



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
South Coast Region  
3883 Ruffin Road  
San Diego, CA 92123  
(858) 467-4201  
www.wildlife.ca.gov

GAVIN NEWSOM, Governor  
CHARLTON H. BONHAM, Director



May 2, 2019

Gabriela Duran  
California Department of Transportation District 12  
1750 East Fourth Street, Suite 100  
Santa Ana, CA 92705  
D12.ELTORO@dot.ca.gov

Governor's Office of Planning & Research

MAY 02 2019

STATE CLEARINGHOUSE

**Subject: Comments on the Initial Study with Proposed Mitigated Negative Declaration for the Interstate 5/EI Toro Road Interchange Project (SCH# 2019049006)**

Dear Ms. Duran:

The California Department of Fish and Wildlife (Department) has reviewed the above-referenced Initial Study with Proposed Mitigated Negative Declaration (IS/MND) for the Interstate 5 (I-5)/EI Toro Road Interchange Project (Project) dated April 2019. The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the proposed project (California Environmental Quality Act [CEQA], Guidelines § 15386) and pursuant to our authority as a Responsible Agency under CEQA Guidelines section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (CESA; Fish and Game Code [FGC] § 2050 *et seq.*) and FGC section 1600 *et seq.* The Department also administers the Natural Community Conservation Planning (NCCP) program. The California Department of Transportation (Caltrans) is a Participating Special Entity under the Orange County Transportation Authority (OCTA) M2 Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP). The comments provided herein are based on the information provided in the IS/MND, the Natural Environment Study (NES) dated October 2018, the Addendum to the NES dated December 2018, the OCTA M2 NCCP/HCP, and our knowledge of sensitive and declining habitats.

The Project would be funded by OCTA as part of the Renewed Measure M (M2) Freeway Program and covered as "Project D" under the OCTA M2 NCCP/HCP, signed June 2017. The Project is located in Orange County within the cities of Laguna Hills, Lake Forest, and Laguna Woods extending from 0.1 mile south of Los Alisos Boulevard to 0.4 mile north of Ridge Route Drive, and on EI Toro Road between Rockfield Boulevard to Paseo De Valencia. The Project includes Alternative 2 Flyover, Alternative 4 Option B Southbound Collector Distributor and Hook Ramps, and the No Build Alternative. According to the NES, "The build alternatives vary, but propose to increase vehicle capacity, improve mobility, and relieve congestion at the interchange. Additionally, the proposed improvements will expand existing and future regional mobility, provide congestion relief on the mainline ramps and local streets, and will serve to improve vehicle safety and traffic flow to and from the local street network as well as be consistent with local planning."

The Biological Study Area (BSA), consisting of the Project footprint and a 500-foot buffer, includes riparian habitat associated with Aliso Creek. This habitat is outside the Project footprint and no direct impacts are expected. The NES indicates that regardless of the chosen

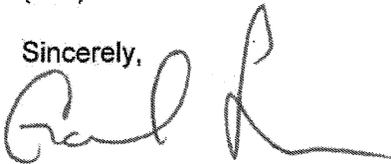
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alternative, no native plant communities or natural communities of special concern would be impacted by the Project. Additionally, no special status fish or wildlife species were observed during baseline biological surveys. The Project identified two concrete drainage features that may be subject to Fish and Game Code section 1600 et seq.

The Department evaluated the biological assessment and proposed protection measures in the IS/MND and found them to be consistent with those established in the NCCP/HCP. The Department appreciates the cooperation of Caltrans in protecting sensitive biological resources.

Thank you for the opportunity to comment on the IS/MND. If you have any questions regarding this letter, please contact Simona Altman at [simona.altman@wildlife.ca.gov](mailto:simona.altman@wildlife.ca.gov) or (858) 467-4283.

Sincerely,



Gail K. Sevrens  
Environmental Program Manager  
South Coast Region

ec: State Clearinghouse, Sacramento  
Kyle Rice, CDFW  
David Mayer, CDFW  
Jonathan Snyder, US Fish and Wildlife Service, [jonathan\\_d\\_snyder@fws.gov](mailto:jonathan_d_snyder@fws.gov)  
Lesley Hill, Orange County Transportation Authority, [lhill@octa.net](mailto:lhill@octa.net)