

STATE ROUTE-94 IMPROVEMENT PROJECT



Preliminary Environmental Analysis Report

Jamul, California

District 11 – San Diego County – Route 94 – PM 20.4/21.4

JANUARY 2014



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ATTACHMENTS

- A. SR-94/Jamacha Road Intersection Preliminary Hydrology Data
- B. PEAR Environmental Studies Checklist

ACRONYMS

ADT	Average Daily Trips
ASR	Archaeological Survey Report
BMO	Biological Mitigation Ordinance (County of San Diego)
BMP	Best Management Practices
CALTRANS	California Department of Transportation
CDFW	California Department of Fish and Wildlife
CIA	Community Impact Assessment
CNDDDB	Community Natural Diversity Database
CNEL	Community Noise Equivalent Level
CO	Carbon Monoxide
Corps	U.S. Army Corps of Engineers
ESA	Endangered Species Act
EIR	Environmental Impact Report
EP	Encroachment Permit
HPSR	Historic Property Survey Report
HRCR	Historic Resources Compliance Report
HRER	Historic Resources Evaluation Report
IOD	Irrevocable Offer of Dedication
JIV	Jamul Indian Village
LOS	Level of Service
MSCP	Multi-Species Conservation Plan
NES	Natural Environment Study
NPDES	National Pollution Discharge Elimination System

NSR	Noise Study Report
RTP	Regional Transportation Plan
ROW	Right-of-Way
SAA	Streambed Alteration Agreement (CDFW)
SR-94	State Route 94
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminants
TCS	Transportation Concept Study
TMP	Transportation Management Plan
USFWS	United States Fish and Wildlife Service
VIA	Visual Impact Assessment



PRELIMINARY ENVIRONMENTAL ANALYSIS REPORT

1. PROJECT INFORMATION

District: 11	County: San Diego	Route: 94	Post Mile: 20.4/21.4	PI: 1100030413
Project Title: SR-94 Improvement Project				
Project Manager: Gustaf Silva			Phone # (619) 208-1104	
Project Engineer: Victor Diaz			Phone # (619) 688-3286	
Environmental Branch Chief: David Nagy, Caltrans			Phone #: (619) 688-0224	
Environmental Coordinator: Jamie LeDent, Caltrans			Phone #: (619) 688-0157	
PEAR Preparers: Joe Broadhead, EDS			Phone #: (916) 456-2603	

2. PROJECT DESCRIPTION AND PURPOSE/NEED

2.1 Project Description

The California Department of Transportation (Caltrans) anticipates the application of an Encroachment Permit (EP) by The Jamul Indian Village (JIV) for the proposed construction of access road improvements on State Route 94 (SR-94) and to make improvements to five off-site intersections. The JIV is proposing the improvements to address future traffic operational needs on SR-94 as a result of development on the JIV's property. The JIV Reservation is located approximately 1-mile south of Jamul, California (**Figures 1 and 2**) (Postmiles: 20.4-21.4).

The SR-94 access road improvements would tie into a new access road constructed by the JIV on either: (1) the existing "Reservation Road, which connects the Reservation to SR-94, (2) an adjacent 4-acre parcel (north of the Reservation) contiguous with the Reservation and SR-94, which is currently owned by the JIV, or (3) via a new roadway constructed from Melody Road south to the Reservation. Since the third access option described above would occur on the County of San Diego's Melody Road, the JIV would need to coordinate with the County regarding impacts to that roadway. This access alternative would still require improvements to

SR-94 resulting in the need for an EP. The proposed access road would serve the recently approved gaming facility (JIV Gaming Project) on the JIV's Reservation. At this time, there are three access improvement locations with five access alternatives and one No Project alternative under consideration:

Alternative 1: Reservation Road Access,

Alternative 2: Four-Acre Access,

Option 1: Full Disturbed Area

Option 2: Reduced Disturbed Area

Option 3: Minimum Disturbed Area

Alternative 3: Melody Road Access, and

Alternative 4: No Project Alternative.

The various options under Alternative 2 differ in the amount of additional ROW needed. Each of the access alternatives are described in detail below in Section 2.3 *Alternatives*.

In addition to the access road improvements, the JIV also proposes to improve five intersections on SR-94 to offset future traffic from their recently approved gaming facility. The intersections to be improved include:

1. SR-94/Jamacha Boulevard Intersection,
2. SR-94/Jamacha Road Intersection,
3. SR-94/Steele Canyon Road Intersection,
4. SR-94/Lyons Valley Road Intersection, and
5. SR-94/Maxfield Road Intersection.

Proposed improvements for these intersections would range from signalization to restriping to providing an additional through/turn lane. Details related to intersection improvements are provided in below in Section 2.3 *Alternatives*.

2.2 Purpose and Need

The primary objectives of this project are to accomplish the following:

- a. Provide appropriate access to and from SR-94 and the approved Jamul Indian Village Gaming Development.
- b. Mitigate the traffic impact of the gaming facility on SR-94, both within the immediate vicinity of the development access, and along the stretch from north of Melody Road to south of Reservation Road.

- c. Improve the geometric design of the main access between SR-94 and the gaming facility.
- d. Improve the geometrics of SR-94 in the vicinity of Melody Road and Reservation Road in a manner consistent with the SR-94 Transportation Concept Summary (TCS) and the 2050 Regional Transportation Plan (RTP).

Traffic volumes on SR-94 are projected to increase from 10,600 average daily trips (ADT) north of Melody Road and 7,500 ADT south of Melody Road in 2010 (existing conditions) to 17,000 ADT north of Melody Road, and 13,000 ADT south of Melody Road in 2035. Per the Traffic Impact Study prepared for the JIV Gaming Project, the levels of service (LOS) of SR-94 north and south of Melody Road, as well as the peak hour LOS at the intersection of SR-94 and Melody Road, are projected to degrade to unacceptable LOS producing congestion and excessive delays.

The Final Tribal Environmental Evaluation prepared for the JIV Gaming Project indicates the existing geometric design of the SR-94/Reservation Road connection is inadequate as a main access to the JIV Reservation. The angle of intersection, horizontal alignment, shoulder width, and corner sight distance are all non-standard. The SR-94 Rural TCS identified portions of SR-94 south of Melody Road as potentially hazardous due to existing highway geometrics and terrain. Realignment of deficient curves, widening of the traveled way, installation of standard 8-foot shoulders, addition of passing lanes, and adding/improving turn pockets are included as types of improvements. The 2050 RTP unconstrained scenario includes upgrading SR-94 from a 2-lane conventional highway to a 4-lane conventional highway north of Melody Road.

2.3 Alternatives

The three alternatives will widen SR-94 to provide additional capacity to accommodate projected traffic at intersections adjacent to the Jamul Reservation. Left-turn pockets are identified to improve operations, minimize disruption to through traffic, and increase safety. The SR-94 alignment is improved to include flatter horizontal curvature, increased vertical stopping sight distance, and widened shoulders. New traffic signals are proposed along SR-94 at the intersection with Melody Road and also at the proposed access driveway intersection either along SR-94 or Melody Road. The location of the proposed access driveway varies with the alternative, but for all alternatives the geometric features of the access driveway intersection are improved when compared to existing conditions.

2.3.1 Alternative 1: Reservation Road Access

Alternative 1 (**Figure 3**) improves SR-94 from approximately 1,200 feet north of Melody Road to approximately 1,800 feet south of Reservation Road, for a total length of

approximately 0.9 miles. The alignment of SR-94 is realigned to provide flatter horizontal and vertical curvature, as well as pavement cross slope and superelevation meeting current design standards. Lanes and shoulders are widened where necessary to also meet current standards. Alternative 1 does not contain design exceptions to Caltrans' design standards.

New traffic signals would be installed for Alternative 1 at the intersection of SR-94/Melody Road, and also at the intersection of SR-94/Reservation Road — the proposed JIV access location for Alternative 1. Exclusive left-turn lanes would be provided along SR-94 for the north to west move onto Melody Road, and the south to east move onto Peaceful Valley Ranch Road. Likewise, an exclusive left-turn lane would be provided for the north to west move onto Reservation Road. In addition, a second southbound through lane would be provided along SR-94 between Melody Road and Reservation Road. Alternative 1 also widens Melody Road and Peaceful Valley Ranch Road to provide exclusive left-turn lanes onto SR-94 for overall improved intersection operation. The length of improvements along Melody Road and Peaceful Valley Ranch Road are approximately 700 feet and 500 feet, respectively.

The intersection of SR-94/Reservation Road is also reconfigured with Alternative 1 to provide an intersection angle which meets current design standards. Due to the curved nature of the intersection reconfiguration, the angle of intersection is measured with respect to the location of the stop bar on Reservation Road. The reconfiguration of the Reservation Road intersection also shifts the roadway improvements to the east of existing SR-94 in an effort to minimize right-of-way (ROW) impacts along the west side of the alignment.

Retaining walls are proposed for Alternative 1 in order to minimize ROW requirements and environmental impacts. For Alternative 1, cut-walls will be necessary on the east side of SR-94 between Peaceful Valley Ranch Road and the Reservation Road intersection, contained within the Irrevocable Offer of Dedication (IOD) held by San Diego County. The cut-walls would total approximately 850 feet in length, combined, and vary in height from about 10 feet to 20 feet. A fill-wall approximately 200 feet in length and varying in height from about 8 feet to 16 feet is also proposed along the south side of Melody Road near the intersection with SR-94.

In addition to the access road improvements described above, Alternative 1 includes off-site intersection improvements at the following five locations:

1. SR94/Jamacha Boulevard Intersection: Restripe the northbound through shared left-turn lane to a northbound through shared right-turn lane (including required traffic signal modifications). Caltrans and the County would be reviewing agencies for these proposed improvements. The proposed improvements would affect Jamacha Boulevard, which is within the County.

2. SR94/Jamacha Road Intersection: Add a second eastbound right-turn lane and retaining wall (including required traffic signal modifications). The right-turn lane would extend beyond the existing Caltrans ROW. Restripe the northbound approach to provide a northbound through shared left-turn lane to a northbound through shared right-turn lane. Caltrans and the County would be the reviewing agency for these proposed improvements.
3. SR94/Steele Canyon Road Intersection: Add a second eastbound and westbound through lane. Caltrans would be the reviewing agency for the proposed improvement. The County would probably also review the improvements since two of the approaches are within the County.
4. SR94/Lyons Valley Road Intersection: Install a traffic signal. Caltrans and the County would be reviewing agencies for the planned improvement. Traffic signal equipment, such as detection system, conduits and pullboxes would have to be installed within the County's ROW.
5. SR94/Maxfield Road Intersection: Restripe the northbound approaches along SR94 to include an acceleration lane. This improvement will also include the widening of SR94 north of Maxfield Road necessary to accommodate additional acceleration lane. Caltrans would be the reviewing agency for these proposed improvements.

2.3.2 Alternative 2: Four-Acre Access

Alternative 2 includes improvements along SR-94 from an area north of Melody Road to an area south of the Reservation. Three options using the same entrance are addressed under Alternative 2. While maintaining the same entrance, each of these options contains separate ROW requirements. The JIV access driveway for Alternative 2 is located approximately 500 feet north of existing Reservation Road, at “Daisy Drive.” Locating the access point at Daisy Drive decreases the intersection spacing to Melody Road, but shortens the project limits at the southern end. The Alternative 2 realignment of SR-94 maintains an alignment on the west side of existing SR-94, south of Daisy Drive, which results in one less horizontal curve along SR-94 within the project limits.

Alternative 2: Option 1 (Full Disturbed Area)

Alternative 2: Option 1 (**Figure 4**) improves SR-94 from approximately 1,200 feet north of Melody Road to approximately 1,400 feet south of existing Reservation Road, for a total length of approximately 0.8 miles. Similar to Alternative 1, SR-94 is realigned and widened

as part of Alternative 2: Option 1 to improve traffic operations. No design exceptions are needed for Alternative 2: Option 1.

Proposed traffic signals and exclusive left-turn lanes for Alternative 2: Option 1 are the same as for Alternative 1, except the traffic signal for access to the JIV Gaming Project is provided at Daisy Drive instead of Reservation Road; Reservation Road would no longer connect to SR-94 if Alternative 2: Option 1 was constructed. In Addition, Alternative 2: Option 1 would provide an additional northbound lane along SR-94 between Daisy Drive and Peaceful Valley Ranch Road to accommodate the expected dual left-turn lanes departing from the access driveway at Daisy Drive. Improvements to Melody Road and Peaceful Valley Ranch Road are the same for Alternatives 1 and 2: Option 1.

Retaining walls associated with Alternative 2: Option 1 are reduced when compared to Alternative 1. The reduction in the need for retaining walls is a result of the realignment occurring on the west side of existing SR-94 between Daisy Drive and the southern limit. The cut-wall proposed for Alternative 2: Option 1 would be located on the east side of SR-94, just north of Daisy Drive, within the IOD and be approximately 400 feet in length and vary in height from about 10 feet to 16 feet. The proposed fill-wall along Melody Road for Alternative 1 would also be proposed for Alternative 2: Option 1.

The off-site intersection improvements described under Alternative 1 also apply to Alternative 2: Option 1.

Alternative 2: Option 2 (Reduced Disturbed Area)

Alternative 2: Option 2 (**Figure 5**) improves SR-94 from about 1200 feet north of Melody Road to about 1400 feet south of existing Reservation Road, for a total length of approximately 0.8 miles. The project limits north and south along SR-94 are the same as stated for Alternative 2: Option 1. Alternative 2: Option 2 differs from Alternative 2: Option 1 in that ROW impacts are reduced within private property and environmentally sensitive area. The Alternative 2: Option 2 centerline alignment for SR-94 is shifted to the west through the intersection with Melody Road with the use of a reduced radius, and a broken-back curve is introduced between Melody Road and the proposed access driveway at Daisy Drive. The introduction of a reduced radius and broken-back horizontal curvature helps facilitate the reduced ROW impact associated with Alternative 2: Option 2. Alternative 2: Option 2 also incorporates a reduced rate of superelevation through the SR-94 intersection with Melody Road and also along the proposed horizontal curve located just north of Daisy Drive. The reduced rate of superelevation would require a mandatory design exception for not meeting current Caltrans standards.

Proposed traffic signals and left-turn lanes are the same as stated for Alternative 2: Option 1, with the exception that no exclusive left-turn lane is proposed on the departure from Peaceful

Valley Ranch Road for Alternative 2: Option 2. In addition, the alignment for Melody Road, as well as for Peaceful Valley Ranch Road, is shifted to the north with Alternative 2: Option 2 to further reduce ROW impact to environmentally sensitive areas.

The centerline alignment shift to the west for Alternative 2: Option 2, in combination with a proposed reduction in ROW impact, requires an additional retaining wall along the southbound side of SR-94. Three short fill-walls, approximately 100 feet to 150 feet in length and approximately 6 feet tall, are proposed where the Alternative 2: Option 2 alignment for SR-94 nears the existing ROW boundary adjacent to Melody Road, and also along the southern approach to, but north of, Daisy Drive. The fill-wall proposed for Alternatives 1 and 2: Option 2 along the south side of Melody Road, near the intersection with SR-94, is doubled in length from about 200 feet to 400 feet with Alternative 2: Option 2, and the height is increased and variable from about 10 feet to 18 feet. Two cut-walls are also proposed for Alternative 2: Option 2 along the northbound side of SR-94 between the Daisy Drive intersection and Peaceful Valley Ranch Road. The cut-walls would be a combined length of about 500 feet and vary in height from approximately 8 feet to 12 feet.

The off-site intersection improvements described under Alternative 1 also apply to Alternative 2: Option 2.

Alternative 2: Option 3 (Minimum Disturbed Area)

Alternative 2: Option 3 (**Figure 6**) provides access to the JIV Gaming Project via Daisy Drive, the same as for Alternatives 2: Options 1 and 2. Alternative 2: Option 3, however, minimizes ROW impacts with the implementation of non-standard geometric elements requiring mandatory exceptions to Caltrans design standards. Reduced design speed from 55 mph to 45 mph, reduction in horizontal curvature, reduced shoulder width, reduced stopping sight distance along vertical curvature, increased maximum grade, and reduced superelevation rate are all incorporated within Alternative 2: Option 3 to minimize impacts to ROW. Although the proposed geometric elements for Alternative 2: Option 3 include non-standard design features, the realignment is an improvement from existing conditions. The proposed widening and intersection improvements will also help satisfy the project's purpose and need.

Improvements for Alternative 2: Option 3 begin approximately 800 feet north of Melody Road and continue to about 400 feet south of existing Reservation Road, for a total length of approximately 0.6 miles. Proposed traffic signals and exclusive left-turn lanes are the same for Alternative 2: Options 2 and 3, except no left-turn is provided on the departure from Peaceful Valley Ranch Road. Excluding the left-turn lane on Peaceful Valley Ranch Road helps minimize ROW impacts. In addition, the proposed profile for SR-94 through the intersection with Melody Road is kept close to existing grade; therefore, the proposed

profiles for Melody Road and Peaceful Valley Ranch Road also remain close to existing grade. Lane widths are reduced along Melody Road in order to accommodate the roadway widening while minimizing ROW impacts. Unlike Alternative 2: Option 2 which realigned Melody Road to the south, Alternative 2: Option 3 retains the existing southern edge of traveled way and widens Melody Road to the north. Maintaining the existing profile grade and widening only to the north along Melody Road helps limit ROW impacts.

One fill-wall and three cut-walls are proposed along SR-94 for Alternative 2: Option 3. No walls are proposed along Melody Road. The fill-wall would be located along the southbound side of SR-94, about 200 feet north of Melody Road, and be about 100 feet in length and 4 feet in height. The three cut-walls would be located along the northbound side of SR-94 between Peaceful Valley Ranch Road and existing Reservation Road. The cut-walls would be approximately 1,000 feet in length, combined, and vary in height from about 10 feet to 20 feet.

The off-site intersection improvements described under Alternative 1 also apply to Alternative 2: Option 3.

2.3.3 Alternative 3: Melody Road Access

Alternative 3 (**Figure 7**) provides access to the JIV Gaming Project via a proposed access driveway from Melody Road. Therefore, no driveway intersection is proposed at either Reservation Road or Daisy Drive with this alternative. A wider footprint is necessary at the intersection of SR-94/Melody Road with this alternative in order to accommodate the necessary intersection improvements. In contrast to the other alternatives, Alternative 3 requires an additional northbound through lane north of Melody Road to accommodate a second exclusive left-turn lane proposed from Melody Road. A second exclusive left-turn lane is also required for the north to west move from SR-94 to Melody Road. A second through lane is also needed for westbound Melody Road leading to the proposed access driveway.

The proposed centerline alignment for SR-94 for Alternative 3 is relatively the same as proposed for Alternative 2: Option 1. However, the extent of improvement along both SR-94 and Melody Road are different when compared to the other alternatives. The difference is directly related to the access driveway location. Alternative 3 improvements begin approximately 1300 feet north of Melody Road and continue to about 900 feet south of existing Reservation Road, for a total length of approximately 0.8 miles. The length of improvements along Melody Road is increased from about 750 feet to about 1300 feet with Alternative 3. Traffic signals are proposed at the intersection of SR-94/Melody Road, and also at the driveway access location along Melody Road.

Alternative 3 proposes the least amount of retaining walls of all the alternatives. The reduction in proposed retaining walls is a result of the magnitude of widening associated with Alternative 3. The other alternatives propose retaining walls to avoid encroachment beyond the existing ROW. The wider pavement associated with Alternative 3 near the intersection with Melody Road encroaches beyond, or very close to, the existing ROW. The use of retaining walls therefore would not lessen ROW impact as for the other alternatives. Alternative 3 proposes a cut-wall approximately 250 feet long and 8 feet to 10 feet in height along the northbound side of SR-94 just north of Daisy Drive. A fill-wall approximately 150 feet in length and variable in height from 6 feet to 12 feet is proposed along the south side of Melody Road adjacent to the intersection with SR-94.

The off-site intersection improvements described under Alternative 1 also apply to Alternative 3.

2.3.4 Alternative 4: No Project Alternative

No roadway improvements would be constructed under the No Project Alternative. Highway traffic (including Tribal gaming traffic) would use the existing roadway network including the Tribe’s existing access at SR94.

3. ANTICIPATED ENVIRONMENTAL APPROVAL

Table 1 identifies the appropriate level of environmental compliance, Lead Agency, and estimated timeline to obtain environmental approvals.

**TABLE 1
ANTICIPATED ENVIRONMENTAL APPROVAL**

CEQA		NEPA	
Environmental Determination			
Statutory Exemption	<input type="checkbox"/>		
Categorical Exemption	<input type="checkbox"/>	Categorical Exclusion	<input type="checkbox"/>
Environmental Document			
Initial Study or Focused Initial Study with proposed Negative Declaration (ND) or Mitigated ND	<input type="checkbox"/>	Routine Environmental Assessment with proposed Finding of No Significant Impact	<input type="checkbox"/>
		Complex Environmental Assessment with proposed Finding of No Significant Impact	<input type="checkbox"/>
Environmental Impact Report	<input checked="" type="checkbox"/>	Environmental Impact Statement	<input type="checkbox"/>
CEQA Lead Agency (if determined):		Caltrans District 11	
Estimated length of time (months) to obtain environmental approval:		12-months	
Estimated person hours to complete identified tasks:		Varies depending on the number of alternatives ultimately included in the EIR.	

4. SPECIAL ENVIRONMENTAL CONDITIONS

Access improvements to SR-94 could necessitate the acquisition of privately and publicly held land. Additional ROW south of the Reservation is on preserve lands and requires formal approval from the California Department of Fish and Wildlife (CDFW) for Alternatives 1-3 and 5, which would necessitate compensatory habitat/land mitigation or a land swap. The added ROW requirements for Alternatives 1, 2: Options 1-3 and 3 on the west side of SR-94 would affect the “Hardline” Preserve within the County’s Multi-Species Habitat Conservation Program (MSCP). Each of the alternatives includes the construction of a second eastbound right-turn lane at the SR-94/Jamacha Road intersection, which includes the need for additional ROW within the Minor Amendment MSCP designation.

The Hardline Preserve limits potential development by precluding grading, excavation, clearing vegetation, and construction of any building or structure. The project would be required to acquire an Amendment to the MSCP if it is found to be inconsistent with the MSCP. Compensatory habitat mitigation would be required for impacts to the Hardline Preserve. Habitat affected along SR-94 consists of low quality (e.g. ruderaland annual grassland) habitats. In the event that the project is considered inconsistent with the MSCP (Hardline or Minor Amendment areas), the JIV would be required to seek an MSCP amendment, which would be considered by the Board of Supervisors. The County would also need to dedicate IOD land for each alternative on the east side of SR-94 south of Melody Road to be used for widening the SR-94 corridor. To this same end, the JIV would also need to acquire private fee land north of the Reservation along SR-94 and Melody Road.

Construction of the access road, as well as improvements to one or more off-site intersections, may require permits from the U.S. Army Corps of Engineers (Corps), State Water Resources Control Board (SWRCB) and CDFW. The construction of the Melody Road improvements for the access road may require extending the culvert for Willow Creek. Additionally, improvements to the SR-94/Jamacha Road intersection would also require a Section 404 Nationwide Permit. A Nationwide Section 404 Permit is expected to be appropriate given that the cumulative total impact of Waters of the U.S. is less than 0.5 acres. As there is no federal lead agency on this project, the Corps would serve as their own NEPA lead. However, in the case of Nationwide Permits, NEPA compliance was performed as part of the administrative rule-making process prior to their issuance. Nationwide permit issuance is contingent upon the successful completion of Endangered Species Act Section 7 consultation with the United States Fish and Wildlife Service (USFWS). In addition to consulting with USFWS, the Corps would consult with the State Historic Preservation Office (SHPO) to address potential cultural resource impacts in order to comply with Section 106 of the National Historic Preservation Act. The level of Corps consultation with USFWS and SHPO will depend on the impact level of significance.

Project delays could be experienced and compensatory habitat mitigation needed if formal consultation is required¹.

The proposed improvements would require enrollment in the SWRCB program for a National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges associated with construction activity, and water quality certification (or waiver) under Section 401 of the Clean Water Act. Work within the riparian corridor for the access road would also require a Streambed Alteration Agreement (SAA) from CDFW.

Proposed improvements for SR-94 would be located within a designated County Scenic Highway. The County Scenic Highway policy exists to protect scenic corridors, regionally significant vistas, and natural features along these corridors. It does not appear that the alternatives would significantly impact/impede the County's ability to implement its policy related to Scenic Highways; however, this issue will be addressed in the EIR.

Time needed to resolve the above issues could exceed the estimate provided in Section 7: *Level of Effort: Risks and Assumptions*. Project delays would be experienced if improvements plans need to be revised based on changes brought on by the above issues.

The alignment under Alternative 3 would travel through the middle of the Hardline Preserve impacting significantly more MSCP land than Alternatives 1-2: Options 1-3. The County's Subarea Plan, which implements the MSCP, states new roads can only be approved in Hardline Preserve if "there are no feasible, less environmentally damaging locations, alignments or non-structural alternatives." To approve Alternative 3, the County may need to make findings in contravention to its adopted policies. As a result, the County may not be able to approve Alternative 3 access improvements without first approving an Amendment to the MSCP.

The expanded footprint under Alternative 3 would result in three new Willow Creek crossings on the 87-acre parcel. Alternative 3 would also impact potential habitat for the federally listed Quino checkerspot butterfly (located within the new road alignment on the 87-acre parcel), which may require formal consultation with USFWS.

5. ANTICIPATED ENVIRONMENTAL COMMITMENTS

Anticipated environmental commitments (beyond standard specifications and protocol) that are anticipated to reduce, minimize, or compensate for permanent project impacts for each alternative are listed below. No environmental commitments would exist for Alternative 4: No Project Alternative.

¹ / The Alternative 3 access road impact to potential Quino checkerspot butterfly habitat is the only issue that may result in formal consultation.

5.1 Land Use

Alternatives 1-2: Options 1-3

The project would require a finding of consistency with the MSCP for access road and SR-94/Jamacha Road improvements. An MSCP Amendment would be required if the project is found to be inconsistent with the MSCP. The County would need to approve the transmittal of the IOD located on the east side of SR-94 to Caltrans to be used for access road improvements under Alternatives 1-2. Additionally, approval from the CDFW (Alternatives 1-3) and private land owners would be required to acquire land for access improvements.

Alternative 3

In addition to acquiring County approval for the conveyance of the IOD along SR-94, the JIV would also be required to acquire several discretionary land use approvals from the County allowing for the construction/operation of the new roadway alignment through the 87-acre parcel. These discretionary entitlements include:

- (1) Amendment to the Otay Mesa Specific Plan allowing for the reconfiguration of parcels to accommodate the new roadway alignment,
- (2) Exemption to Mobility Goal #1, Policy #15 of the Jamul/Dulzura Subregional Plan allowing for the connection of a commercial facility (gaming facility) to Melody Road, which is a collector street, and
- (3) County finding that the roadway alternative is consistent with the MSCP.

If found to be inconsistent with the MSCP, Alternative 3 would be required to acquire an Amendment to the MSCP allowing for the proposed roadway. Approval from CDFW and private landowners would also be required to acquire land for the access improvements.

5.2 Visual/Aesthetics

Alternatives 1-3

The road improvements are located within a State highway corridor that is considered eligible for listing as a Scenic Highway Route, and is currently listed

under the County's scenic route program. Visual impacts are a possibility given that proposed retaining walls could reach as high as 20 feet. Visual mitigation may include aesthetic treatment of both hardscape and landscaping. A Visual Impact Assessment (VIA) will be prepared to address Visual Resources and Aesthetics.

5.3 Water Quality, Hydrology and Floodplain

Alternatives 1-2: Options 1-2, 3

Prior to undertaking any grading activities, the developer would need to acquire a Corps Section 404 Nationwide Permit and enroll in the SWRCB program for a NPDES General Permit for stormwater discharges associated with construction activity, and obtain a water quality certification (or waiver) under Section 401 of the Clean Water Act (see Biological Resources for accompanying permits). Please see Section 4 Special Environmental Considerations for a discussion on Section 404 Permit processing by the Corps. All permit requirements would be required to be implemented during construction and operation. Permit conditions may include the purchase of in lieu-credits at a mitigation bank. A Water Quality Report and Hydrology/Floodplain Report will be prepared to address the projects effects on these resources.

Alternative 2: Option 3

Alternative 2: Option 3 would eliminate the need to create Willow Creek overcrossing improvements. No other hydrology and floodplain commitments apply.

5.4 Cultural Resources

Alternatives 1-3

All access road and intersection improvements requiring excavation would be required to implement inadvertent discovery measures, which include a worker education course for all construction personnel, as well as monitoring by a qualified archeologist who meets the Secretary of Interior Standards for archaeologists. All work within 50 feet of resources would be shut down in the event that a discovery is made during construction activities. A Historical Resources Compliance Report (HRCR), an Archaeological Survey Report (ASR), and a Historical Resources Evaluation Report (HRER) will be completed to address issues related to cultural resources.

5.5 Paleontological Resources

Alternatives 1-3

All access road and intersection improvements requiring excavation would be required to implement inadvertent discovery measures, which include a worker education course for all construction personnel, and monitoring by a qualified paleontologist as required by the Paleontological Mitigation Plan (PMP). All work within 50 feet of resources would be shut down in the event that a discovery is made during construction activities. A Paleontological Evaluation Report (PER) and a PMP would be prepared to address issues related to paleontological resources.

5.6 Hazardous Waste/Materials

Alternatives 1-3

The contractor will enroll under the California Statewide NPDES General Permit for Discharges of Storm Water Associated with Construction Activity (NPDES NO. CAS000002)). In conjunction with this coverage, an effective Storm Water Pollution Prevention Plan, Hazardous Materials Management Plan, and Spill Response Plan would be created and implemented during construction to avoid or minimize the potential for accidental release of hazardous materials. The construction activity would conform to the practices and procedures dictated by Caltrans's 2003 Statewide Storm Water Management Plan.

A Health and Safety Plan and Contingency Plan would need to be developed and implemented during construction activities to address the one recognized environmental condition found at the service station near the SR-94/Steele Canyon Road intersection (recorded release of gasoline and gasoline additives from leaking underground storage tanks, and subsequent soil and groundwater contamination).

Wood, soil and paint removed from the construction site will be assessed prior to disposal to determine if hazardous materials are present. Treated wood waste will either be assumed to contain hazardous materials and be disposed of at an approved waste facility or subjected to sampling and lab analysis; if sampling results are negative for hazardous materials, the wood may be disposed with other construction and demolition debris. No soil shall be exported from the project area before an aerially-deposited lead (ADL) study is performed and implemented. The ADL study will determine the appropriate handling and

disposition of the exported soil. Road paint removed during construction will either be assumed to contain lead and be disposed of at an approved waste facility or subjected to sampling and lab analysis; if sampling results are negative for lead, the paint may be disposed with other construction and demolition debris. If lead is present within the construction area, the Contractor shall have a lead compliance plan prepared by a Certified Industrial Hygienist (CIH) and implemented by the contractor.

A Hazardous Materials Site Assessment will be prepared to address the hazardous waste/materials issue.

5.7 Biological Environment

Alternatives 1-2: Option 1

Alternatives 1 and 2 (Option 1) may necessitate the widening of the existing Willow Creek culvert on Melody Road (immediately west of the SR-94/Melody Road intersection). The Willow Creek crossings may require the following permits:

1. Clean Water Act Section 404 Nationwide Permit (Corps),
2. Clean Water Act Section 401 Water Quality Certification (Regional Water Quality Control Board), and
3. Fish and Game Code Section 1602 Streambed Alteration Agreement (CDFW).

The SR-94/Steele Canyon intersection is the only intersection of the five that may possibly result in the need for additional ROW. If additional ROW is needed for the eastbound right-turn lane, it would need a MSCP consistency determination. Compliance with the MSCP would require mitigation per the County's Biological Mitigation Ordinance (BMO). However, no natural habitats exist in the lands in question, thus compliance with the MSCP and BMO should not be necessary.

The access and intersection improvements (for lands outside the Caltrans ROW) would need to mitigate for the loss of protected habitats (grasslands, coastal sage scrub, coast live oak riparian forest) with San Diego County and CDFW at ratios specified in the County's BMO, which vary from 0.5:1 to 3:1, either by in lieu-fee payment or by deed restriction of qualified lands.

Lastly, the take of CDFW preserve lands (0.35+/- acres) south of the Reservation to expand the SR-94 ROW most likely would require formal approval from the

State of California (CDFW), which may necessitate compensatory habitat/land mitigation or a land swap.

A Natural Environment Study (NES) will be prepared to address various natural environmental issues such as plant and animal species, wetlands/waters of the U.S., and the MSCP.

Alternative 2: Option 2

The proposed access improvements under Alternative 2: Option 2 are expected to be consistent with the County's MSCP given that no encroachment of the Hardline Preserve would be experienced. The remainder of environmental commitments for the access road and intersections are the same as described for Alternatives 1 and 2 (Option 1).

Alternative 2: Option 3

The access road improvements under Alternative 2: Option 3 would result in minimal biological commitments given that the vast majority of the work would be inside of the existing Caltrans ROW. No impact to MSCP zoning designations would occur. Additionally, the Willow Creek crossing at Melody Road would not be improved; therefore, no impact to Willow Creek or the riparian zone would occur. Biological commitments related to loss of protected habitats as described in Alternatives 1 and 2 would apply to Alternative 2: Option 3. The biological commitments for the intersection improvements are the same as identified for Alternatives 1 and 2 (Option 1).

Alternative 3

The biological commitments described for Alternatives 1 and 2 (Option 1) would be the same for Alternative 3. If a MSCP consistency finding cannot be made, the JIV would be required to seek an Amendment to the MSCP, which would require approval from the County Board of Supervisors, USFWS and CDFW.

Access Alternative 3 would also be required to mitigate for the loss of Quino checkerspot butterfly potential habitat (*Plantago erecta*) and a rare plant colony of *Ericameria palmeri palmeri*. Mitigation for impacts to *Plantago erecta* would occur by obtaining a USFWS ESA Section 7 or Section 10 permit that may involve compensatory mitigation by land dedication or in-lieu fee payment. Mitigation for impacts to *Ericameria palmeri palmeri* may occur by providing a 3:1 ratio in lieu fee payment to San Diego County or by deed restriction on qualified lands, as specified in the BMO.

The biological commitments for the intersection improvements are the same as identified for Alternatives 1 and 2 (Option 1).

6. PERMITS AND APPROVAL

The following federal approvals or permits/consultations may be required for each access road alternative:

- (1) Corps consultation and possible issuance of a Section 404 Nationwide Permit, includes Corps consultation with USFWS under Section 7 of the Endangered Species Act, and
- (2) USFWS consultation/approval of a MSCP consistency determination² and a possible MSCP Amendment.

The following State approvals or permits may be required for each access road alternative:

- (1) Enrollment in the SWRCB program for a NPDES General Permit for Stormwater Discharges Associated with Construction Activity, and water quality certification (or waiver) under Section 401 of the Clean Water Act,
- (2) CDFW consultation/approval of a MSCP consistency determination² and a possible MSCP Amendment,
- (3) Consultation with CDFW and issuance of a SAA under Fish and Game Code Section 1600 et seq., and
- (4) CDFW approval of land conveyance to be used for access road ROW (not required for Alternative 2: Option 3).

The following local approvals and permits may be required for each access road alternative³:

- (1) San Diego County approval of encroachment permits to allow the construction of roadway, drainage, and utility improvements within public rights-of-ways,
- (2) County MSCP consistency determination and possible MSCP Amendment for improvements,
- (3) County grading permits for work undertaken within the County ROW,

² / Undertaken through County consistency determination process once request for determination has been made from Tribe.

³ / San Diego County is expected to serve as a Responsible Agency under CEQA for the Caltrans EIR. As such, the SR 94 Improvement EIR would satisfy County CEQA requirements for local approvals and permits.

- (4) Prior to any grading activities for Alternative 3, the project would need approval from the County for an amendment to the Otay Mesa Specific Plan allowing for the reconfiguration of parcels to accommodate the Alternative 3 alignment,
- (5) Prior to any grading activities for Alternative 3, the project would need approval from the County for an exemption to Mobility Goal #1, Policy #15 of the Jamul/Dulzura Sub regional Plan allowing for the connection of a commercial facility to Melody Road, which is a collector street,
- (6) Prior to any grading activities for Alternative 3, the project would need approval from the County for an Amendment to the MSCP allowing for the proposed roadway, and
- (7) Development in take authorized areas is subject to mitigation ratios contained in the County's BMO.

Table 2 summarizes the applicability of the permits/approvals for each alternative⁴.

7. LEVEL OF EFFORT: RISKS AND ASSUMPTIONS

The risk and assumptions that could affect cost, schedule, level of effort and resources needed for the environmental process for each alternative are listed below:

Alternatives 1-2: Options 1-3

A major assumption used in this PEAR is that Caltrans would not use eminent domain powers to acquire additional ROW, and that the JIV would be successful in acquiring additional ROW per plan design. Land acquisition agreements with CDFW (except Alternative 2: Option 3), private landowners and/or San Diego County would be necessary. The acquisition of additional ROW south of the Reservation requires formal approval from the CDFW, which may necessitate compensatory habitat/land mitigation. It is assumed that the JIV would be successful in the negotiation and acquisition of privately held ROW along SR-94.

The JIV has begun discussions with CDFW regarding ROW acquisition south of the Reservation. Discussions with CDFW will continue, and discussions with private landowners will begin when 30% design plans for the access alternatives are completed. It is expected that negotiations for additional ROW from CDFW and private landowners would be completed within a 2-month period following completion of the 30% plans. Final acquisition of ROW would not occur until selection of a project alternative and encroachment permit approval has been secured.

⁴ / Preliminary list subject to further refinement and investigation.

It is assumed that the County, CDFW and USFWS would approve a consistency determination for the access road due to the fact that additional ROW needed is immediately adjacent to SR-94, the land consists of ruderal/grassland habitat and it contains no listed species or critical habitat. For the SR-94/Jamacha Road Intersection improvement, the additional ROW needed for the second eastbound lane and retaining wall is located within existing rip-rap areas, thus no sensitive habitat would be impacted by the improvement. Preliminary hydrology work undertaken for the SR-94/Jamacha Road Intersection improvement shows that the road widening and retaining wall will raise the 100-year water surface elevation by 0.25+/- feet at this location (**Attachment 1**). No sensitive habitats would be affected by this change.

Under this assumption, the County is expected to make a decision within 3-months following approval of the Caltrans EIR. The risk that the agencies would approve the consistency determination will not be known until County discussions occur.

The added ROW requirements on the east side of SR-94 require that Caltrans acquire the IOD from the County to be used for roadway improvements. It is assumed that Caltrans would receive the IOD from the County due to the fact that this additional ROW has been reserved for needed improvements. Under this assumption, the County would transfer the IOD to Caltrans within 3-months following approval of the Caltrans EIR. The risk that the County would not transfer the IOD appears low given the points stated above; however, this actual risk level will not be known until County discussions occur.

The intersection improvements do not appear to pose a risk. Two of the off-site intersections (SR-94/Steele Canyon and SR-94/Jamacha Road) include the need for additional ROW within areas designated as "MSCP Minor Amendment Area" per the MSCP. Sensitive resources are not expected to be impacted by either intersection improvement given that one (Steele Canyon) is an existing paved parking lot, and the other (Jamacha Road) is existing rip-rap. The Minor Amendment process is assumed to be approved by the County and completed within the 3-month period following completion of the EIR. The risk that the County would not approve the Minor Amendments appears low given that the improvements are minor and compliance with the County BMO does not appear to be a major obstacle. However, the actual risk will not be known until County discussions occur.

The added ROW needs on the west side of SR-94, as well as for the two off-site intersections require that the project receive a County MSCP consistency determination. It is assumed that the project would be consistent with the MSCP given that approximately ninety percent of the needed land is paved, with the remaining ten percent consisting of grassland containing no special status species or critical habitat.

**TABLE 2
PERMITS/APPROVALS FOR SR-94 IMPROVEMENT ALTERNATIVES**

Permits/Approvals	Alternative 1	Alternative 2: Option 1	Alternative 2: Option 2¹	Alternative 2: Option 3¹	Alternative 3
Federal					
1. Corps consultation and possible issuance of a Section 404 permit,	Yes	Yes	Yes	Yes	Yes
2. Corps consultation with USFWS under Section 7 of the Endangered Species Act,	Yes	Yes	Yes	Yes	Yes
3. Corps consultation with SHPO under NHPA Section 106,	Yes	Yes	Yes	Yes	Yes
4. USFWS MSCP consistency determination,	Yes	Yes	Yes	Yes	Yes
5. USFWS consultation/approval of a possible MSCP Amendment.	Yes	Yes	Yes	Yes	Yes
State					
1. SWRCB NPDES General Permit for Stormwater Discharges, and 401 water quality certification (or waiver),	Yes	Yes	Yes	Yes	Yes
2. CDFW MSCP consistency determination,	Yes	Yes	Yes	Yes	Yes
3. CDFW consultation/ approval of a possible MSCP Amendment	Yes	Yes	Yes	Yes	Yes
4. CDFW issuance of a SAA under Fish and Game Code Section 1600 et seq.,	Yes	Yes	Yes	Yes	Yes
5. State approval of land conveyance to be used for access road ROW.	Yes	Yes	Yes	No	Yes
Local					
1. County encroachment permits,	Yes	Yes	Yes	Yes	Yes
2. County MSCP consistency determination,	Yes	Yes	Yes	Yes	Yes
3. County approval of a possible MSCP Amendment	Yes	Yes	Yes	Yes	Yes
4. County amendment to Otay Mesa Specific Plan,	No	No	No	No	Yes
5. County exemption to Mobility Goal #1, Policy #15 of the Jamul/Dulzura Sub regional Plan,	No	No	No	No	Yes
6. Compliance with BMO.	Yes	Yes	Yes	Yes	Yes
^{1/} Only for off-site intersection improvement. No impact to Hardline Preserve would occur.					
SOURCE: EDS, INC.					

It is assumed that that the proposed improvements would be successfully processed through the Corps 404 process with a Nationwide Permit, which could take 6 months. There is low risk that this permit would be rejected due to current plans to minimize impacts to jurisdictional waters.

The assumption is that mitigation for the loss of protected habitats (grasslands, coastal scrub, coast live oak riparian forest) with San Diego County and CDFW at ratios specified in the County BMO (either by in-lieu fee payment or by deed restriction of

qualified lands) would be successful and completed no more than 3-months following selection of the proposed project alternative. The JIV has ownership/options on undeveloped properties adjacent to the access road property, which can be used should deed restrictions be necessary.

The highly sensitive project area for prehistoric, ethnohistoric or historic cultural material or subsurface features creates a risk of project delay should sensitive materials/features be uncovered during construction activities. The assumption is that no sensitive resources would be uncovered given that current records show these features being located adjacent to the proposed access ROW. However, an inadvertent find during construction would result in a delay given that work would be halted within 50-feet of uncovered resources. No additional work would take place within the immediate vicinity of the find until identified actions have been implemented. Project delays and increased costs could extend from several days to several months depending on the find.

Alternative 3

The assumption is that the Amendment to the MSCP for the Alternative 3 access road would be rejected due to the fact that the Hardline Preserve would be split by a new road, sensitive habitat exists within the alignment, a commercial roadway would tie into a County Collector Street (Melody Road) in contravention to stated County policy and environmentally superior alternatives (Alternatives 1-4) exist. The inability to receive a consistency determination for the Hardline Preserve would necessitate the project to receive an Amendment to the MSCP. It is expected that an additional 6-months, at a minimum, would be needed to receive a County decision on the MSCP Amendment. Assuming an amendment is required for Alternative 3, and Alternative 3 is selected as the proposed project alternative, project delays and increased costs would occur if the JIV failed to acquire an MSCP Amendment from the County.

In addition to the discretionary request for the MSCP action, Alternative 3 may also need to acquire discretionary approvals for amendments to the Otay Mesa Specific Plan and the Jamul/Dulzura Subregional Plan. It is assumed that the Otay Mesa Specific Plan and Jamul/Dulzura Subregional Plan amendments would be processed over the same 6-month period as the MSCP Amendment request. The inability to acquire either amendment would result in project delays and increased costs should Alternative 3 be selected as the preferred alternative by Caltrans.

It is assumed that Alternative 3 would be successfully processed with a Nationwide Permit from the Corps, which is expected to be completed within a 6-month period. There is low risk that this permit would be rejected due to the current plan to minimize impacts to jurisdictional waters.

Table 3 summarizes the document assumptions:

**TABLE 3
ASSUMPTIONS**

Assumptions	Alternative 1	Alternative 2: Option 1	Alternative 2: Option 2	Alternative 2: Option 3	Alternative 3
1. Caltrans ROW Condemnation?	No	No	No	No	No
2. Successful Tribal Land Acquisition from CDFW?	Yes	Yes	Yes	N/A	Yes
3. Successful Tribal Land Acquisition from Private Land Owners?	Yes	Yes	Yes	Yes	Yes
4. Consistency with County MSCP?	Yes	Yes	Yes	Yes	No
5. County IOD Transfer to Caltrans?	Yes	Yes	Yes	Yes	Yes
6. Otay Mesa Specific Plan Amendment?	N/A	N/A	N/A	N/A	Yes
7. Nationwide Permit?	Yes	Yes	Yes	Yes	Yes
8. Successful mitigation implementation per County BMO?	Yes	Yes	Yes	Yes	Yes
9. Uncovering of sensitive resources?	No	No	No	No	No

Source: EDS, Inc, 2013

8. PEAR TECHNICAL SUMMARIES

The technical summaries for each development alternative are listed below. No alterations would occur under the No Project Alternative.

8.1 Land Use:

Alternatives 1-2: Option 1

Construction of the Alternative 1 and 2: Option 1 access road would require additional ROW on both the east and west sides of SR-94 that would follow the

existing alignment of the highway. Right-of-way needs are concentrated in the following locations: 1) near the existing Melody Road intersection, primarily on the west side of SR-94, both north and south of the intersection, 2) on the west side of SR-94 north of the Reservation owned parcel of land (the “4-Acre Parcel”), and 3) south of Reservation Road. The acquisition of additional ROW is not expected to reduce parcel sizes on land designated “SR-1”, Residential Low Density, “ER”, Estate Residential, or “GA”, General Agricultural below the threshold minimums. Construction of the access road under Alternatives 1 and 2: Option 1 would not conflict with existing land uses, disrupt or divide a community or conflict with land use designations in the vicinity of the project site.

Approximately half (western-half) of the 87-acre parcel located south of Melody Road, north of the Reservation and west of SR-94 is located within the Take-Authorized area, while the eastern half is located in the “Hardline” preserve area pursuant to the MSCP. Additional ROW on the west side of SR-94 contains the Hardline overlay, which would require the JIV to acquire a MSCP consistency determination and possible Amendment from the County.

The additional ROW requirements south of the Reservation necessitate a land agreement with CDFW given the land needed for the access road improvements. This land agreement could necessitate compensatory habitat/land mitigation.

Construction of the off-site intersection improvements would limit conversion of existing land uses to the existing highway ROW. Construction of the intersection improvements would not conflict with existing land uses, disrupt or divide a community or conflict with land use designations in the vicinity of the project site. Additionally, the improved intersections are not expected to reduce parcel sizes below the threshold minimums.

Alternative 2: Option 2

Alternative 2: Option 2 would not encroach onto the Hardline Preserve. The remaining land use issues (IOD, parcel size, conflicts with adjacent land uses) for the access road and off-site intersections are as described for Alternatives 1 and 2: Option 1.

Alternative 2: Option 3

Alternative 2: Option 3 would not encroach onto the Hardline Preserve and not necessitate acquisition of CDFW land. The remaining land use issues (IOD,

parcel size, conflicts with adjacent land uses) for the access road and off-site intersections are as described for Alternatives 1 and 2: Option 1.

Alternative 3

As is the case with Alternatives 1 and 2: Option 1, construction of the access road under Alternative 3 would require additional ROW on both the east and west sides of SR-94 that would follow the existing alignment of the highway. In addition to ROW needed along SR-94, the Alternative 3 access road would also require land on the 87-acre parcel located between the Reservation and Melody Road on the west side of SR-94. The 87-acre parcel is subject to the County's Otay Mesa Specific Plan, and would require County approval of an amendment to the Plan to allow the access road.

Alternative 3 would also result in a new connection to Melody Road, a collector street, which appears to be in contravention to the stated County policy. To address this issue, Alternative 3 would need to be submitted to the County for approval of an amendment to the Jamul/Dulzura Subregional Plan.

Approximately half (western-half) of the 87-acre parcel is located within the Take-Authorized area, and the eastern half is located in the Hardline preserve area pursuant to the MSCP. The County has indicated that any encroachment into the Hardline Preserve would require the County to approve a MSCP consistency finding. The County's Subarea Plan, which implements the MSCP, explicitly states that new roads can only be approved if "there are no feasible, less environmentally damaging locations, alignments or non-structural alternatives." As a result, the County may not be able to approve the development of Alternative 3 without first amending the policies of the MSCP.

Land Use issues for the off-site intersections are the same as identified for Alternative 1.

8.2 Growth:

Alternatives 1-2: Options 1-3

Alternatives 1-2: Options 1-3 would be constructed for the purposes stated in the Purpose and Need. The access road would provide capacity for anticipated operational traffic assumed for the recently approved gaming facility. The access design would not include through connections to serve adjacent lands.

Improvements planned for the off-site intersections include those improvements necessary to mitigate significant traffic impacts associated with increased traffic from the JIV Gaming Project. No additional capacity through these intersections, beyond what is needed to accommodate gaming related traffic would be provided.

Growth impacts resulting from the improvements (both access road and intersections) will be addressed in the EIR; however, the impact is not expected to be significant for the reasons presented above.

Alternative 3

As is the case with Alternatives 1-2: Options 1-3, the proposed access road under Alternative 3 will not be constructed with through connections or excess capacity. However, the proposed road south of Melody Road to the Reservation would travel through an undeveloped 87-acre parcel leaving open the possibility of future growth via the provision of access infrastructure. In order for future growth under Alternative 3 to actually occur, the County would need to approve a series of discretionary entitlements opening up this 87-acre parcel to land use changes, as well as allowing for an expansion of the access road. It may be that the Alternative 3 access road for the Reservation would be the first step to future growth on this 87-acre parcel adjacent to the Reservation; however, there are no proposed discretionary entitlements before the County at this time, and it is very unlikely, given the MSCP Hardline designation of this land, that the County would approve such requests should they ever be made.

Growth issues associated with the 5 intersections would be the same as identified for Alternatives 1-2: Options 1-3.

8.3 Farmlands/Timberlands:

Alternatives 1-3

According to the California Department of Conservation farmland mapping data, lands affected by Alternative 1-5 do not contain Prime Farmland, Farmland of Statewide Importance, or Unique Farmland. It appears that the proposed improvements for the access road would travel through Grazing Land, Farmland of Local Importance and "Other Lands." Although some land on the adjacent 87-acre parcel north of the Reservation contains the Farmland of Local Importance designation, the land has been used for years for cattle grazing, which continues to this day and has greatly impacted the land and its ability to be used as farmland. In addition, the amount of additional ROW needed is minimal and is located immediately adjacent to the existing Caltrans ROW along SR-94.

Three of five intersections located outside the access road improvement area would have improvements limited to land within the Caltrans ROW. The SR-94/Steele Canyon Road and SR-94/Jamacha Road intersections will include ROW outside of the Caltrans ROW. This additional ROW land is not designated Prime Farmland, Farmland of Statewide Importance, Unique Farmland or Farmland of Local Importance.

No timberlands would be affected by the proposed improvements under Alternative 1-3.

8.4 Community Impacts:

Alternatives 1-2: Options 1-3

Land uses surrounding the Jamul Reservation are largely rural and semi-rural in nature. The town of Jamul, located 1-mile north of the Reservation, is a predominately residential area with commercial development along SR-94. Land uses between the town center and the Reservation consist of scattered housing, open space and small businesses.

Within the vicinity of the access road, existing land uses consist primarily of rural residences and open space. To the south of the Indian Village and southwest of SR-94 is the Rancho Jamul Ecological Reserve. To the northeast of the Ecological Reserve is the Hollenbeck Canyon Wildlife Area. Both the Ecological Reserve and the Wildlife Area are owned by the State of California and managed by CDFW for conservation purposes. Rancho Jamul Estates, a low-density residential development, is located approximately 0.7 miles southeast of Reservation Road. Rural residences are located in the hilly terrain in the vicinity. Residential lots are large, ranging from just under one acre to over ten acres.

The section of SR-94 from Melody Road to the Reservation contains non-standard horizontal and vertical curves, which would be made standard with the improvements proposed. In order to accomplish this, additional ROW acquisition is needed beginning in an area north of the Melody Road SR-94 intersection to an area south of the Reservation. This would require acquisition of privately held ROW adjacent to the existing SR-94 ROW north of the Reservation, as well as from the State of California south of the Reservation. It does not appear, at this time, that these alternatives would require full acquisition of adjacent parcels. The access improvements would result in a positive community effect as vehicular safety on this non-standard section of SR-94 is a significant concern to the surrounding community.

Based on preliminary data, Alternatives 1-2: Options 1-3 would not result in the need to acquire or relocate businesses or residences in the project area to accommodate the ROW acquisition. Temporary construction impacts to SR-94 would occur; however, SR-94 would not be closed for a prolonged period of time. A Transportation Management Plan would be developed for the project to ensure that traffic impacts are minimized during construction activities.

Improvements to each of the five intersections involve lane restriping, the installation of or modification of traffic signals, and/or adding through lanes. Two intersections (SR-94/Steele Canyon Road and SR-94/Jamacha Road) would necessitate additional ROW, and one intersection involves a new “structure” (signal at SR-94/Lyons Boulevard). With regard to the SR-94/Jamacha Road intersection, the setting is urbanized consisting of commercial and retail centers, a gasoline service station, and a County of San Diego County Department of Public Works corporation yard located southwest of the intersection. The proposed southbound right-turn lane with additional ROW would not negatively impact community character at this location. The installation of a traffic signal at SR-94 & Lyons Boulevard constitutes the only new “structure” for all of the intersection improvements. Land uses surrounding SR-94 & Lyons Boulevard include the Taproot Montessori Preschool south of the intersection, commercial land uses on the northeast and southwest corners, and residential uses in all directions. Controlling SR-94 traffic at this intersection is a key safety issue and would be a positive addition for community character. All other striping/signal modification improvements for SR-94/Jamacha Boulevard, SR-94/Steele Canyon Road, and SR-94/Maxfield Road are minor and would not negatively impact community character.

A community impact assessment (CIA) will be prepared to address compatibility and land use adjacency issues associated with the placement of the proposed access road and off-site intersection improvements.

Alternative 3

The roadway constructed through the 87-acre parcel parallel to SR-94 would result in the introduction of a new road feature unique to the Jamul area. At this time, there are no plans to screen the new roadway from travelers along SR-94 or Melody Road.

The off-site intersection impacts would be as described for Alternatives 1-2: Options 1-3.

8.5 Visual/Aesthetics:

Alternatives 1-2: Options 1-3

A Visual Impact Assessment (VIA) is recommended to evaluate the visual/aesthetic compatibility of the proposed project within the surrounding area.

The viewshed is mainly influenced by topography and surrounding land uses that shape local viewing corridors to and from the project site. The topography of the access road project area generally ranges from approximately 870 feet to 960 feet above mean sea level. The project area slopes downward from the east and west towards the intermittent drainage that transects the Reservation. Surrounding land uses are largely rural and semi-rural in nature. Undeveloped lands immediately surround the project site.

The project will alter the horizontal and vertical curve alignment of the existing highway and include the following features: a wider expanse of pavement to accommodate the wider lanes; dedicated turn lanes; and access drives. In addition, retaining walls up to 20 feet in height and several hundred feet long will be included, as well as new signalization. Although the existing character of the surrounding land-use is rural and semi-rural, the highway is an urbanizing feature within the landscape unit. A revision to the existing highway alignment and cross-section is a minor adverse change to the existing character of the landscape unit. Any increase in glare and light, associated with the wider portions of pavement, would have a minor adverse change.

The project would require grading to the surrounding topography to accommodate the revised alignment. This grading procedure may adversely impact notable visual features (trees, rock outcropping, historical structures) and as necessary, require measures to minimize or avoid these conditions. Retaining walls (cut and fill-walls) are also incorporated into the design to minimize the amount of contour grading required and potential impact to these features. Specific to vegetation removal, any removal of native trees or vegetation will require replacement at a ratio stipulated in the approved environmental document. In addition, the project will introduce traffic signals (located at intersections) and street lights within the project boundaries. All of these project features will be addressed in the VIA. At this time, measures used to reduce visual impacts should include an integral coloration and texture complementary to the surrounding natural setting.

The off-site intersection improvements involve lane restriping, the installation of, or modification to, traffic signals, and/or adding through lanes. Two intersections

(SR-94/Steele Canyon Road and SR-94/Jamcha Road) necessitate additional ROW for a through lane and right turn lane/retaining wall, and one intersection (signal at SR-94/Lyons Boulevard) involves a new “structure.” With regard to the SR-94/Jamacha Road intersection, the immediate setting is more urbanized and consists of commercial and retail centers, a gasoline service station, and a County of San Diego County Department of Public Works corporation yard located southwest of the intersection. Given the urban features already existing at this location, the additional pavement resulting from the eastbound through lane is not expected to result in a negative aesthetic impact. The installation of a traffic signal at SR-94 & Lyons Boulevard constitutes the only new “structure” for all of the intersection improvements. Land uses surrounding SR-94 & Lyons Boulevard include the Taproot Montessori Preschool south of the intersection, commercial land uses on the northeast and south west corners, and residential uses in all directions. Given the existing urban development surrounding this intersection, the new signal is not expected to adversely impact the viewshed of the immediate area. All other striping/signal modification improvements for SR-94/Jamacha Boulevard, SR-94/Steele Canyon Road, and SR-94/Maxfield Road are minor and are not expected to result in negative aesthetic impacts.

San Diego County sought and received an amendment in 1989 to the California Streets and Highway Code to include SR-94 in the State Scenic Highway System; however, to-date the County has not pursued its nomination of this facility as a listed scenic highway. In order to receive official State designation as a Scenic Highway, the County is required to undertake the following steps:

1. Conduct a visual assessment of the route to determine if it meets the current scenic highway criteria and to what extent, if any, development has intruded on the scenic views.
2. Submit a Scenic Highway Proposal to the District Scenic Highway Coordinator. The package should include a letter of intent by the local governing body, maps showing the scenic corridor and existing zoning, a map overlay of development in the corridor, and a narrative description of the scenic elements. The District and State Scenic Highway Coordinators review the proposal and if it is determined that the corridor meets the scenic criteria, the applicant proceeds to the next step. If the route fails this review, it is not advisable to continue seeking official designation.
3. Prepare and adopt a Corridor Protection Program. The District and State Scenic Highway Coordinators review the protection program. If it is

determined that the program meets the legislative standards, a recommendation to designate the highway as scenic is forwarded to the Caltrans Director.

San Diego County has designated SR-94 as a County Scenic Highway as part of their latest General Plan Update. According to Dixie Switzer of County Planning and Development Services, the designation is based on the desire of the local Planning Group identified during updates to Subarea Plans. The County does not have unified standards, nor is there a formal application process for identifying County Scenic Highways. For compliance purposes, these areas are then overlaid with an “S” zone in the zoning books for Special Area Designations. A recent check of the zoning maps by Dixie Switzer reveals that the zoning maps have not yet been amended to include the “S” zone for SR-94 (Switzer, pers. comm.).

As mentioned previously, a VIA will be prepared to address the effects of the project features on Visual Resources and Aesthetics.

Alternative 3

The new access road under Alternative 3 is expected to result in the highest level of impact on viewers as there is an increased potential for light and glare associated with the new intersection and driveway given that no roadway currently exists in that location. It is not expected that the Alternative 3 access road would substantially damage recognized off-reservation resources, including trees, rock outcroppings, and historic buildings. Given that the design and construction of the roadway would go through the County approval process, any associated lighting is expected to be downcast in nature, thereby reducing the night lighting effects. The features of the retaining walls would be different from those proposed in Alternative 1. There is one cut-wall proposed under Alternative 2: Option 3 located along the northbound side of SR-94 just north of Daisy Drive. The cut-wall would vary in height from 8 to 10 feet along its 250 foot length. One fill-wall is proposed along the southbound side of Melody Road adjacent to the intersection with SR-94. The height of this fill-wall is estimated to vary between 6-12 feet along its 150 foot length.

8.6 Cultural Resources:

Alternatives 1-3

Literature searches completed by the South Coastal Information Center in 2009 and 2013 indicate three archaeological sites are located within the existing access road ROW or intersection locations, while an additional 60 archaeological

resources, one residence, and one bridge are recorded within one-half mile. Eight of the known archaeological resources are located near or adjacent to the SR-94 ROW near the Reservation. The project area is thus considered highly sensitive for the discovery of prehistoric, ethnohistoric or historic cultural material or subsurface features, and it is possible that components of previously known or unknown sites may be affected during construction or ground-disturbing activities associated with the access road or intersection improvements. A Historical Resources Compliance Report (HRCR), an Archaeological Survey Report (ASR), and a Historical Resources Evaluation Report (HRER) would be prepared to determine the presence and significance of cultural resources. These reports would include the results of efforts to obtain information regarding knowledge of cultural resources within the project area from local historical societies, Native American contacts, local governments, or other interest groups. Additional studies (e.g., Extended Phase I Report, Phase II Evaluation Report) would be prepared, as appropriate.

Should the project require a Section 404 Permit from the Corps, the cultural resources effort under the Corps' jurisdiction would follow the procedures for compliance with Section 106 of the National Historic Preservation Act (NHPA) as described at 36 CFR Part 800 and the guidelines prepared by the Corps to meet that agency's Section 106 compliance requirements.

8.7 Paleontological Resources:

Alternatives 1-3

USGS maps indicate the project area is underlain by Cretaceous rock units (Kgt and Kggd) that have a moderate sensitivity for paleontological resources. A record search of the database maintained by the San Diego Natural History Museum will be completed to determine if paleontological resources have been previously identified within the project area. A Paleontological Evaluation Report (PER) and a PMP would be prepared to address potential project impacts to scientifically significant paleontological resources.

8.8 Water Quality, Hydrology and Floodplain:

Alternatives 1-2: Options 1-3

Construction of the access road would involve ground disturbing activities such as grubbing, trenching, and grading, which could cause erosion and sedimentation of receiving waterbodies. For construction on non-federal lands in California, the landowner and contractor must enroll for coverage under the SWRCB General

Storm Water Discharge Permit for Construction Activities (Order No. 2009-0009, NPDES No. CAS000002) prior to the initiation of construction. Coverage requires creation and implementation of an effective storm water pollution prevention plan, erosion control plan, hazardous materials management and spill response plan, and construction best management practices, all of which are designed to minimize or eliminate erosion issues and eliminate sediment discharges. Adverse effects to water quality during the construction phase would also be mitigated through compliance with Caltrans Storm Water Quality Handbook and implementation of an erosion control plan. With proper implementation, these plans reduce or eliminate the potential for accidental release of sediment and other pollutants during construction, as well as reduce the potential for erosion. The erosion control plan would be prepared before construction commences, and would identify the location of erosion control features necessary to protect and filter stormwater runoff. Features used during construction may include but are not limited to silt fences, fiber rolls, and gravel bag check dams. The grading plans would meet or exceed standards established by Sections 87.101 through 87.717 of San Diego County Code of Regulatory Ordinances (Grading, Clearing, and Watercourses Ordinance), which requires effective erosion control and compensatory mitigation for natural habitat loss, if applicable. Erosion impacts are expected to be less than significant; however, this issue will be addressed within the Technical Report.

The effects to runoff volumes resulting from the increase of impervious surfaces are expected to be minimal due to the limited extent of the improvements in comparison to the existing facilities. Some existing curb and gutters and drainage inlets would be removed and relocated along portions of the roadways to provide space for the improvements. Curb and gutters, inlets, and other drainage facilities would be reconstructed to provide adequate facilities to direct stormwater runoff.

Some improvements may require culvert modification or replacement to allow for improvements to the SR-94/Melody Road intersection. Such bridge modification or replacement could constrict surface flows and result in potential flooding impacts if not properly designed and constructed. This issue will be addressed in the Technical Study and EIR.

Alternative 3

The access road improvements under Alternative 3 would result in similar hydrology/floodplain impacts, but to a greater extent. The planned improvements would not only include the crossing improvements identified for Alternative 1,

but would also include three new crossings for the segment of roadway from Melody Road to the Reservation.

8.9 Geology, Soils, Seismic and Topography:

Alternatives 1-3

The majority of the soils existing on the proposed access route have a low to moderate erosion potential based on soil type and slope gradients. The project area contains a variety of soil types, some of which are considered to be expansive soils. Expansive soils can cause failure of road beds and other project features by cracking, swelling, or subsidence; however, the Caltrans engineering process will ensure consideration of expansive soils prior to construction. Measures identified during this process would be incorporated into the project design. This issue will be addressed within the Technical Report.

Although the project area is not near any active fault zones, the area could be subject to seismic activity such as severe ground shaking and acceleration from earthquakes in other regions. Necessary seismic safety features will be incorporated into Caltrans design improvement plans prior to construction. As such, the impact is expected to be less than significant; however, this issue will be addressed within the Technical Report.

With regard to the intersection improvements, the steepest topography would be encountered at the intersection with Lyons Valley Road where large embankments currently exist. Stable fill material, embankments, and erosion control features would be used to reduce the potential for sloped instability, subsidence, and erosion. However, naturally occurring soils located at the improvement locations have a slight to very high erosion hazard. As is the case with the access road, the landowner and contractor must enroll for coverage under the State Water Resources Control Board's General Storm Water Discharge Permit for Construction Activities (Order No. 2009-0009, NPDES No. CAS000002) prior to the initiation of construction on non-federal lands. As such, the impact is expected to be less than significant; however, this issue will be addressed within the Technical Report.

8.10 Hazardous Waste/Materials:

Alternatives 1-3

During construction activities, limited quantities of miscellaneous petroleum products and hazardous substances, such as gasoline, diesel fuel, hydraulic fluid,

solvents, oils, and paints, would be stored and used within the footprint of Alternatives 1-5. Under state and federal laws, the contractor must enroll under the California Statewide NPDES General Permit for Discharges of Storm Water Associated with Construction Activity (NPDES NO. CAS000002)). In conjunction with this coverage, an effective Storm Water Pollution Prevention Plan, Hazardous Materials Management Plan, and Spill Response Plan must be created and implemented during construction to avoid or minimize the potential for accidental release of hazardous materials. The construction activity must also conform to the practices and procedures dictated by Caltrans's 2003 Statewide Storm Water Management Plan. This issue will be addressed within the Technical Report.

One recognized environmental condition was found at the service station near the Steele Canyon Road/SR-94 intersection, which included the release of gasoline and gasoline additives from leaking underground storage tanks, and subsequent soil and groundwater contamination. Extraction wells have been in operation and remediation has occurred on the site. The plume has been reported to be shrinking, and the site is in the monitoring phase. A Health and Safety Plan and Contingency Plan will need to be implemented during construction activities.

Earth-moving activities may uncover a previously unknown underground fuel storage tank, contaminated soil, or other hazardous material issue (especially in proximity to the old fire station and Steele Canyon Road/SR-94 intersection). Thus, construction activities could pose a risk to human health for construction personnel if contaminants are encountered. Hazards include ignition of flammable liquids or vapors, inhalation of toxic vapors in confined spaces such as trenches, skin contact with contaminated soil or water, or the excavation of undocumented obstructions such as USTs, piping, or solid waste. This issue will be addressed within the Technical Report.

Wildfires are a potential hazard in rural San Diego County. Portions of the proposed access road and intersections are covered in fuel-rich vegetation, such as grasses, leaf litter, resinous shrubs, and trees. The project area is also located within an area of moderate to high fire hazard. Construction activities have the potential to initiate a wildfire, which could cause injury or death of people or property losses. This issue will be addressed within the Technical Report.

Road construction may require the removal of existing structures that contain treated wood, such as utility poles, guard railings, or signs. Wood preservatives may contain toxic or hazardous materials, such as heavy metals. Treated wood waste will either be assumed to contain hazardous materials and be disposed of at

an approved waste facility or subjected to sampling and lab analysis; if sampling results are negative for hazardous materials, the wood may be disposed with other construction and demolition debris.

Road construction may require the export of soils from the project area; soil within the State right-of-way and adjacent to the traveled way usually contains aerially deposited lead (ADL). It is not known whether the level of lead at this location is at a hazardous level. No soil shall be exported from the project area before an ADL study is performed. The results of the ADL study will determine the appropriate handling and disposal of the soil. Road construction may require the removal of existing road paint from traffic stripe and traffic markers; all traffic striping and traffic marking paint contain lead, but it is not known whether it is at hazardous levels or not. This paint waste must be sampled and analyzed prior to disposal. Paint waste with hazardous levels of lead will need to be disposed of at a Class I landfill. If test results show that lead levels are below the regulated hazardous level, the paint may be disposed with other construction and demolition debris. A Lead Compliance Plan will be required for both items whether or not they are at hazardous levels and may be combined in a single document. The Contractor shall have a lead compliance plan prepared by a Certified Industrial Hygienist (CIH) and implemented by the contractor.

8.11 Air Quality:

Alternatives 1-3

Air quality impacts would primarily result from changes in traffic operations. Construction may affect air quality as a result of (1) construction equipment emissions; (2) fugitive dust from grading and earthmoving; and (3) emissions from vehicles driven to/from the Project site by construction workers and material delivery trucks. This issue will be addressed in the Technical Report.

Due to the distances and temporary nature of construction, these alternatives are not expected to result in exposure of local sensitive receptors to adverse concentrations of Toxic Air Contaminants.

Changes in miles traveled would be minor and would not have a quantifiable effect on baseline emissions. Alternatives 1-5 would result in improved operations on SR-94 and at affected intersections, which is a beneficial impact.

Air quality impacts associated with the intersection improvements would primarily result from changes in traffic operations due to the modified lane arrangement for select intersections. Roadway construction emissions would be

similar to construction emissions described above. Due to the distances and temporary nature of construction, none of the intersection improvements are anticipated to result in exposure of local sensitive receptors to adverse concentrations of TACs. Additionally, all intersection road options would result in improved operations on SR-94, thus traffic would not result in adverse concentrations of CO.

8.12 Noise and Vibration:

Alternatives 1-2: Options 1-3

Noise levels within and adjacent to construction sites would increase during the construction period. Construction activities are temporary and would be limited to daytime hours, which are less noise sensitive. No construction has been proposed for this project outside the allowed hours. No rock drilling and/or blasting is proposed. Due to the potential for high short-term and instantaneous noise levels during peak construction activity at nearby residential properties, especially for that segment of access road on Melody and north of Melody, noise abatement measures should be identified and either incorporated into the project description, or listed as mitigation. This issue will be addressed in the Technical Report.

The proposed access road would result in a widening of segments of SR-94 and Melody Road to accommodate the improvements listed in Section 2.0. Alternatives 1-4 would not result in increased vehicular traffic on SR-94; rather, it would accommodate existing and future traffic already occurring or planned for SR-94 travel. The Final EE developed for the JIV Gaming Project concluded that direct traffic noise level increases due to the gaming facility are estimated to be no greater than 1.9 dBA Community Noise Equivalent Level (CNEL), which would not be perceivable. Under cumulative traffic conditions, noise levels were expected to be at or less than 4 dBA CNEL. Thus, future increases in noise levels were considered noticeable, but would not be perceived as a doubling of noise levels.

Alternative 3

The Alternative 3 access road would create new noise sources where none currently exist due to construction and operation of a new road segment from Melody Road to the Reservation. Given the distance to local receptors and the low speed limits of the access road, noise levels within 100 feet of the access road are expected to be compatible with the current zoning and all anticipated future land uses. Potential impacts would be the result of a redistribution of traffic volumes from SR-94 to the segment of Melody Road west of SR-94. Land

adjacent to this segment of Melody Road is currently undeveloped and no development plans currently exist, therefore off-Reservation impacts from the Alternative 3 access road is not expected to result in new substantial adverse impacts. This issue will be addressed in the Technical Report.

8.13 Energy and Climate Change:

Alternatives 1-3

The improvements are designed to reduce congestion on the mainline of SR-94 in and around the Reservation, as well as at several intersections along SR-94. If implemented, the improvements would result in a reduction of vehicle hours traveled, thereby reducing vehicle emissions. At this time, there are no plans for recycling roadway materials or using renewable, recycled, or energy efficient resources in the construction of the facilities. The construction of the facilities is expected to result in the use of non-renewable resources.

8.14 Biological Environment:

Alternative 1-2: Option 1

Special-status plants and animals are not expected to thrive in the project footprint because of the preponderance of pavement, invasive and non-native plants, and habitat degradation associated with cattle grazing and road maintenance. Previous botanical surveys did not detect any rare plants or animals in this area.

The following special-status bird species were reported in databases (CNDDDB, County, and USFWS) in the vicinity of the footprint - a moderate potential exists for their occurrence within the project footprint: Cooper's hawk; southern California rufous-crowned sparrow; golden eagle; western yellow-billed cuckoo; yellow warbler; southwestern willow flycatcher; coastal California gnatcatcher and least Bell's vireo.

Land within the project footprint contains suitable nesting habitat for various bird species because of the presence of rock outcrops, large trees, utility poles, and riparian canopy. However, no nests were observed during any field surveys. If construction activities are conducted during the nesting season, nesting birds could be directly impacted by tree removal, and impacted by noise, vibration, and other construction-related disturbance. This issue will be addressed in the NES technical study.

Coastal scrub, annual grassland, and coast oak riparian woodland occurring within the project footprint are considered sensitive habitats by the County of San Diego

and protected under County ordinances. Construction of the access road would impact these habitats, which are protected by the County's Biological Mitigation Ordinance. In addition, the project footprint is located within two segments of the MSCP: the South County segment and the Metro/Lakeside/Jamul segment. Construction of the access road would encroach on lands protected by these segments and would require, at minimum, County finding of consistency with the MSCP. These issues will be addressed in the NES.

During construction of the access road, surface water quality has the potential to be degraded from storm water transport of sediment from disturbed soils or by accidental release of hazardous materials or petroleum products from sources such as heavy equipment servicing or refueling. However, the JIV and its designated general contractor must enroll under the State Water Board's Construction General Permit prior to the initiation of construction. In conjunction with enrollment under this Permit, a Storm Water Pollution Prevention Plan, Erosion Control Plan, and a Hazardous Materials Management/Spill Response Plan must be created and implemented during construction to avoid or minimize the potential for erosion, sedimentation, or accidental release of hazardous materials.

Access road widening could impact gullies and culverts near or under SR-94. A few hundred feet south of the SR-94 and Melody Road intersection, Willow Creek meanders very close to SR-94. Road widening could impact the Willow Creek channel and its riparian corridor; this is an issue to be addressed in the NES. Road widening on Melody Road might necessitate the construction of a new bridge, or modification of the existing bridge spanning Willow Creek. Modification or construction of a new bridge, and other road widening activities will also be addressed in the NES.

Disturbance areas associated with road improvements are expected to be located along existing roadsides, which are currently subject to human activity and are not expected to contain sensitive habitat features. However, some components of the various improvements may involve limited removal of existing vegetation and modification of intermittent drainage channels (e.g. replacement of existing culverts, or the placement of bridge abutments or piers). Removal of sensitive native vegetation (e.g. oak trees), vegetation with a potential to provide habitat for special-status species or support nesting migratory birds, and modification of intermittent drainages are issues to be addressed in the NES.

Four species with special State status were determined to have a medium or high potential to occur in the vicinity of intersection improvement area footprints: (1) least Bell's vireo, (2) Otay tarplant, (3) San Diego Thorn Mint, and (4) Western

Yellow-billed Cuckoo. Potential impacts to protected species will be analyzed in the NES.

No critical habitat or sensitive habitat designated by federal or State regulations or agencies was identified. However, habitats protected by County ordinances (grasslands, coastal scrub, riparian, etc.) and the MSCP do occur within the construction footprints of the intersection improvements. Construction of intersection improvements would involve operation of heavy equipment, staging of soils, grading and excavation activities that could impact protected habitats. At the SR-94 / Jamacha Boulevard Intersection, impacts to coast live oaks and riparian vegetation may occur as a result of bridge widening. At the SR-94 / Steele Canyon Road Intersection, implementation of the proposed improvements may require the removal of Coast Live Oaks. At the SR-94 / Lyons Valley Road Intersection, widening of eastbound SR-94 may impact Coast Live Oaks and riparian habitat. Potential impacts to protected habitats will be analyzed in the NES.

Lands adjacent to the intersection improvement areas contain nesting habitat for various bird species because of the presence of trees, poles, and riparian canopy. However, no nests were observed during field surveys. Migratory birds and raptors are protected by state and federal laws while nesting. If construction activities are conducted during the nesting season, nesting birds could be directly impacted by tree removal, and other construction-related disturbance. However, given the extent of existing habitat degradation within proposed development areas and the existing extent of human activity in the immediate vicinity, it is unlikely that implementation of traffic improvements would result in significant adverse impacts to nesting birds. Potential impacts to migratory and nesting birds will be analyzed in the NES.

Wildlife movement corridors link remaining areas of functional wildlife habitat that are separated primarily by human development, and sometimes by natural barriers. Wilderness and open lands have been fragmented by urbanization, which can disrupt migratory species and separate interbreeding populations. Corridors allow migratory movements and act as links between these separated populations. Within the vicinity of the Access Study Area, several wildlife corridors exist: the Willow Creek riparian corridor; the Jamul Creek riparian corridor; and the CDFW preserve areas. Busy roadways (primarily SR-94) and their fences create barriers and sources of mortality. Culverts under roads and bridges, such as the bridge at Melody Road, allow some wildlife movement under SR-94. Within the vicinity of the Intersection Improvement Study Areas, several wildlife corridors exist: the

Sweetwater River floodplain and its tributaries (including the unnamed tributary at the SR-94 / Jamacha Road intersection); the Steele Canyon riparian corridor; the Proctor Valley drainage; and undeveloped lands in the Jamul Mountains and San Miguel Mountains(including units of the San Diego National Wildlife Refuge complex).

An informal assessment of the intersection improvement footprints identified the potential for jurisdictional water features – Sweetwater Creek and its tributaries, Steele Canyon Creek and Jamul Creek (and their tributaries). Potential direct adverse impacts to these water resources could occur during construction by modification or destruction of stream banks or riparian vegetation, particularly by the addition of traffic lanes at the SR-94/Jamacha Boulevard Intersection, SR-94/Jamacha Road Intersection, SR-94/Steele Canyon Road Intersection, and the SR-94/Lyons Valley Intersection, and the addition of a northbound right hand turn lane at the SR-94/Lyons Valley Road Intersection and road widening on Melody Road at SR-94. Other adverse impacts include the permanent placement of bridge abutments or piers that might be needed for bridge widening at SR-94/Melody Road and SR-94/Jamacha Road intersections. Potential adverse impacts to water resources associated with construction of intersection improvements consist primarily of increased erosion and sedimentation in receiving water bodies due to soil disturbance. Potential impacts to jurisdictional waters will be analyzed in the NES.

Alternative 2: Option 2

Alternative 2: Option 2 avoids lands designed Hardline Preserve pursuant to the MSCP. Other biological resources impacts for the Alternative 2: Option 2 access road would be similar to those described under Alternatives 1 and 2: Option 1. The intersection impacts would be the same as identified for Alternatives 1 and 2: Option 1.

Alternative 2: Option 3

Alternative 2: Option 3 avoids lands designated Hardline Preserve pursuant to the MSCP, as well as CDFW land south of the Reservation. Other biological resources impacts for the Alternative 2: Option 3 access road would be similar to those described under Alternatives 1 and 2: Option 1. The intersection impacts would be the same as identified for Alternatives 1 and 2: Option 1.

Alternative 3

In addition to the potential impacts identified for Alternatives 1 and 2, the access road under Alternative 3 would create a potential effect to Palmer's Goldenbush (*Ericamaria palmeri* ssp. *palmeri*), which occurs as a single clone in the access road. Additionally, land within the Alternative 3 corridor would qualify as a biological resource core area because they are designated as Hardline Preserve Areas under the County's MSCP. Lastly, Alternative 3 would require construction of a new bridge on Melody Road over Willow Creek, as well as three new gully crossings – all are jurisdictional crossings. All these issues will be evaluated in the NES. The intersection impacts would be the same as identified for Alternatives 1 and 2: Option 1.

8.15 Cumulative Impacts:

Alternatives 1-3

The cumulative project list included in the traffic study represents the traffic conditions of the street network to be in place under Horizon Year conditions, consistent with the Series 11 Regional Transportation Plan, which was used to establish long-term conditions for evaluating cumulative impacts. A key project included in the cumulative project list, although not a related transportation project, is the recently approved Tribal gaming facility to be constructed on the JIV's Reservation. This 203,000 square foot facility is included in both the Near Term and Horizon Year Cumulative List and is the reason for the proposed facilities being evaluated in this PEAR. Cumulative projects, together with cumulative impacts, will be discussed in the upcoming EIR for the SR-94 Improvement Project.

9. SUMMARY STATEMENT FOR PSR

An Environmental Impact Report (EIR) will be prepared to address the various issues associated with the proposed access road and intersection improvements. Key environmental issues and special considerations to be addressed within the EIR include potential impacts to MSCP Hardline Preserve, potential uncovering of sensitive cultural resources, impacts to jurisdictional waters, visual impacts associated with the proposed retaining walls, and the potential need for a Streambed Alteration Agreement from CDFW. Technical studies identified at this time include a Visual Impact Assessment, Community Impact Assessment, Natural Environment Study, Air Quality Technical Report, Noise Study Report, Hazardous Materials Site Assessment, Preliminary Geotechnical Assessment, Water Quality Runoff Report, Historical Resources Compliance Report, Archaeological Survey Report, Historical Resources Evaluation Report, PER, Paleontological Mitigation Plan, Hydrology and Floodplain Report, Traffic Study, and a

Traffic Management Plan. The Corps will require separate compliance with Section 7 of the ESA and Section 106 of the NHPA.

Several assumptions were made in the preparation of the PEAR that positively affect timing of project completion such as the ability to privately acquire additional ROW and acquisitions of various approvals from San Diego County concerning the MSCP, IOD and biological mitigation. Additionally, the assumption was made that no sensitive cultural resources would be uncovered during construction activities. The timeline for project implementation could be negatively impacted should any of these assumptions prove inaccurate.

10. DISCLAIMER

This PEAR provides information to support programming of the Proposed Project. It is not an environmental determination or document. Preliminary analysis and determinations are based on the project description provided in the PSR. The PEAR conclusions are based on preliminary analyses of probable impacts. A reevaluation of the PEAR will be needed for changes in project scope or alternatives, or in environmental laws, regulations, or guidelines.

11. LIST OF PREPARERS

Table 4 presents the list of preparers that contributed to the development of technical information that appears in this PEAR.

**TABLE 4
LIST OF PREPARERS**

ISSUE	PREPARER
Land Use	EDS Inc.
Growth	EDS Inc.
Farmlands/Timberlands	EDS Inc.
Community Impacts	EDS Inc.
Visual/Aesthetics	EDS Inc.
Cultural Resources	Parus Consulting
Paleontology	Parus Consulting
Water Quality, Hydrology and Floodplain	San Dieguito Engineering, Inc.
Geology, Soils, Seismic and Topography	Natural Investigations
Hazardous Waste/Materials	Natural Investigations
Air Quality	Ldn Consulting
Noise and Vibration	Ldn Consulting
Energy and Climate Change	Ldn Consulting
Biological Environment	Natural Investigations Pacific Southwest Biological Services Forensic Entomology Services
PEAR Preparers	Joe Broadhead, EDS Inc.

12. REVIEW AND APPROVAL

I confirm that environmental cost, scope, and schedule have been satisfactorily completed and that the PEAR meets all Caltrans requirements. Also, if the project is scoped as an EIR, I verify that the HQ DEA Coordinator has concurred in the Class of Action.

 1/23/14

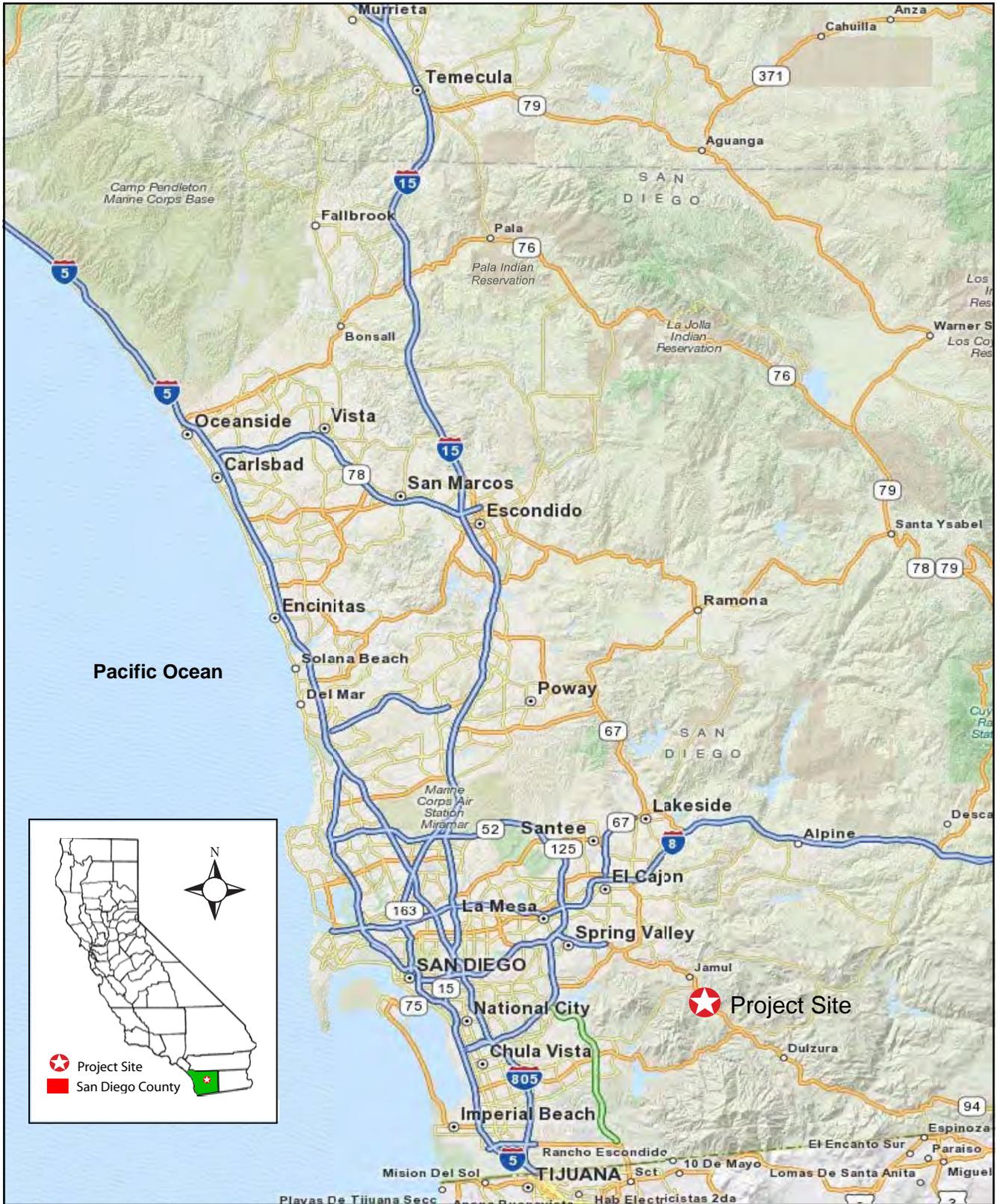
Deputy District Director of Environmental

 1/24/14

Project Manager

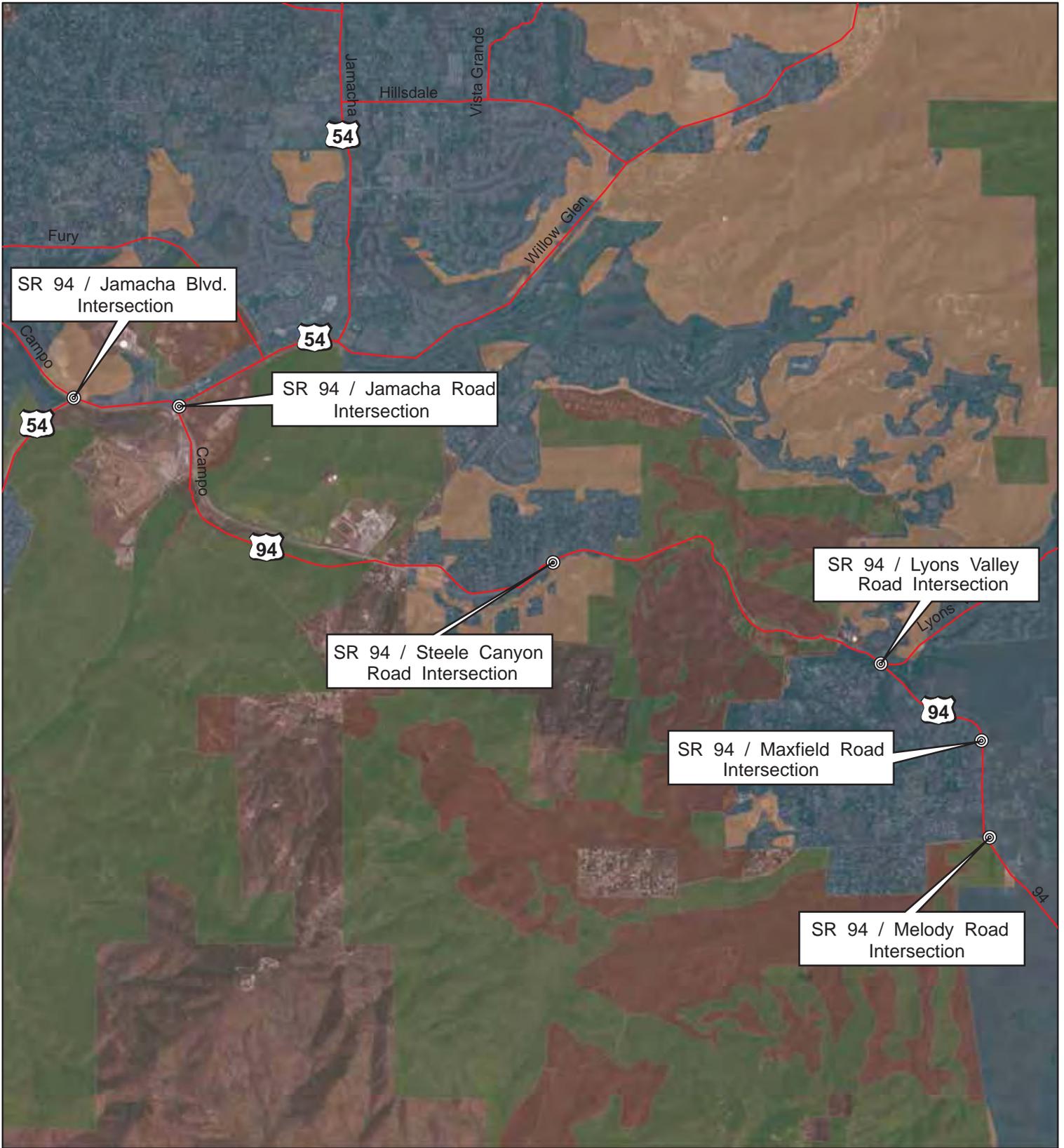
LIST OF ATTACHMENTS

- A. SR-94/Jamacha Road Intersection Preliminary Hydrology Data
- B. PEAR Environmental Studies Checklist



SOURCE: Microsoft Streets and Trips, 2013; EDS, 2014

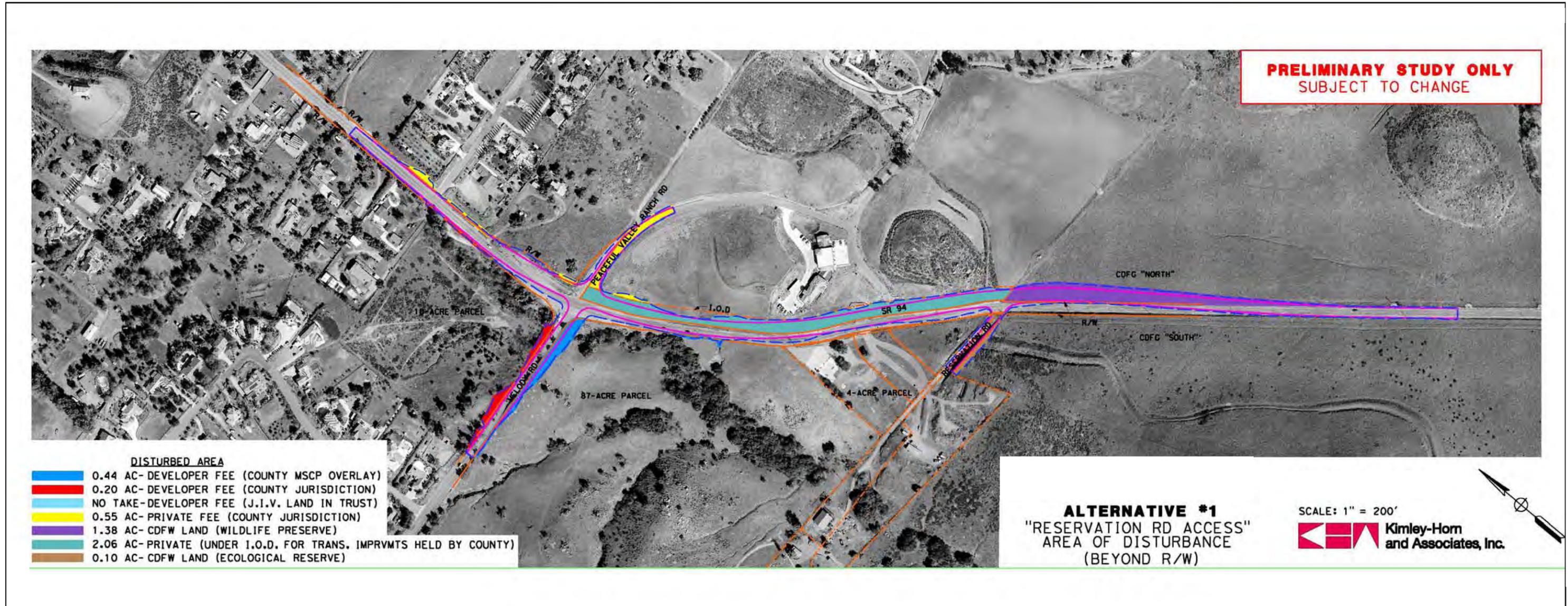
Figure 1
Regional Location Map

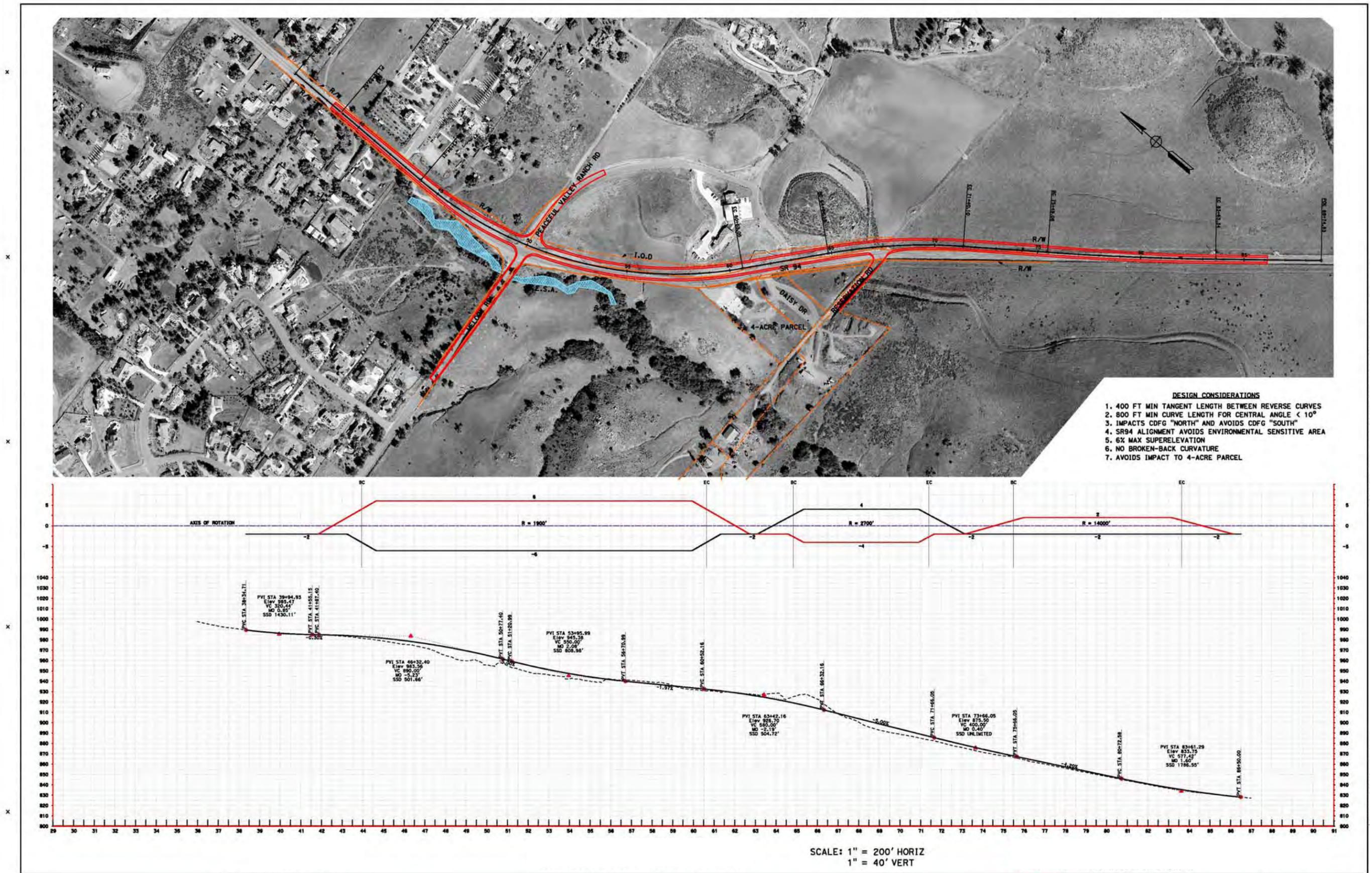


SOURCE: Digital Globe, 2012; EDS, 2014

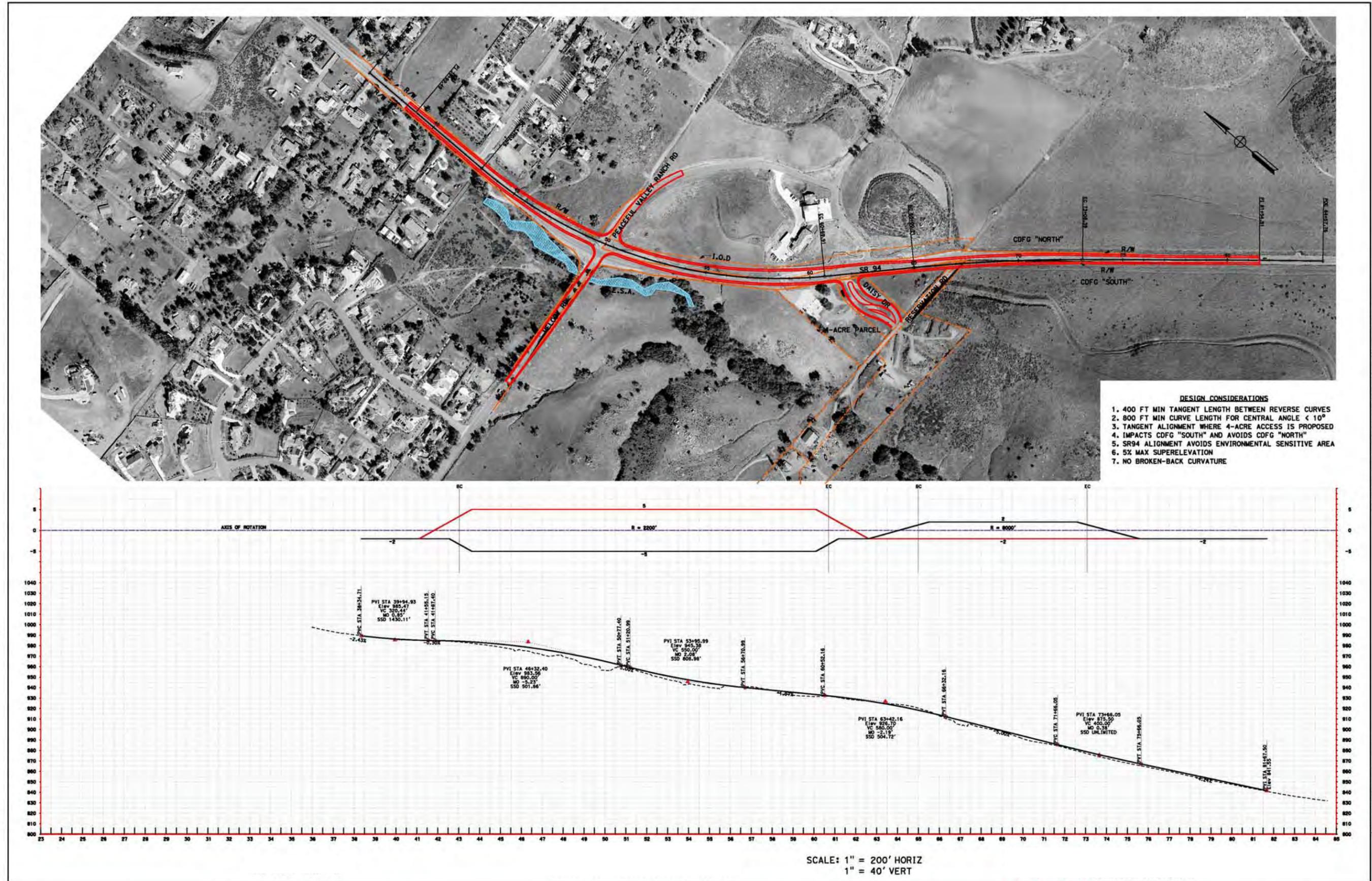
Jamul Indian Village PEAR SR-94 Improvement Project ■

Figure 2
Area Map

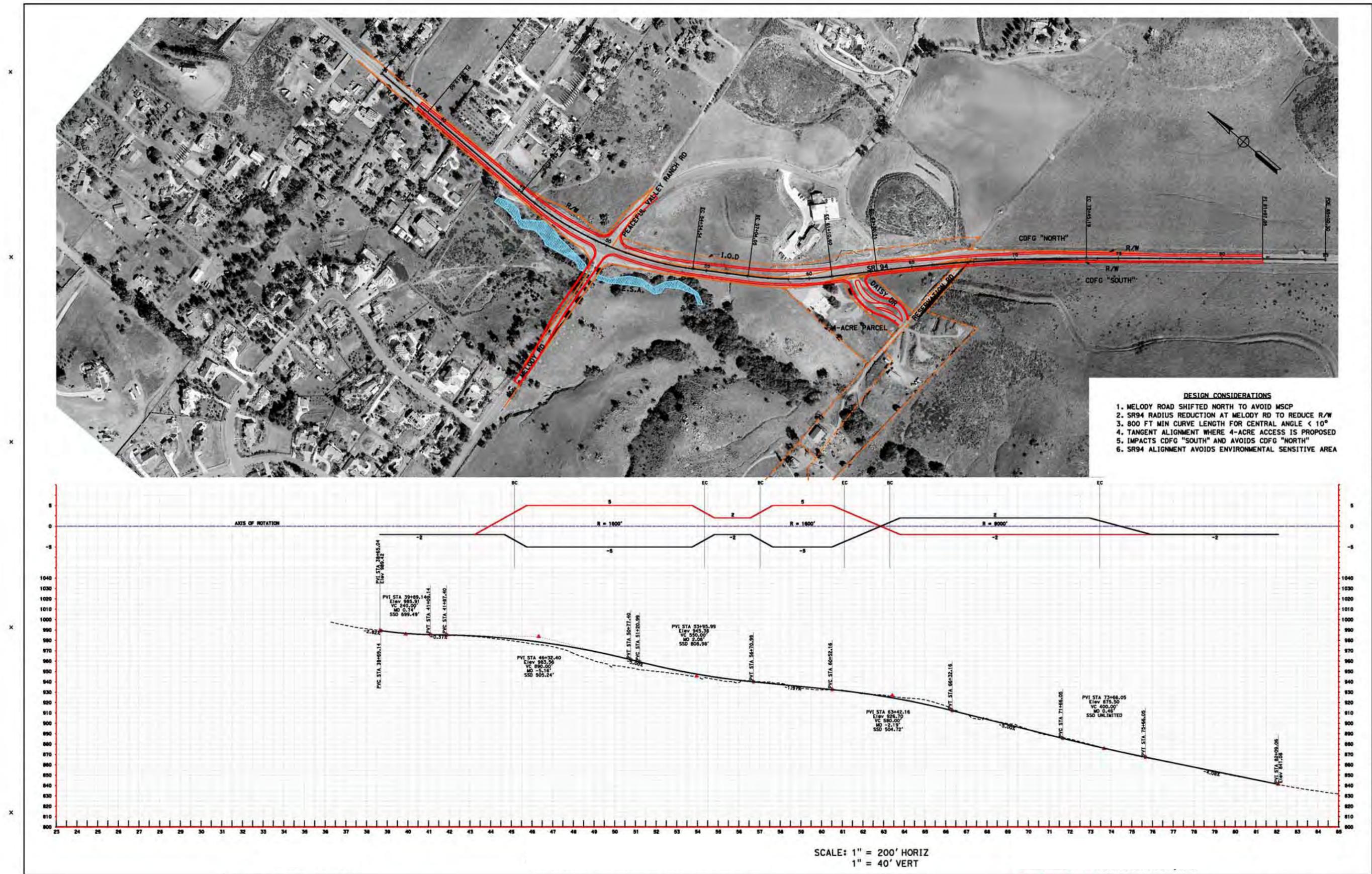




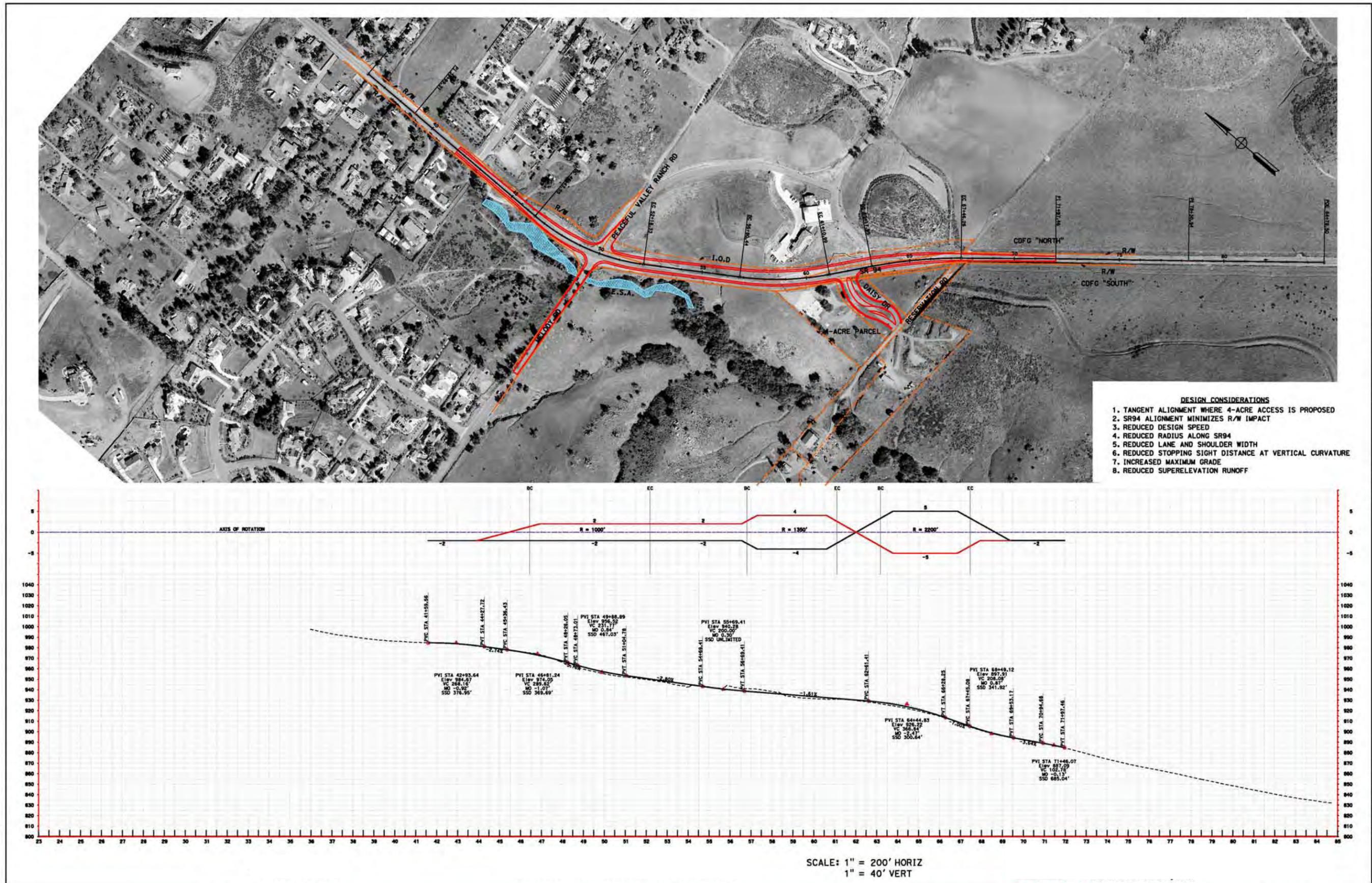


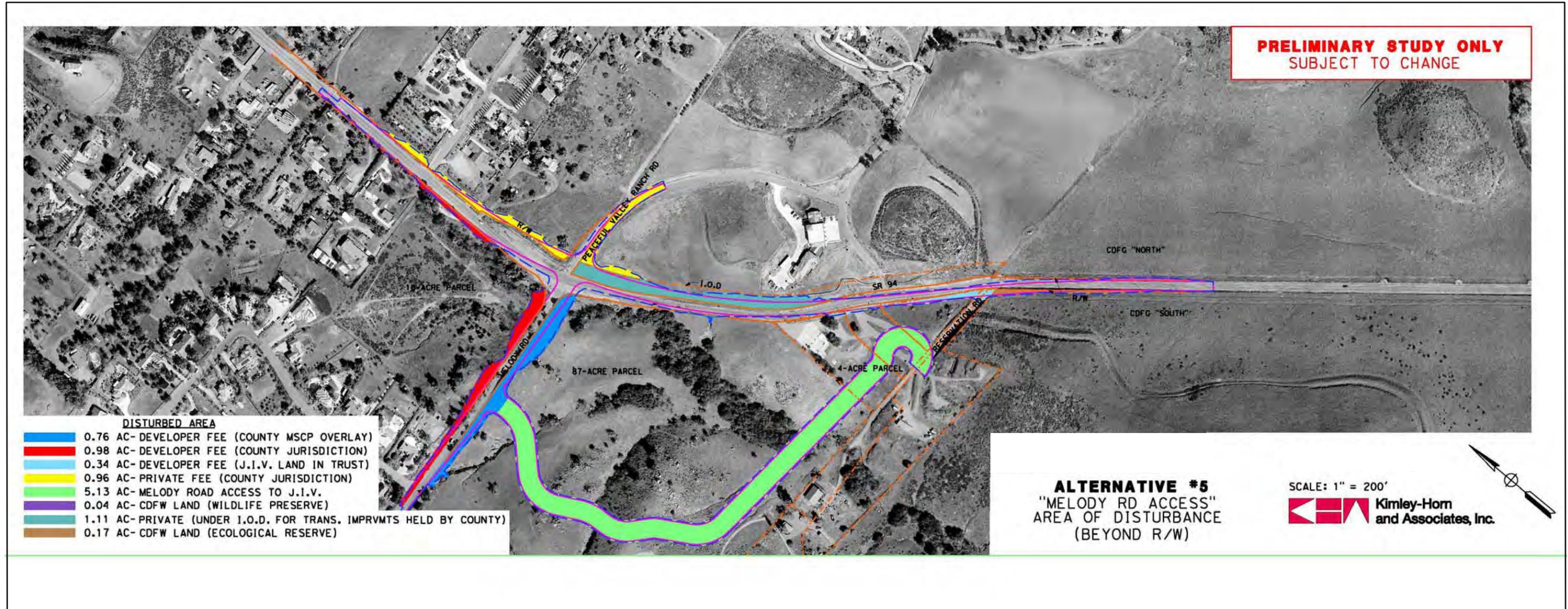


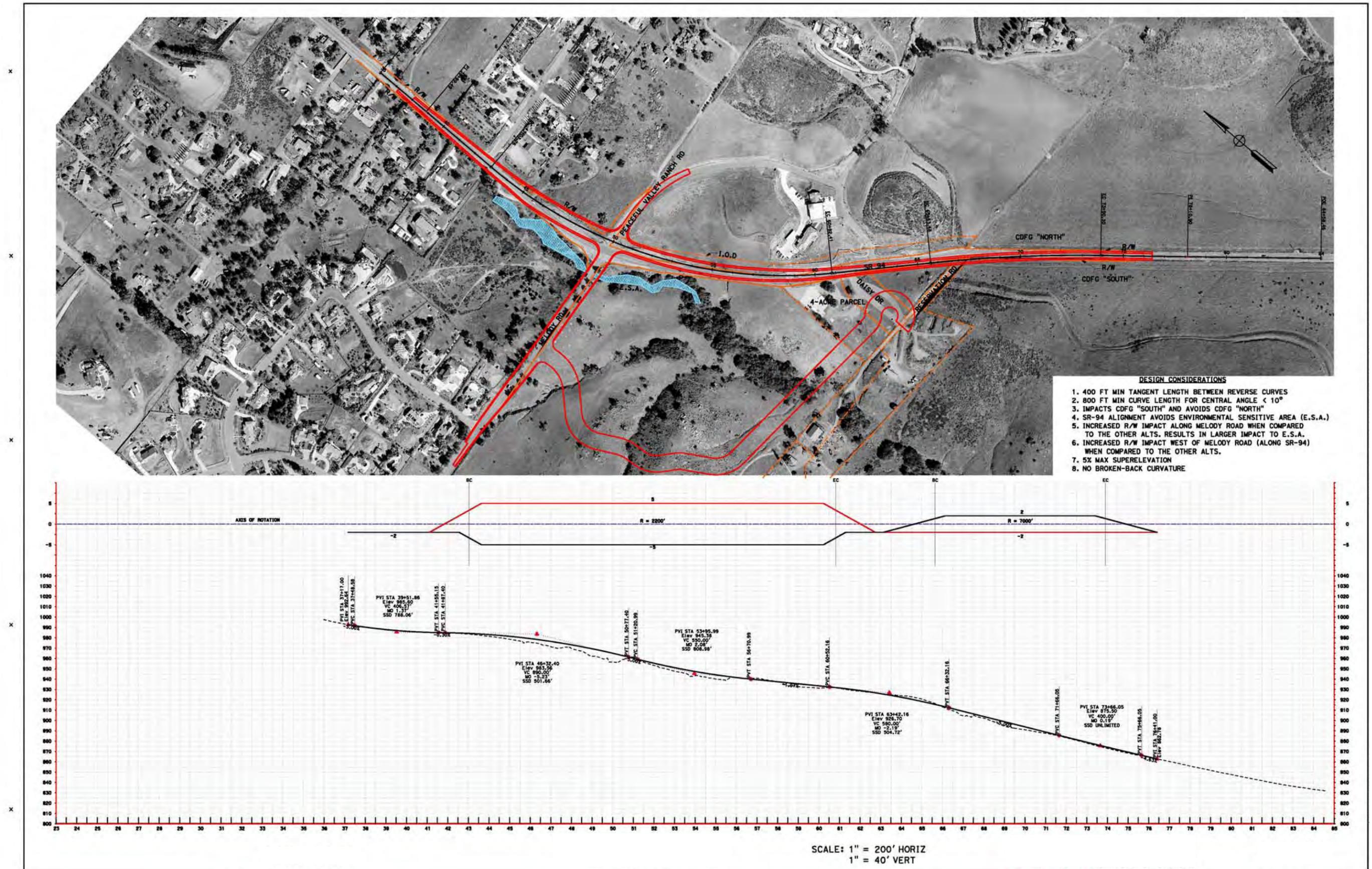








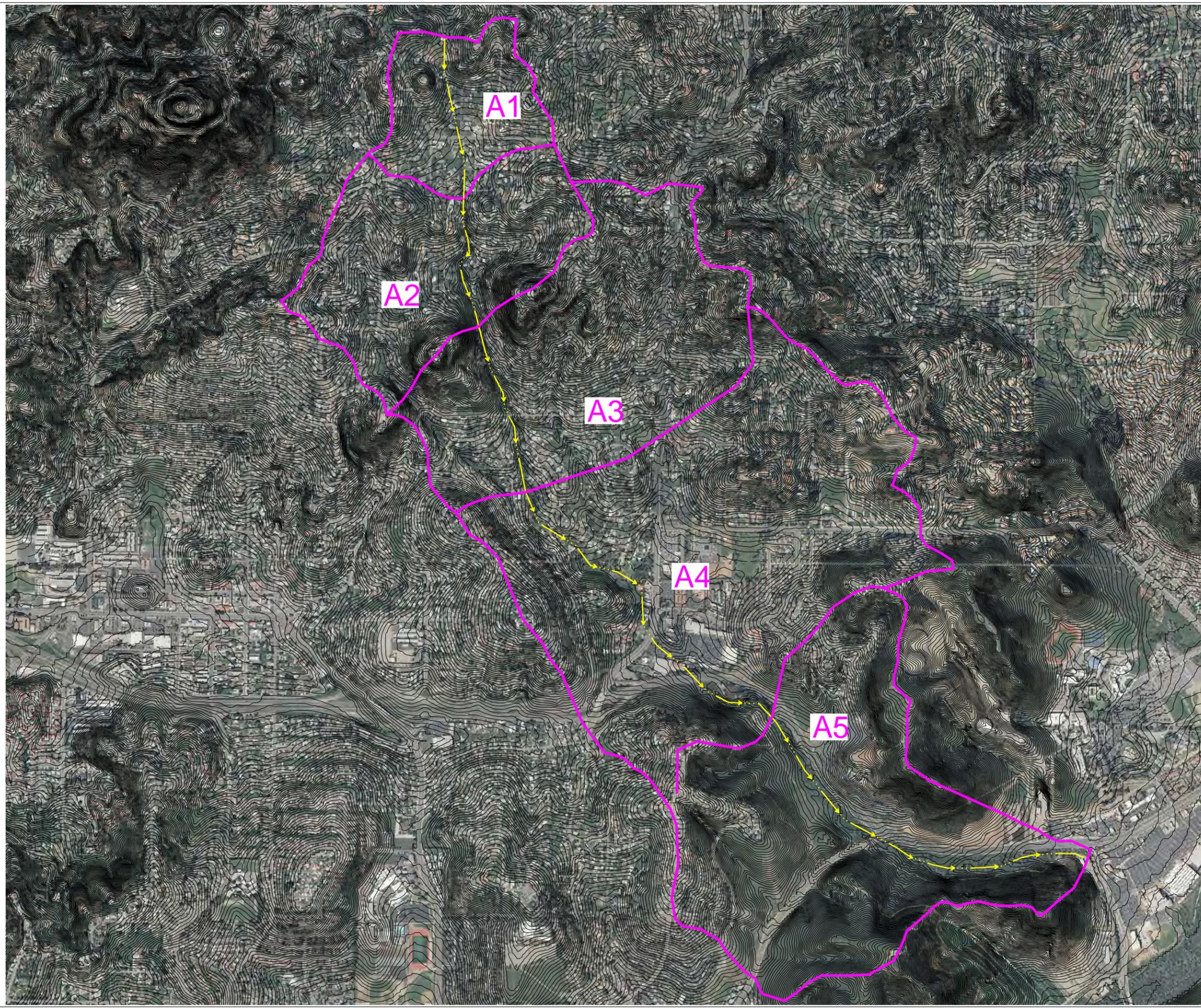




Attachment A
SR-94/Jamacha Road Intersection
Preliminary Hydrology Data



GRAPHIC SCALE IN FEET
0 300 600 1200



K:\SND_TPTD\095848001 - JIV Design\Drainage\Exhibits\Hydrology Map.dwg 7-18-13-2:41 PM



$$T_i = 5m$$

AREA # 1

$$L_1 = 2185'$$

$$EL_1 = 955'$$

$$EL_2 = 800'$$

$$A = 91.8 ac$$

$$EL_{\Delta} = 155'$$

$$t_e = 7.8M$$

$$C = 0.63$$

AREA # 2

$$L_2 = 1860'$$

$$EL_1 = 800'$$

$$EL_2 = 695'$$

$$A = 186.8 ac$$

$$EL_{\Delta} = 105'$$

$$t_e = 7.6M$$

$$C = 0.63$$

AREA # 3

$$L_3 = 2395'$$

$$EL_1 = 695'$$

$$EL_2 = 570'$$

$$A = 291.9 ac$$

$$EL_{\Delta} = 125'$$

$$t_e = 9.5M$$

$$C = 0.63$$

AREA # 4

$$L_4 = 4975'$$

$$EL_1 = 570'$$

$$EL_2 = 480'$$

$$A = 489.6 ac$$

$$EL_{\Delta} = 90'$$

$$t_e = 27.0M$$

$$C = 0.65$$

AREA # 5

$$L_5 = 5200'$$

$$EL_1 = 480'$$

$$EL_2 = 415'$$

$$A = 369.9 ac$$

$$EL_{\Delta} = 65'$$

$$t_e = 31.0M$$

$$C = 0.40$$

$$T_c = T_i + T_e = 5 + 7.8 + 7.6 + 9.5 + 27 + 31.0$$

$$= 87.9$$

**Table 3-1
 RUNOFF COEFFICIENTS FOR URBAN AREAS**

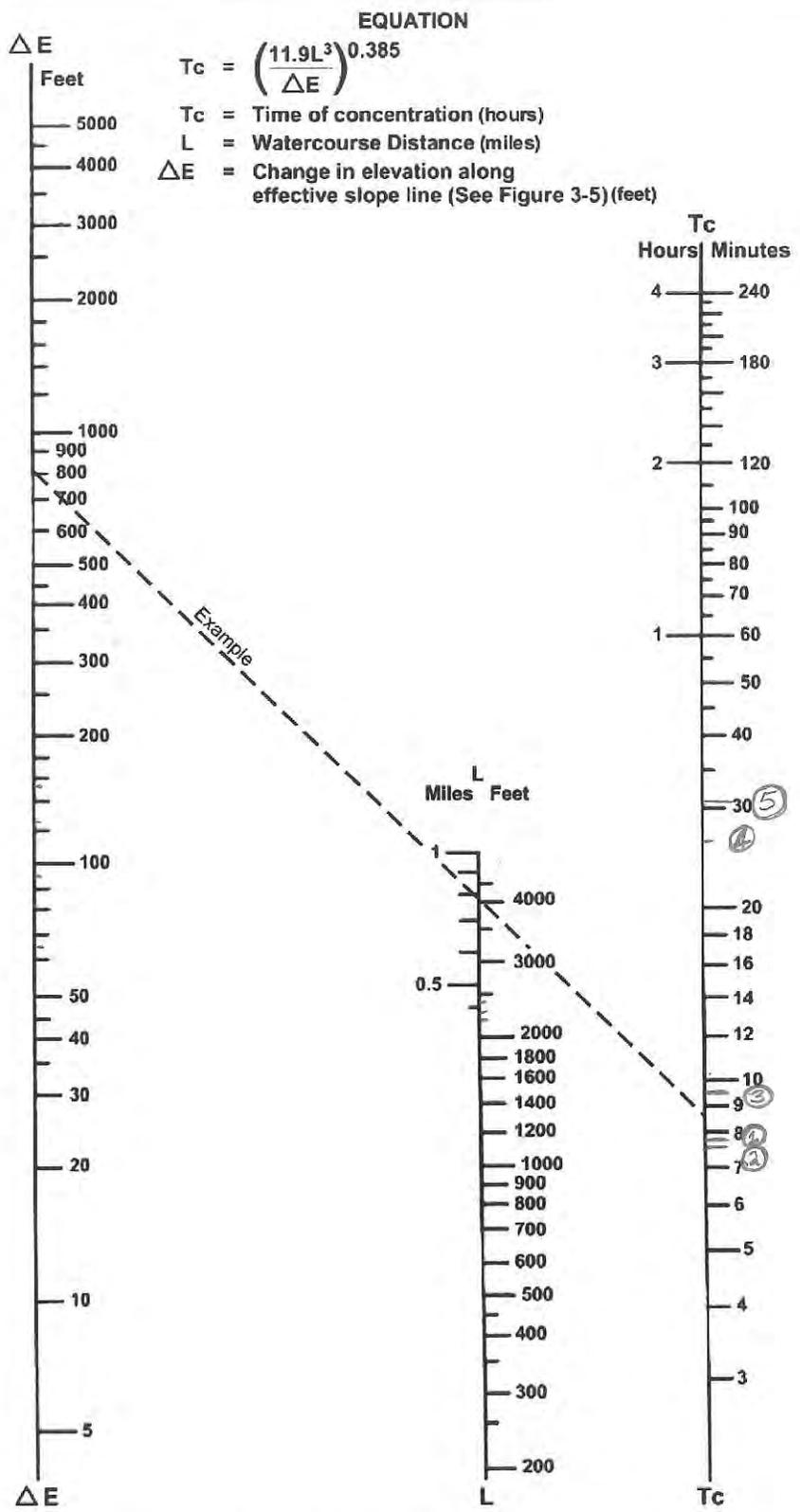
Land Use		Runoff Coefficient "C"				
NRCS Elements	County Elements	% IMPER.	Soil Type			
			A	B	C	D
Undisturbed Natural Terrain (Natural)	Permanent Open Space	0*	0.20	0.25	0.30	0.35
Low Density Residential (LDR)	Residential, 1.0 DU/A or less	10	0.27	0.32	0.36	0.41
Low Density Residential (LDR)	Residential, 2.0 DU/A or less	20	0.34	0.38	0.42	0.46
Low Density Residential (LDR)	Residential, 2.9 DU/A or less	25	0.38	0.41	0.45	0.49
Medium Density Residential (MDR)	Residential, 4.3 DU/A or less	30	0.41	0.45	0.48	0.52
Medium Density Residential (MDR)	Residential, 7.3 DU/A or less	40	0.48	0.51	0.54	0.57
Medium Density Residential (MDR)	Residential, 10.9 DU/A or less	45	0.52	0.54	0.57	0.60
Medium Density Residential (MDR)	Residential, 14.5 DU/A or less	50	0.55	0.58	0.60	0.63
High Density Residential (HDR)	Residential, 24.0 DU/A or less	65	0.66	0.67	0.69	0.71
High Density Residential (HDR)	Residential, 43.0 DU/A or less	80	0.76	0.77	0.78	0.79
Commercial/Industrial (N. Com)	Neighborhood Commercial	80	0.76	0.77	0.78	0.79
Commercial/Industrial (G. Com)	General Commercial	85	0.80	0.80	0.81	0.82
Commercial/Industrial (O.P. Com)	Office Professional/Commercial	90	0.83	0.84	0.84	0.85
Commercial/Industrial (Limited I.)	Limited Industrial	90	0.83	0.84	0.84	0.85
Commercial/Industrial (General I.)	General Industrial	95	0.87	0.87	0.87	0.87

Assuming D since no data is available on web or survey.

*The values associated with 0% impervious may be used for direct calculation of the runoff coefficient as described in Section 3.1.2 (representing the pervious runoff coefficient, Cp, for the soil type), or for areas that will remain undisturbed in perpetuity. Justification must be given that the area will remain natural forever (e.g., the area is located in Cleveland National Forest).

DU/A = dwelling units per acre

NRCS = National Resources Conservation Service

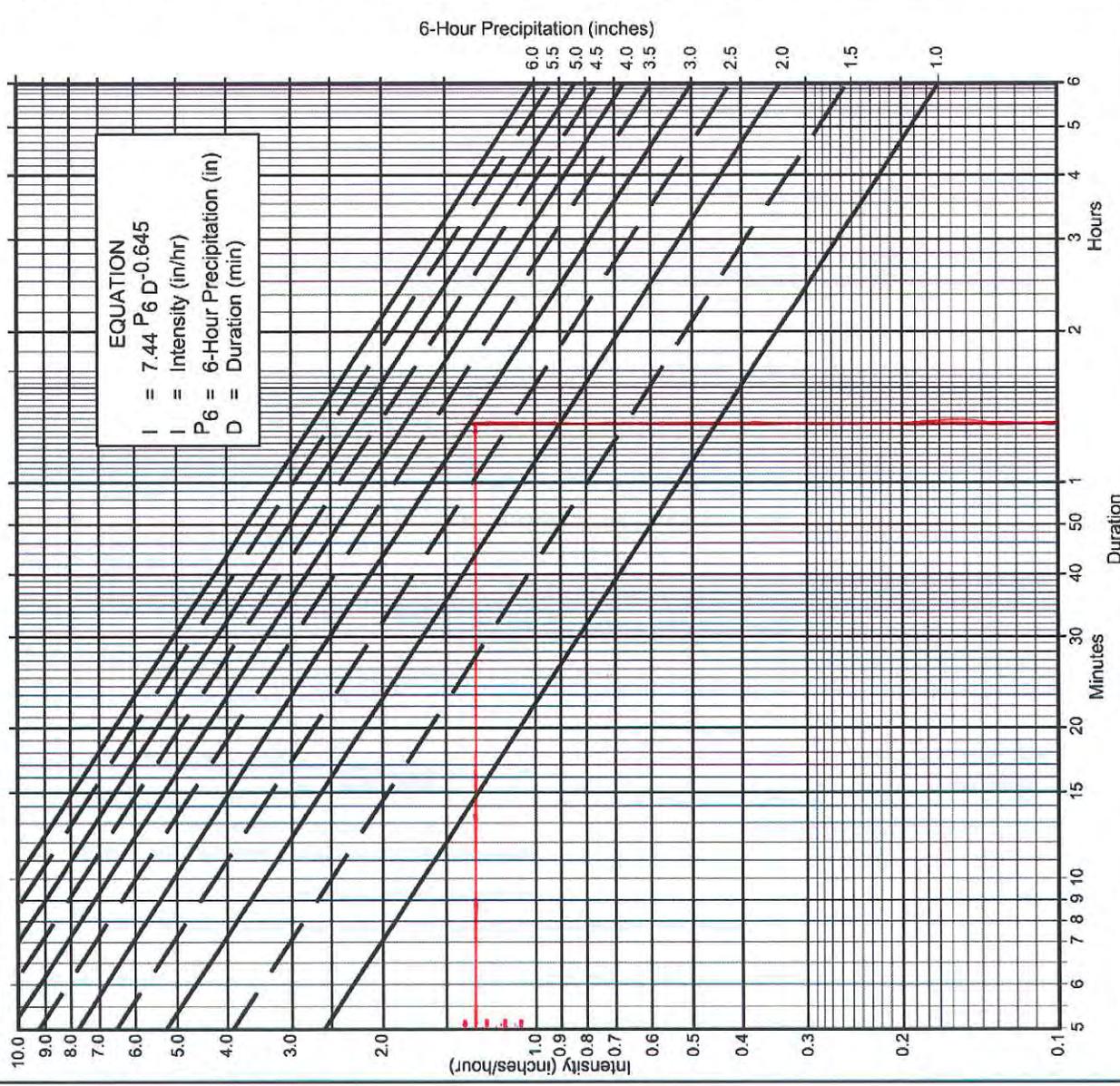


SOURCE: California Division of Highways (1941) and Kirpich (1940)

Nomograph for Determination of
Time of Concentration (T_c) or Travel Time (T_t) for Natural Watersheds

FIGURE

3-4



Directions for Application:

- (1) From precipitation maps determine 6 hr and 24 hr amounts for the selected frequency. These maps are included in the County Hydrology Manual (10, 50, and 100 yr maps included in the Design and Procedure Manual).
- (2) Adjust 6 hr precipitation (if necessary) so that it is within the range of 45% to 65% of the 24 hr precipitation (not applicable to Desert).
- (3) Plot 6 hr precipitation on the right side of the chart.
- (4) Draw a line through the point parallel to the plotted lines.
- (5) This line is the intensity-duration curve for the location being analyzed.

Application Form:

- (a) Selected frequency _____ year
- (b) $P_6 = 2.9$ in., $P_{24} = 6.1$, $\frac{P_6}{P_{24}} = 47.5$ %⁽²⁾
- (c) Adjusted $P_6^{(2)} =$ _____ in.
- (d) $t_x = 87.9$ min.
- (e) $I = 1.35$ in./hr.

Note: This chart replaces the Intensity-Duration-Frequency curves used since 1965.

P6	1	1.5	2	2.5	3	3.5	4	4.5	5	5.5	6
5	2.63	3.95	5.27	6.59	7.90	9.22	10.54	11.86	13.17	14.49	15.81
7	2.12	3.18	4.24	5.30	6.36	7.42	8.48	9.54	10.60	11.66	12.72
10	1.68	2.53	3.37	4.21	5.05	5.90	6.74	7.58	8.42	9.27	10.11
15	1.30	1.95	2.59	3.24	3.89	4.54	5.19	5.84	6.49	7.13	7.78
20	1.08	1.62	2.15	2.69	3.23	3.77	4.31	4.85	5.39	5.93	6.46
25	0.93	1.40	1.87	2.33	2.80	3.27	3.73	4.20	4.67	5.13	5.60
30	0.83	1.24	1.66	2.07	2.49	2.90	3.32	3.73	4.15	4.56	4.98
40	0.69	1.03	1.36	1.72	2.07	2.41	2.76	3.10	3.45	3.79	4.13
50	0.60	0.90	1.19	1.49	1.79	2.09	2.39	2.69	2.98	3.28	3.58
60	0.53	0.80	1.05	1.33	1.59	1.86	2.12	2.39	2.65	2.92	3.18
90	0.41	0.61	0.82	1.02	1.23	1.43	1.63	1.84	2.04	2.25	2.45
120	0.34	0.51	0.68	0.85	1.02	1.19	1.36	1.53	1.70	1.87	2.04
150	0.29	0.44	0.59	0.73	0.88	1.03	1.18	1.32	1.47	1.62	1.76
180	0.26	0.39	0.52	0.65	0.78	0.91	1.04	1.18	1.31	1.44	1.57
240	0.22	0.33	0.43	0.54	0.65	0.76	0.87	0.98	1.08	1.19	1.30
300	0.19	0.28	0.38	0.47	0.56	0.66	0.75	0.85	0.94	1.03	1.13
360	0.17	0.25	0.33	0.42	0.50	0.58	0.67	0.75	0.84	0.92	1.00

FIGURE
3-1

Intensity-Duration Design Chart - Template



$$Q = CIA$$

$$Q = \sum (CA) I$$

$$Q = [(91.8 \times 0.63) + (186.8 \times 0.63) + (291.9 \times 0.63) + (489.6 \times 0.65) + (369.9 \times 0.4)] I$$

$$Q = (825.6)(1.35)$$

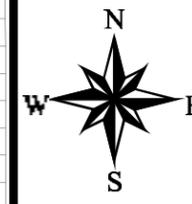
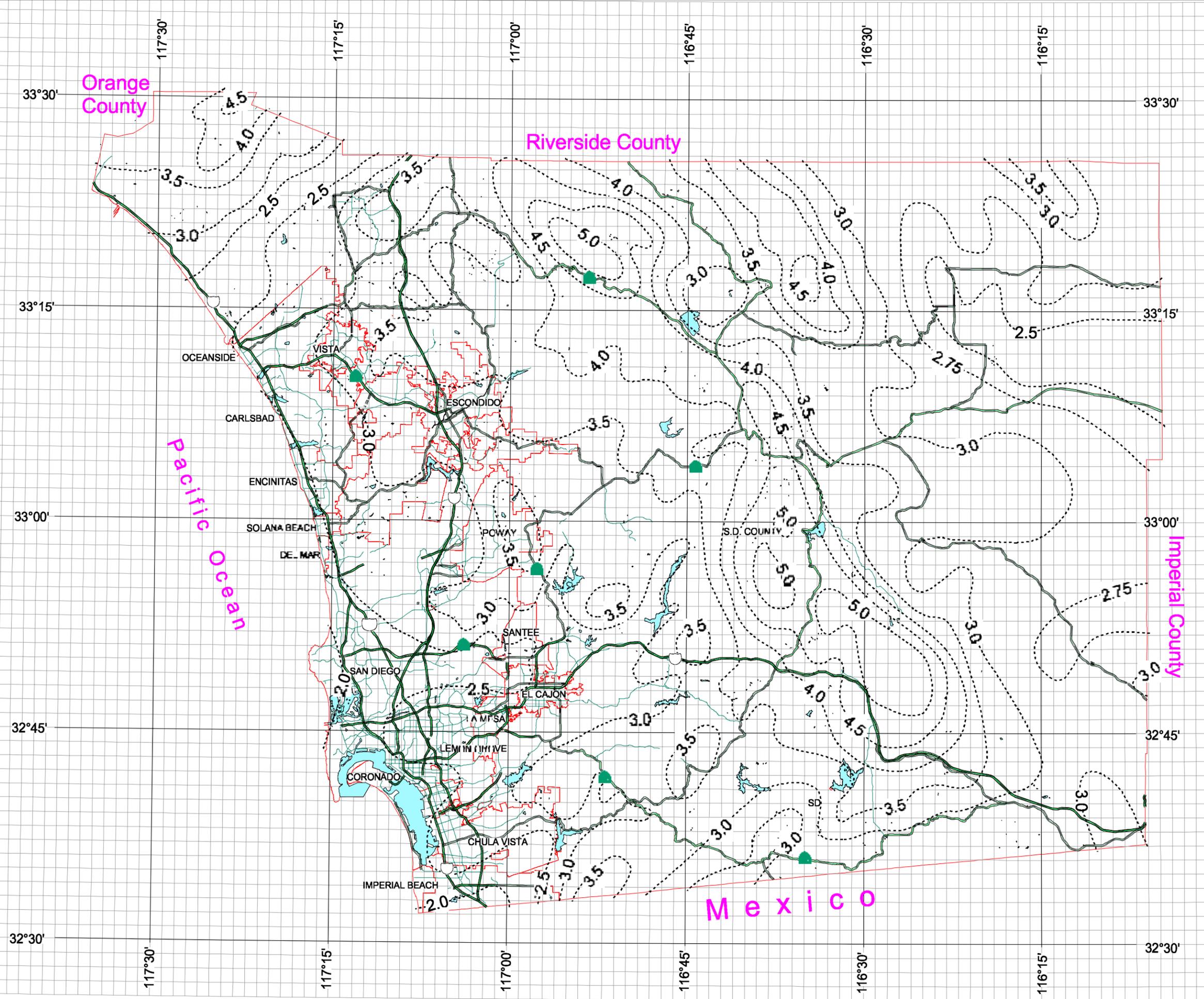
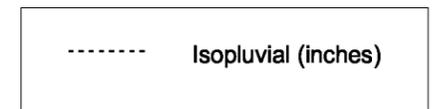
$$Q = 1114.6 \text{ cfs}$$

County of San Diego Hydrology Manual



Rainfall Isophvials

100 Year Rainfall Event - 6 Hours



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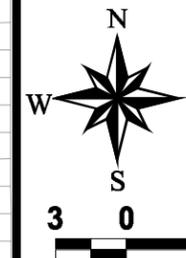
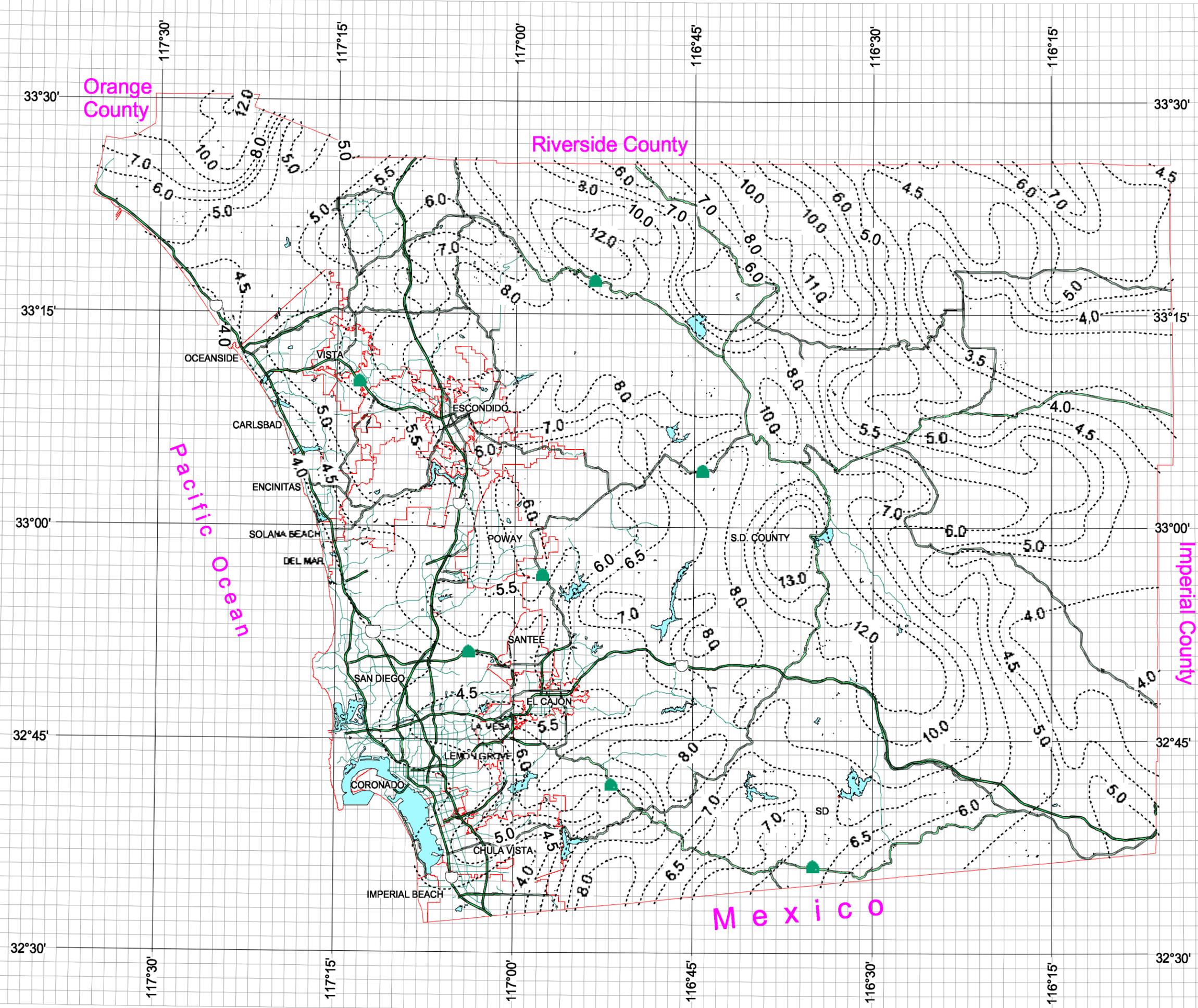
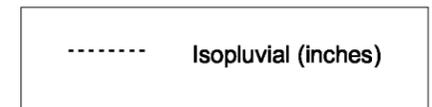
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County of San Diego Hydrology Manual



Rainfall Isopluvials

100 Year Rainfall Event - 24 Hours



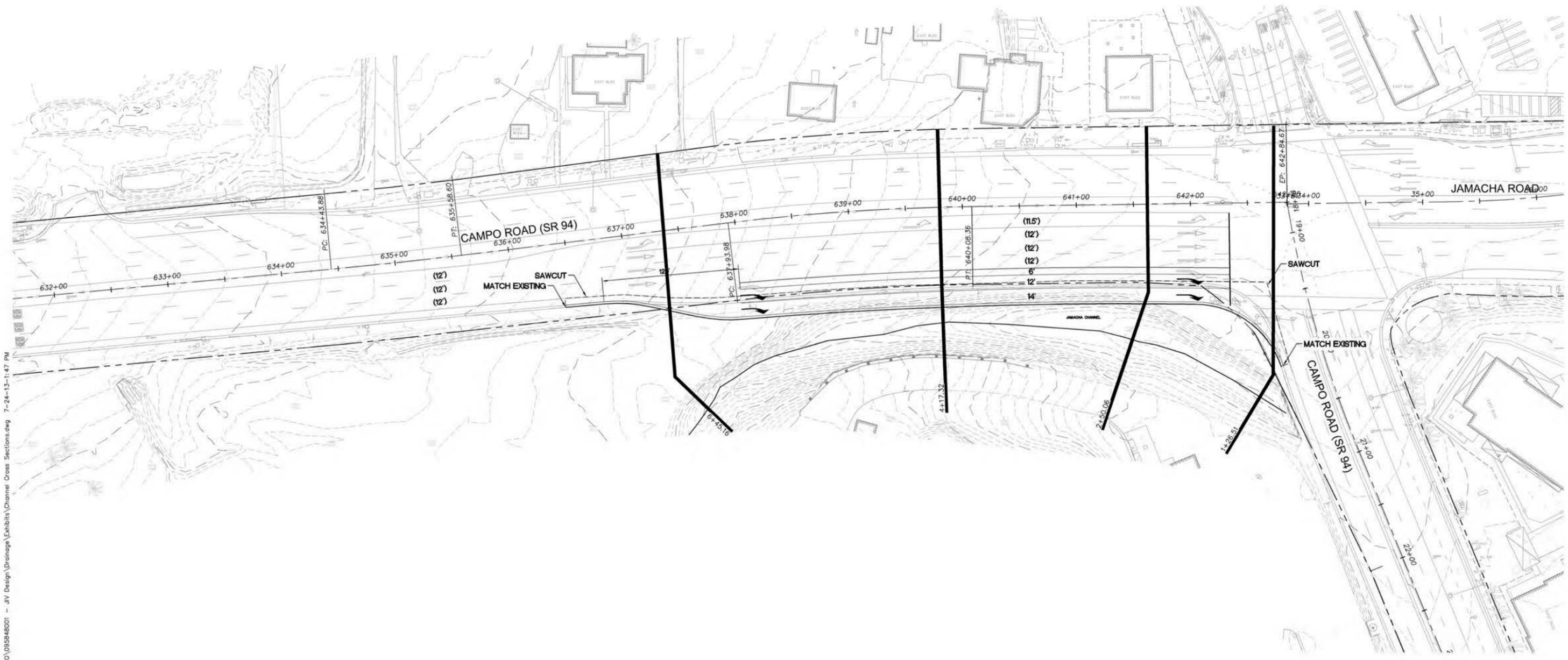
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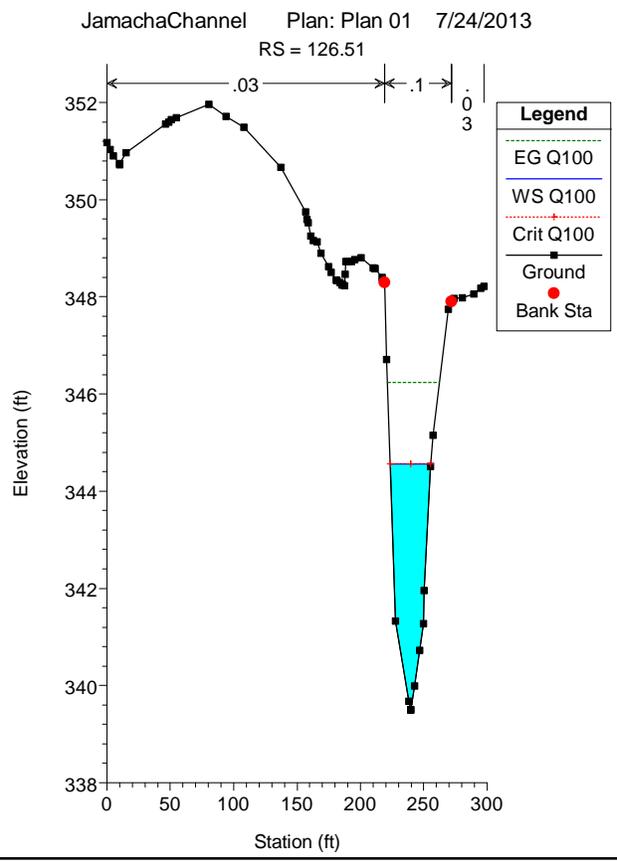
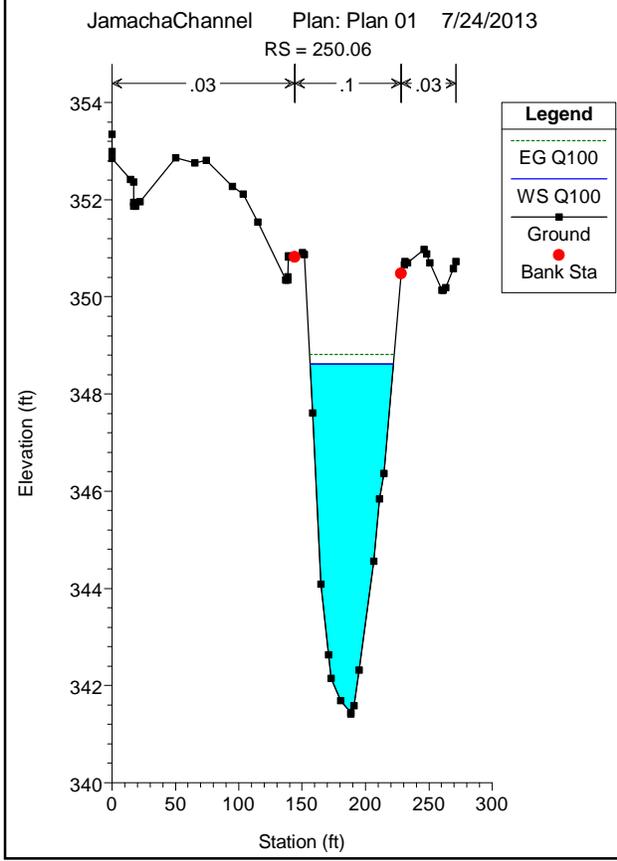
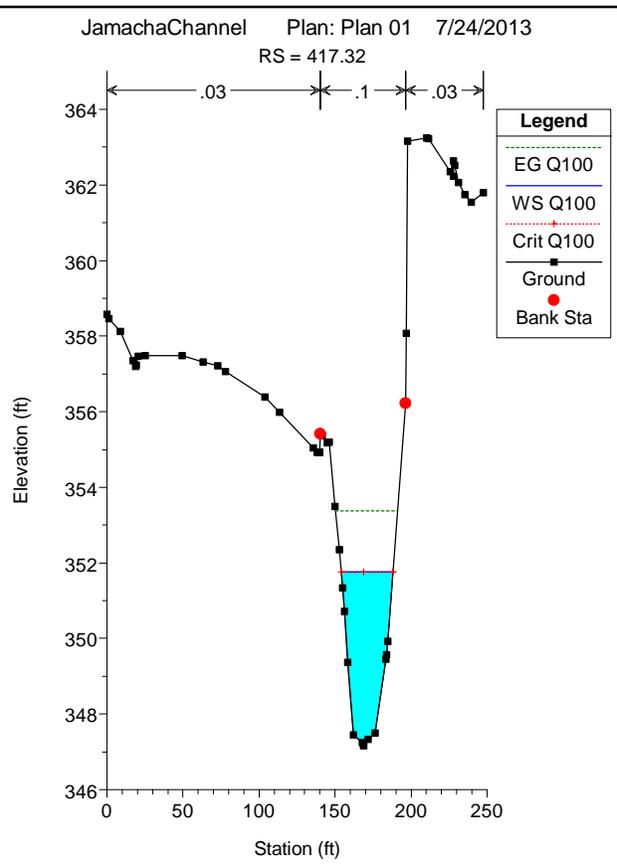
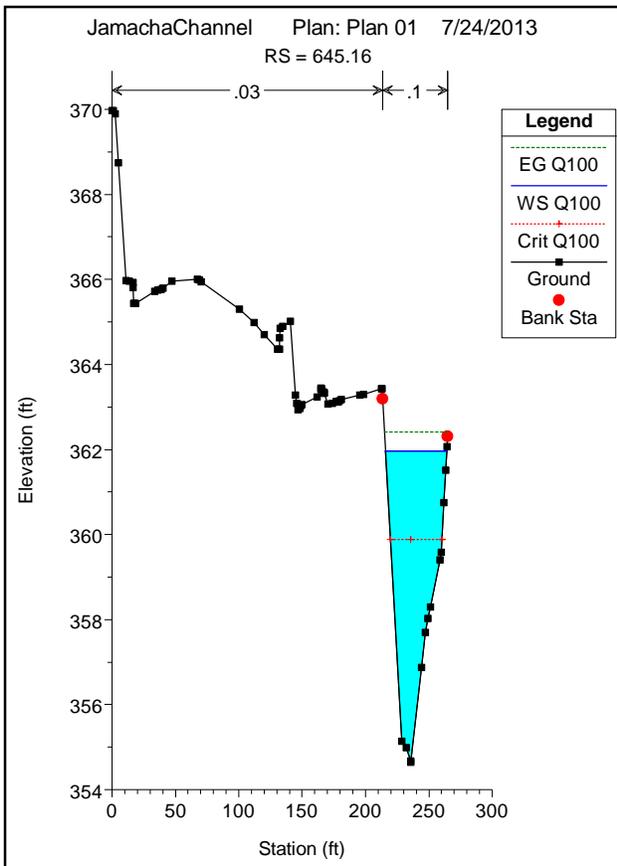
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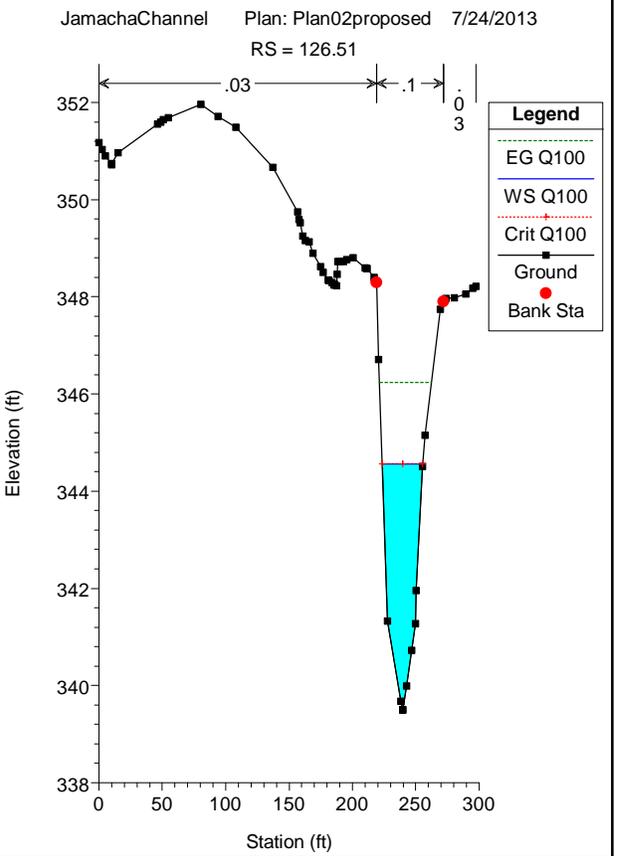
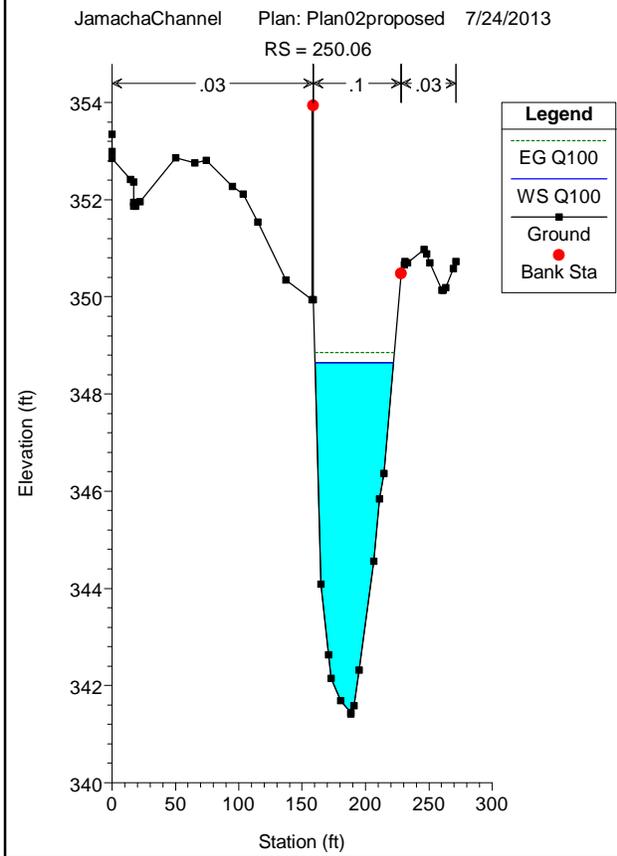
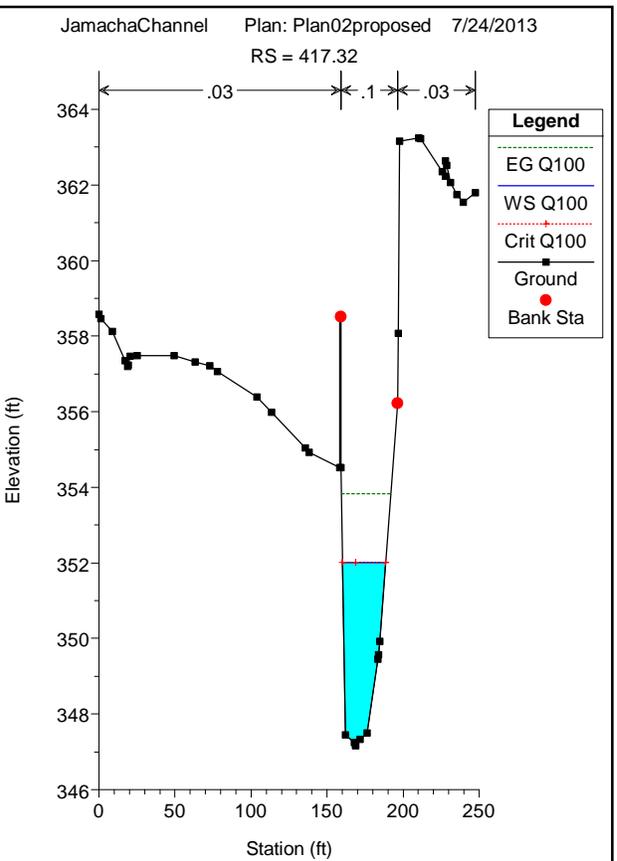
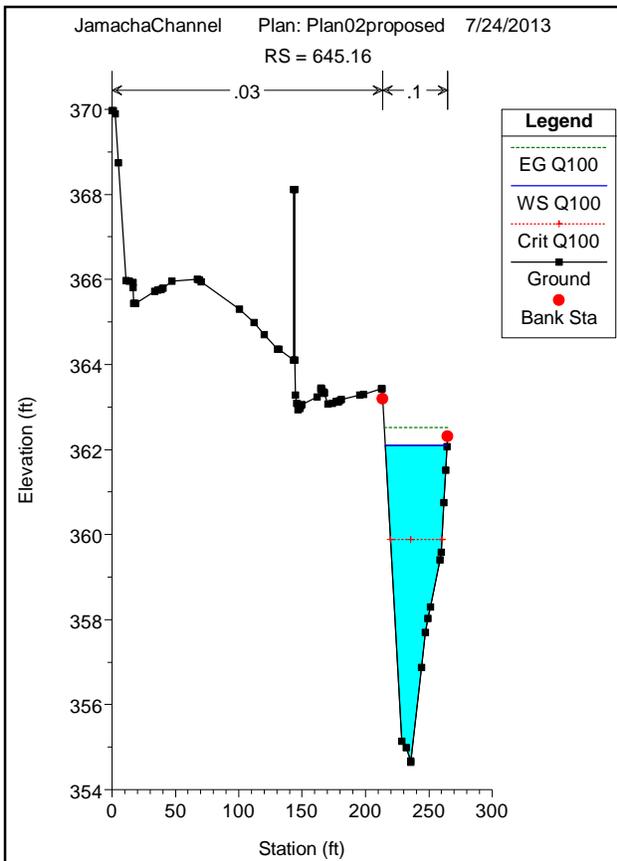


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HEC-RAS Plan: Plan 01 River: SR-94 Reach: SR-94 CHANNEL Profile: Q100

Reach	River Sta	Profile	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Froude # Chl
SR-94 CHANNEL	645.16	Q100	1115.00	354.64	361.96	359.89	362.41	0.020132	5.36	208.10	48.50	0.46
SR-94 CHANNEL	417.32	Q100	1115.00	347.17	351.76	351.76	353.37	0.106622	10.20	109.36	33.97	1.00
SR-94 CHANNEL	250.06	Q100	1115.00	341.42	348.61		348.82	0.007969	3.63	307.54	65.88	0.30
SR-94 CHANNEL	126.51	Q100	1115.00	339.49	344.56	344.56	346.24	0.107016	10.41	107.14	31.86	1.00



HEC-RAS Plan: 02 River: SR-94 Reach: SR-94 CHANNEL Profile: Q100

Reach	River Sta	Profile	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Froude # Chl
SR-94 CHANNEL	645.16	Q100	1115.00	354.64	362.09	359.89	362.51	0.018444	5.20	214.55	48.98	0.44
SR-94 CHANNEL	417.32	Q100	1115.00	347.17	352.01	352.01	353.84	0.113643	10.85	102.78	28.22	1.00
SR-94 CHANNEL	250.06	Q100	1115.00	341.42	348.64		348.85	0.008136	3.72	299.59	61.80	0.30
SR-94 CHANNEL	126.51	Q100	1115.00	339.49	344.56	344.56	346.24	0.107016	10.41	107.14	31.86	1.00

Attachment B: PEAR Environmental Studies Checklist

Attachment B: PEAR Environmental Studies Checklist

Environmental Studies for PA&ED Checklist					
	Not Anticipated	Memo to File	Report required	Risk LMH	Comments
Land Use	X			L	
Growth	X			L	
Farmlands/Timberlands	X			L	
Community Impacts			X	M	
Community Character and Cohesion			X	M	
Relocations	X			L	
Environmental Justice	X			L	
Utilities/Emergency Services	X			L	
Visual/Aesthetics			X	M	
Cultural Resources:					
Archaeological Survey Report			X	M	
Historic Resources Evaluation Report			X	L	
Section 106			X	M	
Historic Resource Compliance Report			X	L	
Section 106 / PRC 5024 & 5024.5			X	L	
Native American Coordination			X	L	

Other:	X			L	
Hydrology and Floodplain			X	M	
Water Quality and Stormwater Runoff			X	M	
Geology, Soils, Seismic and Topography			X	M	
Paleontology					
PER			X		
PMP			X		
Hazardous Waste/Materials:					
ISA (Additional)			X	M	
PSI	X			L	
Other: ADL			X	L	
Air Quality			X	L	
Noise and Vibration			X	L	
Energy and Climate Change			X	L	
Biological Environment					
Natural Environment Study			X	M	
USFWS Consultation Section 7					
Formal					
Informal					
No Effect	X			L	
USFWS Consultation Section 10	X			L	
USFWS Consultation	X			L	

NMFS Consultation	X			L	
Species of Concern (CNPS, USFS, BLM, S, F)			X	M	
Wetlands & Other Waters/Delineation			X	H	
404(b)(1) Alternatives Analysis	X			L	
Invasive Species	X			L	
Wild and Scenic River Consistency	X			L	
Coastal Management Plan	X			L	
HMMP	X			L	
DFW Consistency Determination		X		M	
2081	X			L	
Other	X			L	
Cumulative Impacts	X			L	
Context Sensitive Solutions		X		M	
Section 4(f) Evaluation	X			L	
Permits:					
401 Certification Coordination			X	L	
404 Permit Coordination, IP, NWP, or LOP			X	M	
1602 Agreement Coordination			X	M	
Local Coastal Development	X			L	

Permit Coordination					
State Coastal Development Permit Coordination	X			L	
NPDES Coordination		X		L	
US Coast Guard (Section 10)	X			L	
TRPA	X			L	
BCDC	X			L	