DEIR, Table 55:  
Revise table to reflect the maximum delay on any approach and total intersection delay for all intersections. **L-20.10**

Comments on the Transportation Analysis Report (TAR)

12. Page 4 of the TAR, *Build Alternative 2* - Paragraph 2:  
Antelope Acres residents are expected to cross the un-signalized intersection of SR-138 at 90<sup>th</sup> Street West. Please provide a feasibility study analyzing the crossing needs of vehicles, bicycles, and pedestrians. **L-20.11**

Comments on Appendices Included in the Transportation Analysis Report

13. Appendix I – Is Alternative 3 the TSM option? The report does not clarify what each of the calculations represents. **L-20.12**

14. Appendix K – Is Alternative 3 the TSM option? The report does not clarify what each of the calculations represents.

If you have any questions regarding comments nos. 1-14, please contact Mr. Jeff Plety of Public Works' Traffic and Lighting Division at (626) 300-4851 or [jplet@dpw.lacounty.gov](mailto:jplet@dpw.lacounty.gov).

Drainage Design

**Responses to Comment Letter L-20**  
**Los Angeles County Department of Public Works**

Response to Comment L-20.8

The number of trucks using the corridor under Alternatives 1 and 2 are higher than in the No Build alternative; however, the traffic forecasts are also significantly higher for normal passenger vehicles and therefore the overall truck percentage is lower.

Response to Comment L-20.9

**10.1.** Table 59 has been added to section 3.1.6 (Traffic and Transportation/Pedestrian and Bicycle Facilities) to reflect the maximum delay on any approach.

**10.2.** Land use maps are provided in the appendix. Pedestrian volumes and commercial development are expected to be low at the locations identified for the Displaced Left-Turn treatments.

**10.3.** Different intersection treatment options were developed and analyzed to provide for vehicle, bicycle and pedestrian movements. Appropriate treatments will be analyzed as the corridor develops and improvements are identified for implementation. This includes the intersection at 90<sup>th</sup> Street West. The appropriate improvements will be analyzed as they designed for implementation.

Response to Comment L-20.10

Table 61 has been added to section 3.1.6 (Traffic and Transportation/Pedestrian and Bicycle Facilities) to reflect the maximum delay on any approach.

Response to Comment L-20.11

Different intersection treatment options were developed to provide for vehicle, bicycle and pedestrian movements. The studied alternatives provided the details of each intersection type.

Response to Comment L-20.12

Appendix I - Alternative 3 is the no build alternative.

Appendix K - The proposed cross culverts are designed for the 100-year storm event. Please see Preliminary Drainage Report. The DEIR will be revised accordingly.

Mr. Ron Kosinski  
September 28, 2016  
Page 4

15. Page 172 of the DEIR: Proposed culverts only provide for the 25 years storm flood level protection. All culverts that cross under a County of Los Angeles (COLA) major/secondary highway shall be designed to provide capital flood level of protection per the COLA Hydrology manual. The DEIR should be revised accordingly. **L-20.13**
16. The west end of the proposed improvement which lies within the Hungry Valley of the Piru sub-watershed, is part of the Santa Clara River watershed. This area discharges to Quail Lake and then to Pyramid Lake. Both Quail/Pyramid lakes also serve as regional storage facilities for waters of the West Branch of the California Aqueduct. Because the Piru sub-watershed drains into the facilities providing drinking water for the Los Angeles basins, it is recommended that all excess flows generated from this improvement within this sub-watershed, mainly due to the increase of the impervious areas, be treated before discharging into the receiving water bodies. Please address this issue in the DEIR. **L-20.14**
17. We request the review of the Hydrology/Hydraulic report when available in the future. **L-20.15**

If you have any questions regarding comments nos. 15-17, please contact Mr. Michael Hong of Public Works' Design Division, Drainage Section 2, at (626) 458-7897 or [mhong@dpw.lacounty.gov](mailto:mhong@dpw.lacounty.gov).

**Water Quality**

18. The alternatives of the proposed project passes through a groundwater recharge preserves specified in the 1987 Antelope Valley Comprehensive Plan located at the intersection of 250th St and Lancaster Road (see attached Recharge Area Aerial). The project should minimize and mitigate any impacts on the groundwater recharge preserve. **L-20.16**
19. The proposed project should comply with the Los Angeles County Department of Regional Planning's 2015 Antelope Valley Area Plan. **L-20.17**

If you have any questions regarding comments nos. 18-19, please contact Mr. Armond Ghazarian of Public Works' Watershed Management Division at (626) 458-7149 or [aghazar@dpw.lacounty.gov](mailto:aghazar@dpw.lacounty.gov).

**Solid waste/Hazardous Waste/Storm Water**

- Page 221 of the DEIR, Section 3.2.5 states that:

**Response to Comment L-20.13**

The following statement has been added to section 3.2.1 (Hydrology and Floodplain):

“Culverts that cross under County of Los Angeles major/secondary highways shall be designed to provide for a 50-year storm event per the County of Los Angeles Hydrology Manual.”

**Response to Comment L-20.14**

The following measure has been added to section 3.2.2 (Water Quality and Storm Water Runoff):

“A Storm Water Management Plan (SWMP) would be prepared to reduce or eliminate pollutants in runoff discharging to drainage conveyances and waterways. The SWMP is the framework for developing and implementing guidance to meet permit requirements for storm water discharges. Storm water quality mitigation is accomplished by complying with the Statewide Permit and SWMP. Avoidance and minimization measures for Stormwater are accomplished through implementation of approved BMPs, which are generally broken down into four categories: Pollution Prevention, Treatment, Construction, and Maintenance BMPs. The Storm Water Program contains guidance for implementation of each of these BMPs. Certain projects may require installation and maintenance of permanent controls to treat storm water. Selection and design of permanent project BMPs is refined as the project progresses through the planning stage and into final design.”

**Response to Comment L-20.15**

The Hydrology/Hydraulic Report will be provided upon completion.

**Response to Comment L-20.16**

As stated in section 3.2.2 (Water Quality and Storm Water Runoff), BMPs would be implemented to avoid and minimize impacts on groundwater. Infiltration devices are considered the preferred treatment BMP for its ability to treat Pollutants of Concern from typical highway runoff and recharge groundwater.

**Response to Comment L-20.17**

The Los Angeles County Antelope Valley Area Plan has been added to the Affected Environment discussion of section 3.2.2 (Water Quality and Storm Water Runoff). The project would be consistent with the goals and policies described in the Antelope Valley Area Plan.

Mr. Ron Kosinski  
September 28, 2016  
Page 5

"Hazardous Waste / Materials; Affected Environment; Observations Within the Study Area Outside the Proposed ROW - Treated Wood Waste (TWW), that TWW can be handled as solid waste, and removal and disposal of TWW shall be managed under CCR, Title 22, Chapter 34, which specifies guidelines for storage, accumulation, shipment/transport, and disposal of TWW at specific landfills."

- Page 187 of the DEIR, Section 3.2.2 - Water Quality and Storm Water Runoff; Avoidance, Minimization, and/or Mitigation Measures - WQ-2, further states that: "The Job Site BMP strategy for the project would include among others, waste management, spill prevention and control, solid waste management, hazardous waste management, contaminated soil management, concrete waste management, sanitary/septic waste management, and liquid waste management."
- Page 184 of the DEIR, Section 3.2.2 - Water Quality and Storm Water Runoff, Environmental Consequences - Long-Term Operational Impacts, also states that: "Pollutants of concern during the operation of the build alternatives include suspended solids/sediments, nutrients, pesticides, heavy metals, oil and grease, toxic organic compounds, and trash and debris."

Therefore, environmental documents should address the following comments:

**20. Solid Waste**

- Daily solid waste generation in Los Angeles County will exceed the available daily disposal capacity at a future time. The proposed project will increase the generation of solid waste and negatively impact the solid waste management infrastructure. Therefore, environmental documents should identify what measures will be implemented to mitigate the impact. Mitigation measures may include waste reduction and recycling programs and development of infrastructure in the project to facilitate recycling.

**L-20.18**

**21. Hazardous Waste**

- If any excavated soil is contaminated by or classified as hazardous waste by an appropriate agency, the soil must be managed and disposed in accordance with applicable Federal, State, and local laws and regulations.

**L-20.19**

**22. Underground Storage Tanks / Industrial Waste / Stormwater**

- Should any operation within the subject project include the construction, installation, modification or removal of underground storage tanks (Los Angeles County Code [LACC] Title 11, Division 4), industrial waste treatment or disposal facilities, and/or storm water treatment facilities. Environmental Programs Division must be contacted for required approvals and operating permits. Specific industry types will also be subject to registration and inspections related to implementation of best management practices to prevent stormwater related pollution (LACC Title 12, Chapter 12.80). Visit

**L-20.20**

**Responses to Comment Letter L-20  
Los Angeles County Department of Public Works**

**Response to Comment L-20.18**

The preferred alternative would require some level of demolition to accommodate the proposed improvements, which would create demolition and construction debris. These short-term impacts could potentially be adverse when considered with the waste disposal needs of the other cumulative projects in the area. Recycling of material either onsite or offsite would minimize the impacts of the preferred alternative; however, the preferred alternative would not result in long-term cumulative impacts on solid waste disposal because it is a transportation facility and would result in only a minor increase in collection of roadside debris. The projects in the study area would potentially increase solid waste demand due to intensification of land uses and could incrementally reduce capacity within the County of Los Angeles sanitary landfills. Application of State-mandated recycling requirements for construction and operational activities would reduce the total increase and minimize solid waste.

**Response to Comment L-20.19**

Caltrans will manage and dispose of any excavated soil that is contaminated by or classified as hazardous waste in accordance with applicable Federal, State, and local laws and regulations.

**Response to Comment L-20.20**

This statement has been added to pg. 205 in section 3.2.2 (Water Quality and Storm Water Runoff).

Mr. Ron Kosinski  
September 28, 2016  
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<http://dpw.lacounty.gov/epd/cleanla/Business.aspx> online or contact Environmental Program Division at (626) 458-3517 for more permit information.

If you have any questions regarding comments nos. 20-22, please contact Ms. Nilda Gemeniano at (626) 458-5184 or [ngemenia@dpw.lacounty.gov](mailto:ngemenia@dpw.lacounty.gov).

If you have any other questions or require additional information, please contact Mr. Toan Duong of Public Works' Land Development Division at (626) 458-4910 or [tduong@dpw.lacounty.gov](mailto:tduong@dpw.lacounty.gov).

Very truly yours,

GAIL FARBER  
Director of Public Works

ANTHONY E. NYIVIH  
Assistant Deputy Director  
Land Development Division

TD:  
\\saw01\pub\GIS\AV\BPCHECK\Plan Checking Files\Projects not associated with a TRF\NW-138\Single Lot\Plan\NORTHWEST SR138 CORRIDOR IMPROVEMENT PROJECT\DEP\2016-09-28 DEP SUBMITTAL\2016-09-28 NORTHWEST SR 138 CORRIDOR DEP DPW Documents.dwg

Attached



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