

Appendix A – Draft Section 4(f) Preliminary *De Minimis* Determination and Resources Evaluated Relative to the Requirements of Section 4(f)

This Section 4(f) includes preliminary *de minimis* determinations for Cavanaugh Mini Park. It also includes information regarding resources evaluated relative to the requirements of Section 4(f) but did not trigger protection under Section 4(f).

A.1 Introduction

Section 4(f) of the United States 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.”

Section 4(f) further requires consultation with the United States Department of the Interior and, as appropriate, the involved offices of the Department of Agriculture and the Department of Housing and Urban Development in developing transportation projects and programs that use lands protected by Section 4(f). If historic sites are involved, then coordination with the State Historic Preservation Officer is also needed.

This appendix provides an evaluation of whether the proposed Interstate 5 (I-5)/EI Toro Road Interchange Project (project) would trigger the requirements for protection under Section 4(f) for any publicly owned parks, recreational facilities, wildlife refuges, and/or National Register of Historic Places (NRHP) listed or eligible historic properties.

The proposed project will receive federal funding; therefore, it is subject to Section 4(f) analysis. The area within 0.5 mile of maximum disturbance limits (project footprint) for the Build Alternatives (including Design Option B) was used to define the Study Area for existing publicly owned recreation and park properties, including local, regional, State and Federal properties; existing play and sports fields of public schools with public access, publicly owned wildlife and waterfowl refuges and conservation areas, and existing off-street public bicycle, pedestrian, and equestrian

trails. The Study Area was defined to identify an area large enough to assess the potential for the project to result in proximity impacts to properties protected under Section 4(f).

There are 12 public parks, 1 open space, 4 public schools, and 1 multi-use trail within 0.5 mile of the project vicinity (refer to Tables A.1 and A.3 below). This Section 4(f) includes a preliminary *de minimis* determination for one property, Cavanaugh Mini Park. It also includes information regarding resources evaluated relative to the requirements of Section 4(f) but did not trigger protection under Section 4(f).

A.2 Project Description

The California Department of Transportation (Caltrans) District 12, in cooperation with the Orange County Transportation Authority (OCTA), is proposing to improve the I-5/EI Toro Road Interchange in both directions between Post Mile (PM) 17.8 and PM 19.7 in the Cities of Laguna Hills, Lake Forest, and Laguna Woods in Orange County, California. The project limits on I-5 extend from approximately 0.1 miles south of Los Alisos Boulevard Overcrossing to 0.4 miles north of Ridge Route Drive, and on EI Toro Road from Rockfield Boulevard to Paseo de Valencia, for distance of 1.9 miles. This project has two Build Alternatives: Build Alternative 2 Flyover and Build Alternative 4 Southbound Collector Distributor and Hook Ramps with Design Option B, and one No Build Alternative. Caltrans, assigned by the Federal Highway Administration (FHWA), is the Lead Agency under the National Environmental Policy Act (NEPA). Caltrans is also the lead agency under the California Environmental Quality Act (CEQA). An Initial Study with proposed Mitigated Negative Declaration is being prepared pursuant to CEQA and an Environmental Assessment with a Finding of No Significant Impact is being prepared pursuant to NEPA.

The purpose of the project is to improve traffic flow and traffic signal optimization, reduce traffic congestion at and through adjacent local street intersections, and reduce freeway ramp queuing. The proposed improvements will improve existing and future regional mobility and traffic flow to and from the local street network, be consistent with local planning, and consider impacts to rights-of-way. In addition, congestion relief on the mainline ramps and local streets will serve to improve mobility. The need of the project is that the area within the I-5/EI Toro Interchange experiences heavy peak-hour congestion and traffic delays due to the high traffic volumes, geometric deficiencies related to inadequate signal operations (or signal queueing distances), and major delays due to traffic queuing at the intersections of the on- and off-ramps and local streets, affecting both the traffic operations and circulation within the project area. The two Build Alternatives (including Design Option B) considered are described below.

A. Build Alternative 2: Flyover

Alternative 2 proposes a flyover structure that connects the southbound I-5 traffic to eastbound EI Toro Road by traversing the modified southbound I-5 hook off-ramp and the existing I-5 and joining with the existing Bridger Road. A new alignment for the proposed southbound I-5 flyover off-ramp to Bridger Road is required. The existing northbound I-5 on-ramp from westbound EI Toro Road will be removed and replaced with a proposed on-ramp from Bridger Road; therefore, a new alignment of the proposed northbound I-5 on-

ramp from Bridger Road is required. The existing I-5 southbound hook off-ramp will be realigned to provide access to westbound El Toro Road. Bridger Road will be reconstructed to accommodate the proposed northbound I-5 on-ramp and the southbound I-5 flyover off-ramp and to eliminate business access. A portion of Avenida de la Carlota would be reconstructed to accommodate the proposed improvements. This work will also require modification of existing drainage culverts and relocation of any utilities in conflict with the proposed work. There will be retaining walls/sound walls constructed as necessary. The construction of the proposed project will require traffic and pedestrian detours, equipment staging areas, and right-of-way acquisition including temporary easements, as well as ground disturbance and the removal of vegetation and trees.

B. Build Alternative 4: Southbound Collector Distributor and Hook Ramps

Alternative 4 proposes a new hook-style interchange with new southbound I-5 ramps that would connect to a new signalized intersection with Avenida de la Carlota in part of the Five Lagunas shopping center (formerly the Laguna Hills Mall) parking area. This alternative also proposes a southbound collector/distributor (CD) system beginning at the existing southbound off-ramp to El Toro Road and ending at the Los Alisos Boulevard overcrossing. The existing El Toro Road undercrossing bridge will be widened, the existing southbound hook on- and off-ramps to and from Avenida de la Carlota will be realigned, and the alignment of Avenida de la Carlota south of El Toro Road will be shifted to the west, adjacent to the Five Lagunas shopping center, to accommodate the proposed CD road and the proposed southbound hook on- and off-ramps south of El Toro Road. The existing northbound I-5 on-ramp from westbound El Toro Road will be modified to extend further before connecting to I-5. A portion of Bridger Road will be reconstructed to accommodate modifications to this on-ramp. A portion of Avenida de la Carlota between Paseo de Valencia and El Toro Road would also be realigned and reconstructed. This work will also require modification to existing drainage culverts and relocation of any utilities in conflict with the proposed work. Retaining walls/sound walls will be constructed as necessary. The construction of the proposed project will require traffic and pedestrian detours, equipment staging areas, right-of-way acquisition (including temporary easements), and ground disturbance and the removal of vegetation and trees.

B.1 Alternative 4 - Design Option B

Design option B proposes improvements for the northbound I-5 on-ramp from El Toro Road. The existing northbound I-5 on-ramp from westbound El Toro Road will be removed and replaced with a proposed on-ramp from Bridger Road; therefore, a new alignment of the northbound I-5 on-ramp from Bridger Road will be required. Bridger Road will be reconstructed to accommodate the proposed northbound I-5 on-ramp, and a continuous-median left-turn lane will be proposed to provide access to local businesses from Bridger Road.

Even with the implementation of this design option, everything as described above for Alternative 4 still applies with minor variations.

C. No Build Alternative

Under the No Build Alternative, no construction or improvements would be made to the existing I-5/EI Toro Road Interchange, with the exception of proposed projects that are under development or concurrently in construction. This alternative provides a baseline for comparison of environmental impacts under the Build Alternatives (including Design Option B).

A.3 De Minimis Determination

This section of the document discusses *de minimis* impact determinations under Section 4(f). Section 6009(a) of SAFETEA-LU amended Section 4(f) legislation at 23 USC 138 and 49 USC 303 to simplify the processing and approval of projects that have only *de minimis* impacts on lands protected by Section 4(f). This amendment provides that once the United States Department of Transportation determines that a transportation use of Section 4(f) property, after consideration of any impact avoidance, minimization, and mitigation or enhancement measures, results in a *de minimis* impact on that property, an analysis of avoidance alternatives is not required and the Section 4(f) evaluation process is complete. FHWA's final rule on Section 4(f) *de minimis* findings is codified in 23 Code of Federal Regulations (CFR) 774.3 and CFR 774.17.

Responsibility for compliance with Section 4(f) has been assigned to Caltrans pursuant to 23 USC 326 and 327, including *de minimis* impact determinations, as well as coordination with those agencies that have jurisdiction over a Section 4(f) resource that may be affected by a project action.

There is one recreational facility/local park, Cavanaugh Mini Park, owned and operated by the City of Lake Forest (referred to in this appendix as the City), that has been determined to trigger the requirements for protection under Section 4(f).

CAVANAUGH MINI PARK

Description of Activities, Features and Attributes

Cavanaugh Mini Park, 23782 Cavanaugh Road, is one of 31 existing city parks and recreation facilities within the City of Lake Forest, according to Table RR-2 of the Lake Forest General Plan Recreation and Resources Element [revised September 2016]¹); this includes mini parks, neighborhood parks, and community parks. Mini parks are small, passive, local parks generally less than 1 acre in size. Cavanaugh Mini Park is part of two Assessor Parcel Nos. or APNs (APN 617-185-07 and 617-185-08). It is a recreational or play area that consists of a lighted half-court basketball area, and a picnic table, as well as a children's playground (refer to Table A.1 below). Indirect reference to coordinating with Niki Wetzel, the Assistant Director of Community Development of the City of Lake Forest, in an email dated November 20, 2018, in which a City Council Agenda Report from December 6, 1994, Quitclaim and Certificate of Acceptance dated December 27, 1994, and Tract No. 6770 dated

¹ Lake Forest General Plan Recreation and Resources Element. 2016. Website: (<https://www.lakeforestca.gov/DocumentCenter/View/841/5---Recreation-and-Resources-Element-revised-September-2016-PDF> p.12)

Table A.1: Section 4(f) Resource

Property Name	Description	Official Agency with Jurisdiction	Distance from Project Footprint	Type of Use
Cavanaugh Mini Park	Location: 23782 Cavanaugh Rd, Lake Forest, CA 92630 Size: 0.2 acre Features: lighted half-court basketball area and play apparatus, picnic table	City of Lake Forest	The proposed project crosses the parcel which includes the mini park (Figure A-1)	<i>De Minimis</i>

April 12, 1977 (see attached email reference). The mini park is indicated as 0.2 acre and only partially spans both Assessor's Parcels as shown in Figure A-1 (617-185-07 and 617-185-08). The City of Lake Forest considers the mini park as just the play area (play apparatus and the half-court basketball area), which is 0.2 acre. Caltrans' right-of-way plans reflect APN 617-185-08 (which includes the play area) as the encompassment of surrounding area such as the sidewalk and cul-de-sac (refer to Figure A-1). In addition, the actual size of this parcel is unknown and for the purposes of analysis in this Section is referred to as more than 0.32 acre. As shown in Figure A.1, Cavanaugh Mini Park also cuts through only a sliver portion of the northern part of APN 617-185-07, which is the open space area.

A.3.1 Proposed 'Use' (Direct Use)

Both Build Alternatives (including Design Option B) would result in partial acquisition of APNs 617-185-07 and 617-185-08. Build Alternative 2 would require 13,750 square feet (0.32 acre) of partial acquisition. Build Alternative 4 (including Design Option B) would require partial acquisition of 6,760 square feet (0.16 acre) and a temporary construction easement (TCE) of 1,860 square feet (0.04 acre).

A.3.2 Why the Use is De Minimis

A field visit was conducted on Monday, October 8, 2018, between the hours of 3:00 p.m. and 4:00 p.m. to observe the types of activities and number of people frequenting the park. A total of seven people was observed within the hour: five young adults sitting at the picnic table and two young adults standing by the picnic table near the frontage road/business area. No one was observed using the play equipment or the basketball court. Another field visit was conducted on the morning of Tuesday, October 9, 2018, between 9:00 a.m. and 10:00 a.m. No one was observed using the park. Several other field visits were also conducted the following week; most of the time, transients were found sleeping within the park with a few exceptions of people walking their dogs. Caltrans has coordinated with the City regarding the use of this mini park and the City's understanding is similar. There is no natural habitat, vegetation, or special-status species present.

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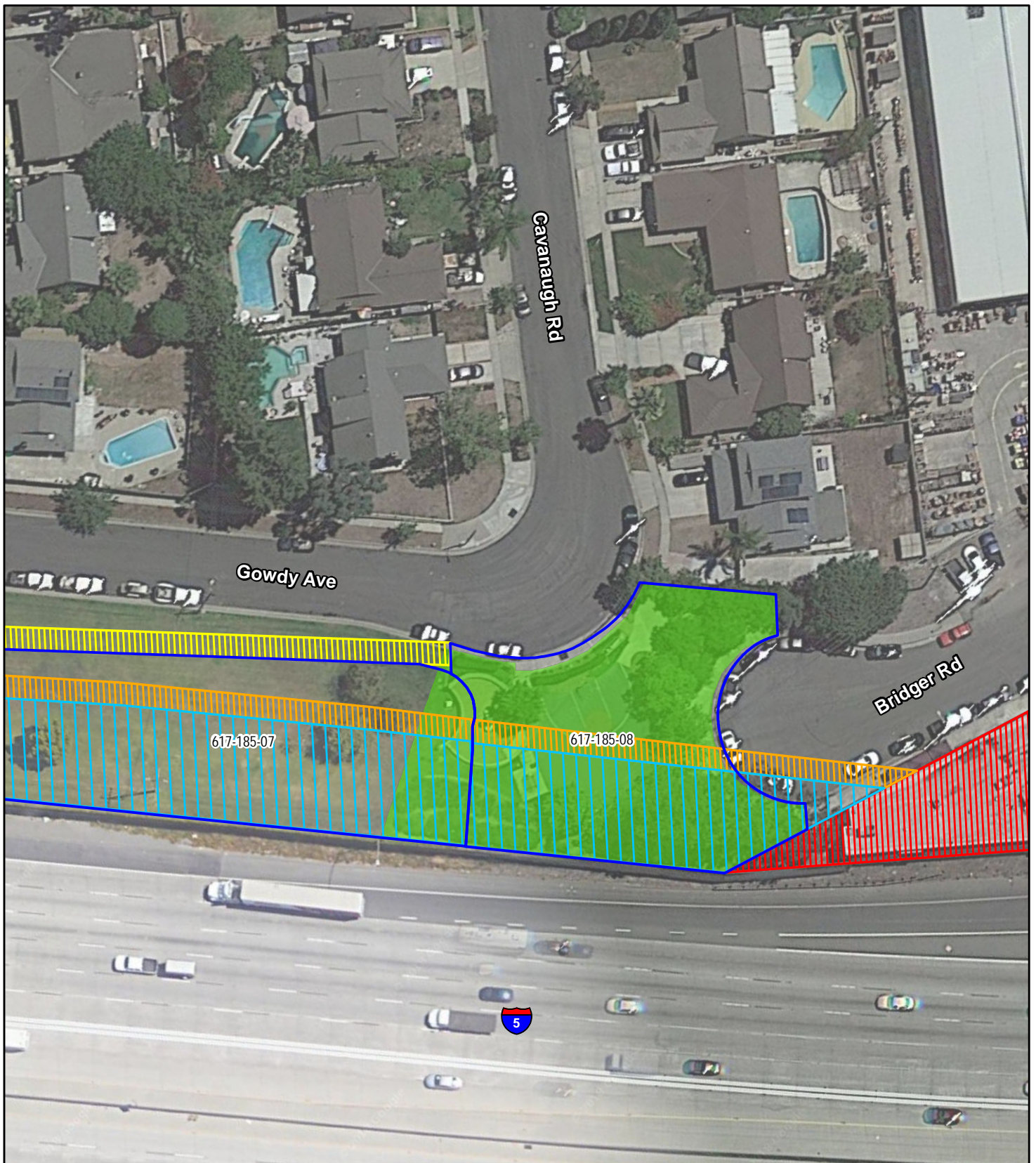


FIGURE A-1

LEGEND

Cavanaugh Mini Park

Alternative 2 and Alternative 4-Option B

Partial Acquisition

Temporary Construction Easement

Alternative 4

Partial Acquisition

Temporary Construction Easement

Full Acquisition



0 30 60
FEET

SOURCE: Google (2017); OC Parks (2017); Caltrans (2/4/2018)

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*I-5/El Toro Road
Interchange Project*

Cavanaugh Park Acquisitions

12-ORA-5 PM 17.8/19.7

EA 0M9800

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In addition, the size of the park and its limited outdated facilities are also in an area that is not visible to most residents in the area, which has made it attractive to transients.

The Recreation and Resources Element (Element) (Table RR-2 of the General Plan) lists the combined total acreage of all 31 existing city parks as 293.15 acres. Cavanaugh Mini Park (0.2 acre) represents 0.1 percent of the total parklands present in the city. The mini park is a very small representation of all the parkland within the entire City of Lake Forest. In the City's General Plan, mini parks are defined as passive local parks. In addition, it is evident from the Element (Table RR-2 of the General Plan) that there are several nearby parks that offer similar or better facilities to their community. Based on the usage of this 4f resource as discussed above and the number of available resources within the project vicinity, it is unlikely there would be any burden on the existing parklands.

According to the Element, based on the city parkland standard (5 acres per 1,000 population standard) and existing and planned park facilities, there was an existing shortfall of 144 acres in the City of Lake Forest before the removal of the 0.2 acre that include Cavanaugh Mini Park.

However, the Element concludes, this deficit in the city will be offset by the recreational opportunities offered by Limestone Canyon Regional Park and Whiting Ranch Wilderness Park, other nearby regional parks, private parks, and schools in the Planned Communities. It also concluded that due to the existing deficits in improved park and recreational opportunities within the city, all open space identified on the General Plan Land Use Policy Map (Figure LU-1) provides potential recreational opportunities that are necessary to meet the current recreational needs of the residents of the Planning Area. As a result, property designated for open space uses will only be allowed to change to non-open space use if (a) the owners of the property are able to prove that sufficient improved park and recreational opportunities exist within the city to meet the current need for park and recreational opportunities, or (b) land within the Regional Park/Open Space designation requires reconfiguration to create a continuous regional open space link, including either minor reductions or increases in acreage, or (c) the project contributes parkland at more than the 5 acres per 1,000 population standard. The land to be acquired by the proposed project is designated as open space; however, it represents a very small percentage (0.1 percent) of the total parkland within the entire City of Lake Forest.

Based on the above requirements, Caltrans and the City of Lake Forest have been in close coordination regarding this acquisition and City of Lake Forest officials agree with the project and the acquisition. Through the coordination with the City, the project proposes to incorporate minimization measure LU-6 (Section 4f-1) to relocate the facilities of the mini park to the adjacent open space. This would provide for an opportunity to enhance and upgrade the mini park as well as allowing the community to enjoy the facilities in the same general area. Furthermore, it is anticipated that an upgrade of the relocated mini park equipment may potentially attract more visitors than at the existing park. In addition, Caltrans proposes to incorporate minimization measure Section 4f-2, survey the properties in close proximity to Cavanaugh Park during the design phase to seek community's choice of park facilities/features. If feasible, Caltrans would also incorporate minimization measure 4f-3 and recommend constructing the new park facilities in its new proposed location in advance of the

actual impacts to Cavanaugh Mini Park, which would allow the community to continue the use of the park facilities. While Caltrans proposes to relocate park facilities, Caltrans will compensate the city (REL-1), in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

Currently, the mini park area is adjacent to I-5 and does not contain of any special-status plant species or designated critical habitats. The urbanization of the area and the existing I-5 adjacent to this park has already contributed to degradation of habitat in the specific area to be acquired. For any visual impacts that may occur due to the partial acquisition, an Architectural Design Review Team consisting of local representatives and Caltrans District 12 Landscape Architecture will ensure that proposed architectural treatments comply with aesthetic requirements of the City of Lake Forest and that any replacement of park facilities would provide the same—if not improved visual quality—to the community than the existing park. In addition, PF-VIS-2 and PF-VIS-3 will be implemented during final design and construction.

In addition to the partial acquisition discussed above, Alternative 4 would require a TCE of 1,860 square feet (0.04 acres) from the parcel that includes Cavanaugh Mini Park. For both Build Alternatives (including Design Option B), during the construction phase, there would be minor inconveniences to the community in this location. The following project features described below under Avoidance, Minimization and Mitigation Measures would be implemented to minimize these inconveniences to the community: PF-TRA-1, PF-CI-1, PF-CI-3, and PF-N-1.

Hence, the partial acquisition and TCE needed would not affect the activities, features, and attributes of Cavanaugh Park. These impacts would be minimal with the incorporation of the Avoidance, Minimization and/or Mitigation Measures as discussed below. Because of the reasons above and with the inclusion of Avoidance, Minimization and Mitigation Measures, Caltrans has made a preliminary *de minimis* determination.

A.3.3 AVOIDANCE, MINIMIZATION AND MITIGATION MEASURES/ENVIRONMENTAL COMMITMENTS RECORD

To minimize impacts to the Section 4(f) Use, the following project features (PFs) and minimization measures are included in the proposed project and in the Environmental Commitments Record:

PF-TRA-1	A Transportation Management Plan (TMP) shall be included in the design plans for implementation by the contractor prior to and during construction of any improvements. The TMP shall consist of prior notices, adequate sign posting, detours, phased construction, and temporary driveways where necessary. The TMP shall specify implementation timing of each plan element (e.g., prior notices, sign posting, detours) as determined appropriate by Caltrans. Adequate local emergency access shall be provided at all times to adjacent uses. Proper detours and warning signs shall be established to ensure public safety. The TMP shall be devised so that construction shall not interfere with any emergency response
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or evacuation plans. Construction activities shall proceed in a timely manner to reduce impacts.

LU-6 (Section 4f-1) Caltrans would relocate the facilities of the mini park to the adjacent open space during the construction phase, this would provide for an opportunity to enhance and upgrade the mini park.

LU-7 (Section 4f-2) Caltrans and the City of Lake Forest will perform outreach activities during the design phase to seek community's choice of park facilities/features.

LU-8 (Section 4f-3) If feasible, Caltrans would also recommend constructing the new park facilities in their new proposed location in advance of the actual impacts to Cavanaugh Mini Park. This will allow the community to continue the use of the park facilities.

REL-1 Property acquisition will be conducted in compliance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act) (Public Law 91-646, 84 Statutes 1894). The Uniform Act mandates that certain relocation services and payments be made available to eligible residents, businesses, and nonprofit organizations displaced by federal or federally assisted projects. The Uniform Act provides for uniform and equitable treatment by federal or federally assisted programs of persons displaced from their homes, businesses, or farms and establishes uniform and equitable land acquisition policies.

VIS-2 **Replacement Landscape and Irrigation in Areas Impacted by Construction.** To maintain the context of the project area (color, form, and texture) landscaping shall be installed that is compatible with the existing landscape along I-5 in the project vicinity and surrounding area. Where feasible, landscaping shall include specimen sized trees and/or shrub/groundcover mass planting, and landscape treatment along walls to soften the hardscape features and reduce glare and radiant heat from the walls. In areas where soundwalls are visible from adjacent residential land uses, vines and landscaping shall be utilized to screen views to the wall where feasible. The landscape concept, plan, and plant palette shall be determined in consultation with, and approved by, the District Landscape Architect in consultation with the cities of Lake Forest, Laguna Hills, and Laguna Woods during the Plans, Specifications, and Estimate (PS&E) phase. All vine and landscape proposed shall conform with the planting policy requirements of Caltrans and the applicable goals and policies of the City of Lake Forest General Plan, Laguna Hills General Plan, and Laguna Woods General Plan, as well as the tree preservation policies identified in the Lake Forest Municipal Code, Laguna Hills Municipal Code, and Laguna Woods Municipal Code. The planting plan shall be reviewed and approved by the Caltrans Biologist to be in accordance with Executive Orders 13751, Safeguarding the Nation from the

Impacts of Invasive Species (2016), and 13112, Invasive Species (1999).

- VIS-3** **Preservation of Existing Landscape.** Damage to existing vegetation, especially mature, established trees, within the project limits or in close proximity to the project limits shall be minimized as much as possible.
- PF-CI-1** Caltrans Standard Specification 5-1.31: Requires that the job site be neatly maintained in areas visible to the public.
- PF-CI-2** Caltrans Standard Specifications Section 5-1.39: Before Contract acceptance, restore damaged work to the same state of completion as before the damage.
- PF-N-1** Caltrans Standard Specifications Section 14.8-02: Control and monitor noise resulting from work activities. Do not exceed 86 A-weighted decibels maximum instantaneous noise level (dBA Lmax) at 50 feet from the job site from 9:00 p.m. to 6:00 a.m

A.3.4 Consultation and Coordination with the Official Jurisdiction and Public Notice Process

Caltrans has initiated consultation with the City of Lake Forest with regards to the characterization of effects of the project in the context of this Section 4(f) evaluation, consistent with 49 USC 303(d)(3)(B). Caltrans sent a Preliminary Section 4(f) Coordination letter to the City of Lake Forest (the official with jurisdiction) on October 2, 2018. Meetings with the City to discuss these impacts and the Section 4(f) process were held on October 18, 2018 and November 27, 2018. It was determined during these meetings that the City prefers to conduct outreach to the community for choice of replacement features for Cavanagh Mini Park during the design phase. Additionally, the City has agreed to work with Caltrans and OCTA to provide concurrence on the preliminary *de minimis* determination based on the analysis and findings thus far. Caltrans will be in contact with the City prior to the approval of the IS/EA in order to finalize the *de minimis* determination.

This Section 4(f) Analysis will be made available for a 30-day public review period starting April 2019. After the public review period and prior to finalizing the Mitigated Negative Declaration/Finding of No Significant Impact (MND/FONSI), a request will be sent to the City of Lake Forest for concurrence on the *de minimis* determination.

A.4 Resources Evaluated Relative to the Requirements of Section 4(f): No-Use Determination

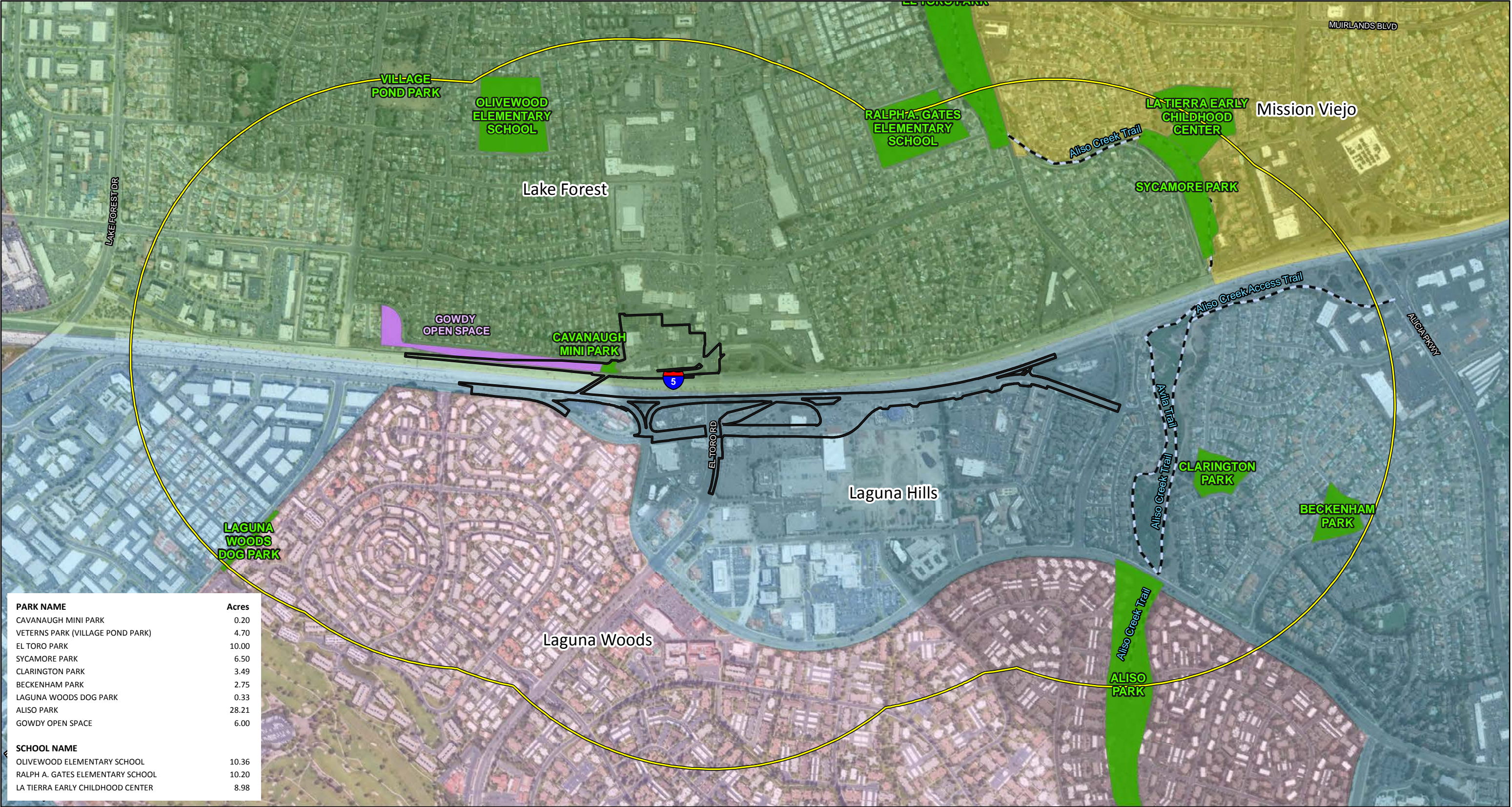
Section 4(f) of the Department of Transportation Act of 1966, codified in federal law at 49 USC 303, declares that “it is the policy of the United States Government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites.”

This section of the document discusses parks, recreational facilities, wildlife refuges, and historic properties found within or next to the project area that do not trigger

Section 4(f) protection because: 1) they are not publicly owned, 2) they are not open to the public, 3) they are not eligible historic properties, or 4) the project does not permanently use the property and does not hinder the preservation of the property.

In addition to Cavanaugh Mini Park described above, there are 13 public park/recreation areas, including one open space designation, four public schools, and one multi-use trail within 0.5 mile of the project limits (see Figure A-2). As stated in Chapter 1, these Build Alternatives (including Design Option B) are considered a covered action and are in conformance with the OCTA Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP), Implementing Agreement, and the NCCP/HCP Agreement. According to the NES-MI 2019, there are no wildlife or waterfowl refuges within 0.5 miles of the project limits. There are no NRHP eligible archaeological sites within the Area of Potential Effect (APE). As for NRHP-eligible historic sites, there were three buildings within the APE (Chase Bank Building, St. George Episcopal Church, and Leisure World) that were analyzed and addressed in the Historic Property Survey Report (HPSR 2018); it was determined that none of those three was NRHP eligible historic sites.

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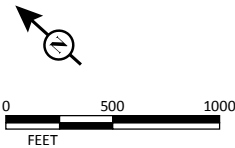


LEGEND

- Project Limits
- Half Mile Buffer

- Recreational Resources
- Open Space
- Trails

- City Jurisdictions
- Laguna Hills
 - Laguna Woods
 - Lake Forest
 - Mission Viejo



SOURCE: Google (2017); OC Parks (2017); Caltrans (10/3/2018)
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FIGURE A-2

I-5/El Toro Road Interchange Project
Recreational Resources
12-ORA-5 PM 17.8/19.7
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There would be no use of land from these properties under Section 4(f) (permanent incorporation of land from the property into the transportation facility), and there are no TCEs or other temporary occupancies within the boundaries of all the above mentioned in Table A.3 under the Build Alternatives (including Design Option B). There are no permanent or temporary occupancy of land from these resources under the Build Alternatives (including Design Option B), and therefore, the requirements for protection under Section 4(f) are not triggered.

In terms of proximity or constructive use impacts, no staging areas or vehicular access near these resources are proposed, no substantial short-term or long-term visual impacts will occur, no adverse effects to water quality from construction activities are anticipated, project construction activities would not produce substantial operational air quality impacts, no long-term substantial noise impacts are anticipated, and operation of Build Alternatives (including Design Option B) would not result in any direct or indirect vegetation impacts. Both because of the geographic distances, including intervening natural and built features, and because of the limited nature of construction activities, there would be no impacts that would rise to the level of substantial impairment.

The properties listed above are Section 4(f) properties, but no “use” will occur. Therefore, the provisions of Section 4(f) do not apply (refer to Table A.2).

**Table A.2: Summary of Properties Subject to Section 4(f)
Consideration (No-Use)**

Type of Property	Geographic Location to Project	Number of Properties
Public Schools	Within 0.5 mile	3
Public Parks/Recreation Areas/Open Space	Within 0.5 mile	9
Trails	Within 0.5 mile	1
Wildlife and Waterfowl Refuges	Within 0.5 mile	0
NRHP-eligible historic sites	Within the APE	0
NRHP-eligible archaeological sites	Within the APE	0

APE = area of potential effect

NRHP = National Register of Historic Places

Table A.3: Properties Subject to Section 4(f) within 0.5 mile of the Study Area (No-Use)

No.	Property	Address	City	Facilities
1	Olivewood Elementary School	23391 Dune Mear Rd.	Lake Forest, CA 92630	A 10.36-acre public school in the Saddleback Valley Unified School District with roughly 479 students in grades K–6. Has a playground, library and two computer labs. Within 0.32 mile of the project limits
2	Ralph A. Gates Elementary School	23882 Landisview Ave	Lake Forest, CA 92630	A 10.20-acre public school in the Saddleback Valley Unified School District with roughly 1,039 students in grades K–6. Within 0.41 mile of the project limits
3	La Tierra Early Childhood Center (adjacent to part of Sycamore Park)	24150 Lindley St	Mission Viejo, CA 92691	An 8.98-acre public preschool in the Saddleback Valley Unified School District that has a playground. Within 0.43 mile from the project limits and adjacent to Sycamore Park.
4	Veterans Park (formerly known as Village Pond Park)	23102 Ridge Route Dr.	Lake Forest, CA 92630	A City of Lake Forest-owned, 4.70-acre park that was under improvement as Village Pond Park and later rededicated as Veterans Park. It will have a new 1-acre pond and will honor five branches of military service with a new monument and art designs. Within 0.44 mile from project limits
5	El Toro Park	23701 Los Alisos Blvd.	Lake Forest, CA 92360	A City of Lake Forest-owned, 10-acre park with a paved bicycle path and shade trees, a playground and tennis courts. Within 0.39 mile from project limits
6	Sycamore Park	25101 Charlinda Dr.	Mission Viejo, CA 92691	A City of Mission Viejo-owned, 6.5-acre park with a sand volleyball court and playground equipment, picnic tables, and barbecues. Within 0.30 mile from the project limits

Table A.3: Properties Subject to Section 4(f) within 0.5 mile of the Study Area (No-Use)

No.	Property	Address	City	Facilities
7	Clarrington Park	24701 Jorie Dr.	Laguna Hills, CA 92653	City of Laguna Hills-owned, 3.49-acre public park with swings, a grassy area and access to a walking trail, picnic tables, benches, a sports field, and a tot lot. Within 0.16 mile of the project limits.
8	Beckenham Park	Alicia Parkway	Laguna Hills, CA 92653	City of Laguna Hills-owned, 2.75-acre public park with benches, drinking fountain, lighting, picnic tables, sports field, a tot lot and walkways. Within 0.41 mile of the project limits
9	Laguna Woods Dog Park (proposed dog park)	24400 Ridge Route Dr.	Laguna Woods, CA 92637	City of Laguna Woods-owned, 0.33-acre dog park that has play space area. Within 0.36 mile of the project limits.
10	Aliso Park	Laguna Woods	Laguna Woods, CA 92637	A 28.21-acre community park now under the jurisdiction of OC Parks. Within 0.27 mile of the project limits.
11	Aliso Creek Regional Bikeway, Riding and Hiking Trail	Lake Forest	Lake Forest, CA 92630	On land owned by the Orange County Flood Control District and maintained by OC Parks; 15 miles of bikeway and recreational trail extending from the foothills of Orange County to the boundary of Laguna Beach. The continuous 15 miles of asphalt bikeway are designed for multi-use travel through five south county cities. Types include equestrian trail, fitness trail, mountain bike trail, nature trail and urban trail. Within the Study Area
12	Open Space (Gowdy Park) ¹	24200–24298 Gowdy Avenue	Lake Forest, CA 92630	City of Lake Forest-owned, 5 to 6 acre open space consisting of a greenbelt, walking areas, and trash receptacles. Directly adjacent to the project limits.

¹ Section 4(f) applies when the land is one of the enumerated types of publicly owned lands and the public agency that owns the property has formally designated and determined it to be significant for park, recreation area, or wildlife and waterfowl refuge purposes. Evidence of formal designation would be inclusion of the publicly owned land, and its function as a Section 4(f) property into a city or county Master Plan. A mere expression of interest or desire is not sufficient. In this case, Gowdy Park as part of the open space designation and definition of "land presently used and planned for parks and recreational facilities" would not fit the definition for Section 4(f) purposes of a "park"; the primary purpose of open space is not recreation. Gowdy Park is not currently used for or as a park per the City of Lake Forest.

A.5 Section 6(f) Consideration

State and local governments often obtain grants through the Land and Water Conservation Fund Act (LWCF) to acquire or make improvements to parks and recreational areas. Section 6(f) of this act prohibits the conversion of property acquired or developed with these grants to a non-recreational purpose without the approval of the Department of Interior's National Park Service. If LWCF funds were used for acquisition or improvement, certain requirements must be met before the land can be acquired.

According to the City of Lake Forest's Public Works Department, none of the city parks receive federal funding or funding from the LWCF; therefore, Section 6(f) does not apply.