

Notice of Determination

Appendix D

To:

☒ Office of Planning and Research
 U.S. Mail: _____ Street Address: _____
 P.O. Box 3044 1400 Tenth St., Rm 113
 Sacramento, CA 95812-3044 Sacramento, CA 95814

☒ County Clerk
 County of: Orange
 Address: 211 W. Santa Ana Blvd
Santa Ana, CA 92701

From:

Public Agency: Caltrans District 12
 Address: 1750 E. Fourth St. Suite #100
Santa Ana, CA 92705
 Contact: Bahar Heydari
 Phone: 657-328-6155

Lead Agency (if different from above): _____

Address: _____

Contact: _____

Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2020010158

Project Title: State Route 133 Operational Improvements

Project Applicant: Caltrans District 12

Project Location (include county): City of Irvine, Orange County

Project Description:

Caltrans proposes operational improvements project on State Route 133 (SR-133) from 0.2 miles north of 133/405 separation (PM 8.3) to Irvine Center Drive Overcrossing (PM M9.3) City of Irvine, Orange County. The project proposes to construct new auxiliary lane on (SB) SR-133 from NB I-405 connector to SB I-5 connector. This new aux lane will become 2nd lane on NB I-405 Connector.

This is to advise that the Caltrans D12 has approved the above
 (☒ Lead Agency or ☐ Responsible Agency)

described project on 3/24/2020 and has made the following determinations regarding the above
 (date)
 described project.

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☐ was ☒ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
6. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

1750 E 4th Street, Santa Ana, CA 92705

Signature (Public Agency): Smita Deshpande Title: Senior Environmental Planner

Date: 3/26/20 Date Received for filing at OPR: PR Revisor's Office of Planning & Research

Authority cited: Sections 21083, Public Resources Code.
 Reference Section 21000-21174, Public Resources Code.

MAR 27 2020
 STATE CLEARINGHOUSE
 Revised 2011



State of California - Department of Fish and Wildlife
2020 ENVIRONMENTAL FILING FEE CASH RECEIPT
DFW 753.5a (REV. 12/01/19) Previously DFG 753.5a

#143413

Print

StartOver

Finalize&Email

RECEIPT NUMBER:

59 — 3/27/2020 — 036

STATE CLEARINGHOUSE NUMBER (If applicable)

2020010158

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY

Caltrans, District 12 - Orange (California Department of Transportation, District 12)

LEAD AGENCY EMAIL

DATE

3/27/2020

COUNTY/STATE AGENCY OF FILING

DOCUMENT NUMBER

OPR/SCH

PROJECT TITLE

State Route 133 Operational Improvements Project

PROJECT APPLICANT NAME

Bahar Heydari

PROJECT APPLICANT EMAIL

PHONE NUMBER

(657) 328-6155

PROJECT APPLICANT ADDRESS

1750 E. Fourth St. Suite #100

CITY

Santa Ana

STATE

CA

ZIP CODE

92705

PROJECT APPLICANT (Check appropriate box)

☐ Local Public Agency

☐ School District

☐ Other Special District

☒ State Agency

☐ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR)

\$3,343.25

\$

0.00

☒ Mitigated/Negative Declaration (MND)(ND)

\$2,406.75

\$

2,406.75

☐ Certified Regulatory Program (CRP) document - payment due directly to CDFW

\$1,136.50

\$

0.00

☐ Exempt from fee

☐ Notice of Exemption (attach)

☐ CDFW No Effect Determination (attach)

☐ Fee previously paid (attach previously issued cash receipt copy)

☐ Water Right Application or Petition Fee (State Water Resources Control Board only)

\$850.00

\$

0.00

☐ County documentary handling fee

\$

☐ Other

\$

PAYMENT METHOD:

☐ Cash

☐ Credit

☒ Check

☐ Other

TOTAL RECEIVED

\$

2,406.75

SIGNATURE

x Justin Le

Digitally signed by Justin Le
Date: 2020.03.27 10:11:46
-07'00'

AGENCY OF FILING PRINTED NAME AND TITLE

J. Le, State Clearinghouse



State of California - Department of Fish and Wildlife
2020 ENVIRONMENTAL FILING FEE CASH RECEIPT
DFW 753.5a (REV. 12/01/19) Previously DFG 753.5a

NOTICE

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

COUNTY DOCUMENTARY HANDLING FEE

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS

Filing Notice of Determination (NOD):

- ☐ Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- ☐ Issue cash receipt to project applicant.
- ☐ Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- ☐ Mail filing fees for CRP document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a **No Effect Determination** signed by CDFW, also:

- ☐ Attach No Effect Determination to NOD *(no environmental filing fee is due)*.

Filing Notice of Exemption (NOE) *(Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))*

- ☐ Issue cash receipt to project applicant.
- ☐ Attach copy of cash receipt to NOE *(no environmental filing fee is due)*.

Within 30 days after the end of each month in which the environmental filing fees are collected, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

The county clerk shall mail the following documents to CDFW on a monthly basis:

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

DOCUMENT RETENTION

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

RECEIPT NUMBER

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.

Mail to:

California Department of Fish and Wildlife
Accounting Services Branch
P.O. Box 944209
Sacramento, California 94244-2090



CARLSBAD
FRESNO
IRVINE
LOS ANGELES
PALM SPRINGS
POINT RICHMOND
RIVERSIDE
ROSEVILLE
SAN LUIS OBISPO

TRANSMITTAL

To: Kate Gordon
Director
State Clearinghouse
1400 Tenth Street
Sacramento, CA 95814

DATE: March 26, 2020

☐ FOR YOUR REVIEW ☒ FOR YOUR FILES
☐ AT YOUR REQUEST ☐ FOR YOUR INFORMATION
☐ FOR YOUR APPROVAL ☐ DISTRIBUTION

PROJECT: SR-133 Operational Improvements

PROJECT NUMBER: CDT1609.62

SUBJECT: Notice of Determination (NOD), Notice of Completion (NOC), and Summary Form

ITEMS BELOW ARE TRANSMITTED:

- ☒ HEREWITH
☐ UNDER SEPARATE COVER
☒ VIA: FEDEX OVERNIGHT DELIVERY

DATE	COPIES	DESCRIPTION
March 2020	1	NOD
March 2020	1	CDFW Filing Fee for a MND (\$2,406.75)
March 2020	1	NOC
March 2020	1	1 Summary Form
March 2020	15	CDs containing NOD, NOC, and Summary Form

GENERAL REMARKS:

On behalf of the California Department of Transportation, District 12, LSA is transmitting 1 hard copy of the Notice of Determination (NOD) with the California Department of Fish & Wildlife filing fee for a MND (\$2,406.75), 1 hard copy of the Notice of Completion (NOC), 1 hard copy of the Summary Form, and 15 CDs containing the aforementioned items for the above referenced project. Caltrans District 12 approved the project on March 25, 2020.

LSA requests an electronic version of the stamped copy of the NOD for proof of receipt along with an electronic version of the filing fee receipt. The proof of receipt for CDFW fees must be filed with the County Clerk within 5 business days of project approval (March 25, 2020). Please send the electronic copy to Elise Miller at Elise.Miller@lsa.net as soon as possible. Please contact Elise Miller ((949) 553-0666 ext. 7277, or by email) with any questions.

COPIES TO: Project File (LSA)

BY: Elise Miller

Governor's Office of Planning & Research

MAR 27 2020

Summary Form for Electronic Document Submittal

Form F

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse (SCH). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH #: 2020010158

Project Title: State Route 133 Operational Improvements Project

Lead Agency: Caltrans District 12

Contact Name: Bahar Heydari, Associate Environmental Planner, Caltrans District 12, Division of Environmental Analysis

Email: Bahar.Heydari@dot.ca.gov

Phone Number: 657-328-6155

Project Location: Irvine, Orange County

City

County

Project Description (Proposed actions, location, and/or consequences).

The California Department of Transportation (Caltrans) proposes an operational improvements project on State Route 133 (SR-133) from 0.2 miles north of Route 133/405 separation (PM 8.3) to Irvine Center Drive Overcrossing (PM M9.3) in the City of Irvine, in the County of Orange. The project proposes to construct new auxiliary lane on southbound (SB) SR-133 from NB I-405 connector to SB I-5 connector. This new aux lane will become the 2nd lane on NB I-405 Connector. The number 3 lane on SB SR-133 will be extended approximately 300 feet south of San Diego Creek to match existing roadway pavement.

Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

Under CEQA Checklist Section 2.7 Geology and Soils, there may be a potential to significantly impact a paleontological resource due to excavation depths. Impacts to paleontological resources would be mitigated to a level less than significant with mitigation measure PAL-1 to prepare, implement, and adhere to a Paleontological Mitigation Plan. The project area contains younger Quaternary Alluvium in less elevated terrain, marine early Miocene Vaqueros Formation in more elevated terrain, and majority of project area contains Young Alluvial Fan Deposits below a depth of 10 ft and the Vaqueros Formation.

Governor's Office of Planning & Research

MAR 27 2020

STATE CLEARINGHOUSE

If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

No areas of controversy related to the proposed project are known to the Lead Agency.

Provide a list of the responsible or trustee agencies for the project.

California Transportation Commission

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # 2020010158

Project Title: State Route 133 Operational Improvements Project

Lead Agency: Caltrans District 12

Contact Person: Bahar Heydari

Mailing Address: 1750 East Fourth St. Suite 100

Phone: (657) 328-6155

City: Santa Ana

Zip: 92705

County: Orange

Project Location: County: Orange

City/Nearest Community: Irvine

Cross Streets: Route 133/405 Grade Separation & Irvine Center Drive Overcrossing

Zip Code: 92618

Longitude/Latitude (degrees, minutes and seconds): 33 ° 39 ' 15.5 " N / 117 ° 45 ' 34.2 " W Total Acres: More than 1 acre

Assessor's Parcel No.:

Section:

Twp.:

Range:

Base:

Within 2 Miles: State Hwy #: SR-133, I-405, I-5

Waterways: San Diego Creek

Airports: John Wayne

Railways: Irvine Park Railroad, Metrolink, Amtrak

Schools: Multiple (3)

Document Type:CEQA: ☐ NOP☐ Draft EIRNEPA: ☐ NOIOther: ☐ Joint Document☐ Early Cons☐ Supplement/Subsequent EIR☐ EA☐ Final Document☐ Neg Dec

(Prior SCH No.)

☐ Draft EIS☒ Other: Categorical Exclusion☒ Mit Neg Dec

Other:

☐ FONSI**Local Action Type:**☐ General Plan Update☐ Specific Plan☐ Rezone☐ Annexation☐ General Plan Amendment☐ Master Plan☐ Prezone☐ Redevelopment☐ General Plan Element☐ Planned Unit Development☐ Use Permit☐ Coastal Permit☐ Community Plan☐ Site Plan☐ Land Division (Subdivision, etc.)☐ Other:**Development Type:**☐ Residential: Units

Acres

☐ Office: Sq.ft.

Acres

Employees

☒ Transportation: Type Operational Improvements☐ Commercial: Sq.ft.

Acres

Employees

☐ Mining: Mineral☐ Industrial: Sq.ft.

Acres

Employees

☐ Power: Type

MW

☐ Educational:☐ Waste Treatment: Type

MGD

☐ Recreational:☐ Hazardous Waste: Type☐ Water Facilities: Type

MGD

☐ Other:**Project Issues Discussed in Document:**☒ Aesthetic/Visual☐ Fiscal☒ Recreation/Parks☒ Vegetation☒ Agricultural Land☒ Flood Plain/Flooding☐ Schools/Universities☒ Water Quality☒ Air Quality☒ Forest Land/Fire Hazard☐ Septic Systems☒ Water Supply/Groundwater☒ Archeological/Historical☒ Geologic/Seismic☐ Sewer Capacity☒ Wetland/Riparian☒ Biological Resources☒ Minerals☒ Soil Erosion/Compaction/Grading☒ Growth Inducement☐ Coastal Zone☒ Noise☐ Solid Waste☒ Land Use☐ Drainage/Absorption☒ Population/Housing Balance☒ Toxic/Hazardous☒ Cumulative Effects☐ Economic/Jobs☒ Public Services/Facilities☒ Traffic/Circulation☒ Other: Climate Change**Present Land Use/Zoning/General Plan Designation:**

Transportation, and Mixed Commercial and Industrial

Project Description: (please use a separate page if necessary)

The California Department of Transportation (Caltrans) proposes an operational improvements project on State Route 133 (SR-133) from 0.2 miles north of Route 133/405 separation (PM 8.3) to Irvine Center Drive Overcrossing (PM M9.3) in the City of Irvine, in the County of Orange. The project proposes to construct new auxiliary lane on southbound (SB) SR-133 from NB I-405 connector to SB I-5 connector. This new aux lane will become the 2nd lane on NB I-405 Connector. The number 3 lane on SB SR-133 will be extended approximately 300 feet south of San Diego Creek to match existing roadway pavement.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".
If you have already sent your document to the agency please denote that with an "S".

<input checked="" type="checkbox"/> Air Resources Board	<input checked="" type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> Boating & Waterways, Department of	<input type="checkbox"/> Office of Public School Construction
<input type="checkbox"/> California Emergency Management Agency	<input type="checkbox"/> Parks & Recreation, Department of
<input checked="" type="checkbox"/> California Highway Patrol	<input type="checkbox"/> Pesticide Regulation, Department of
<input checked="" type="checkbox"/> Caltrans District # <u>12</u>	<input type="checkbox"/> Public Utilities Commission
<input type="checkbox"/> Caltrans Division of Aeronautics	<input checked="" type="checkbox"/> Regional WQCB # <u>9</u>
<input checked="" type="checkbox"/> Caltrans Planning	<input type="checkbox"/> Resources Agency
<input type="checkbox"/> Central Valley Flood Protection Board	<input type="checkbox"/> Resources Recycling and Recovery, Department of
<input type="checkbox"/> Coachella Valley Mtns. Conservancy	<input type="checkbox"/> S.F. Bay Conservation & Development Comm.
<input type="checkbox"/> Coastal Commission	<input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
<input type="checkbox"/> Colorado River Board	<input type="checkbox"/> San Joaquin River Conservancy
<input type="checkbox"/> Conservation, Department of	<input type="checkbox"/> Santa Monica Mtns. Conservancy
<input type="checkbox"/> Corrections, Department of	<input type="checkbox"/> State Lands Commission
<input type="checkbox"/> Delta Protection Commission	<input type="checkbox"/> SWRCB: Clean Water Grants
<input type="checkbox"/> Education, Department of	<input checked="" type="checkbox"/> SWRCB: Water Quality
<input type="checkbox"/> Energy Commission	<input type="checkbox"/> SWRCB: Water Rights
<input checked="" type="checkbox"/> Fish & Game Region # <u>5</u>	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> Food & Agriculture, Department of	<input type="checkbox"/> Toxic Substances Control, Department of
<input type="checkbox"/> Forestry and Fire Protection, Department of	<input type="checkbox"/> Water Resources, Department of
<input type="checkbox"/> General Services, Department of	
<input type="checkbox"/> Health Services, Department of	<input checked="" type="checkbox"/> Other: <u>California Transportation Commission</u>
<input type="checkbox"/> Housing & Community Development	<input type="checkbox"/> Other: _____
<input checked="" type="checkbox"/> Native American Heritage Commission	

Local Public Review Period (to be filled in by lead agency)

Starting Date January 13th, 2020 Ending Date February 11th, 2020

Lead Agency (Complete if applicable):

Consulting Firm: <u>LSA Associates, Inc.</u>	Applicant: <u>Bahar Heydari, Caltrans, District 12</u>
Address: <u>20 Executive Park</u>	Address: <u>1750 E 4th Street, St #100</u>
City/State/Zip: <u>Irvine, CA 92614</u>	City/State/Zip: <u>Santa Ana, CA 92705</u>
Contact: <u>King Thomas</u>	Phone: <u>657-328-6155</u>
Phone: <u>949-553-0666</u>	

Signature of Lead Agency Representative: Smita Deshpande

Digitally signed by Smita Deshpande
Date: 2020.03.23 02:17:50 -0700

Date: 3/24/20

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.