



**Mitigation and Resource Protection Program Oversight Committee
Environmental Oversight Committee
Orange County Transportation Authority**

January 5, 2011

**Orange County Transportation Authority
600 S. Main Street, Orange CA**

**10 a.m. – 11:30 a.m.
Room 154**

AGENDA

- 1. Welcome**
- 2. Approval of December 1, 2010 Minutes**
- 3. Call for Candidate Acquisition Properties**
- 4. NCCP/HCP EIR/EIS Process and Scoping Meeting**
- 5. Public Comments**
- 6. Committee Member Reports**
- 7. Next Meeting – Wednesday, February 2, 2011**
- 8. Adjournment**

Public Comments: The Agenda descriptions are intended to give notice to members of the public of a general summary of items of business to be transacted or discussed. Members from the public wishing to address the Committee will be recognized by the Chairman at the time the Agenda item is to be considered. A speaker's comments shall be limited to three (3) minutes. Any person with a disability who requires a modification or accommodation in order to participate in this meeting should contact the OCTA at (714) 560-5725, no less than two (2) business days prior to this meeting to enable OCTA to make reasonable arrangements to assure accessibility to this meeting.

Environmental Oversight Committee Meeting Minutes

December 1, 2010

Committee Members Present:

Chair Patricia Bates, OCTA Board of Directors
Vice-Chair Melanie Schlotterbeck, Measure M Support Groups
Nancy Jimeno, California State University, Fullerton
James Kelly, Measure M2 Taxpayers Oversight Committee
Dave Means, California Wildlife Conservation Board
David Mayer, CA Department of Fish and Game
Adam Probolsky, Probolsky Research
Dan Silver, Endangered Habitats League
Jonathan Snyder, US Fish and Wildlife Services
Sylvia Vega and Chris Flynn, Caltrans
Erinn Wilson, CA Department of Fish and Game
Greg Winterbottom, OCTA Board of Directors

Committee Members Absent:

Veronica Chan, US Army Corps of Engineers

Orange County Transportation Authority Staff Present:

Marissa Espino, Senior Community Relations Specialist
Janice Kadlec, Public Reporter
Dan Phu, Project Development Section Manager
Monte Ward, Measure M2 Consultant

1. Welcome

Chair Patricia Bates opened the meeting at 10 a.m. and welcomed everyone. She asked Nancy Jimeno to lead the Pledge of Allegiance.

2. Approval of November 3, 2010 Minutes

Chair Patricia Bates asked if there were any additions or corrections to the November 3, 2010 Environmental Oversight Committee (EOC) meeting minutes. There were no additions or corrections. A motion was made by Melanie Schlotterbeck and seconded by Adam Probolsky to approve the November 3, 2010 EOC meeting minutes as presented. The motion passed unanimously.

3. November 22, 2010 Board Meeting

Chair Patricia Bates reported after the Nov. 22, OCTA Board Meeting, the board members discussed the use of combining the first two M2 spending cycles for the first property acquisition and restoration projects. Monte Ward said the Board met in closed session and decided to authorize the OCTA CEO or representatives to

negotiate and execute agreements with owners of the properties under consideration to acquire the properties in an amount not to exceed \$42 million. This is the amount of the first two cycles of funding for this project. In addition, there will be an open period until Jan. 14 for property owners who may want to come into the process or for properties that were once in the process, pulled out, and now wished to be reconsidered. There will be an expedited process to evaluate these properties. Negotiations with the current properties under consideration for acquisition will continue to move forward. Current property owners can expect to be contacted by OCTA related to offers and negotiations beginning in one week. Not all property owners will be notified at once; there will be a priority list and staff will work with this list. New properties to the process and properties that dropped out of the process will receive a letter and new application form. There are more properties than can be acquired with the funds available. Opening up the process does not make this challenge any easier, but it does recognize the fact there may be properties or owners that did not see the opportunities to participate earlier and expected there to be another opportunity to do so.

Adam Probolsky asked if money for restoration was going toward acquisition. Monte Ward said no, the \$42 million does not include restoration funding.

Adam Probolsky asked if the property owners who did not make it onto the list of Group 1 properties are out of luck. Monte said no, these properties are still under consideration for funding and need not reapply.

Chair Patricia Bates said the OCTA Board was very excited about moving forward with the first two tranches of money and acknowledged Dan Silver's efforts to make this happen. She also thanked Monte Ward for his efforts to get the process in place and approved by the Board.

Dan Silver thanked the OCTA Board for helping with this new process and he felt it would give a greater opportunity to realize the goals of the program. He asked if the original subgroup who was competing for the original \$22 million would be the group contacted next week. Monte Ward said yes. Dan said assuming there will be new properties on the list after January 14, would staff come back with a longer list. Monte said in a similar process to the previous process the property analysis will be done by the resource agencies and staff and a recommendation will be made on whether or not the property should be included in the priority list for acquisition. This would trigger an appraisal of the property. The recommendation on the additional properties will be made in February.

James Kelly asked what the rationale was to open up the list to other properties given there was not enough money to secure the properties on the current list. Monte Ward said there was an expectation of another opportunity for those who had not participated in the first round of funding. In order to recognize this, the list was opened up so these properties could apply if they chose to do so.

4. Call for Candidate Acquisition Properties

Dan Phu presented the Draft Call for Candidate Acquisition Properties letter and the 2010/2011 Acquisition Properties Call for Projects Questionnaire. Dan reviewed the previous process for the Call for Candidate Acquisition Properties and said staff would be following a similar process. The only difference was that the questionnaire is more detailed (four pages instead of one) because, in completing the process the first time, staff found there were questions which could have easily been answered on the original application. Whatever information the property owner can provide will help the Wildlife Agencies as well as OCTA and Caltrans in evaluating their property without going back to the property owner several times for answers. Dan Phu said this will be sent out shortly after today's meeting to a similar distribution list as was used the first time.

Monte Ward said if there are any comments from the committee members, please try and get them to staff today or shortly thereafter. They would like to get this out today or tomorrow. Chair Patricia Bates said this was a concern of the OCTA Board that the information be distributed as soon as possible.

5 NCCP/HCP EIR/EIS Scoping Meeting

Dan Phu said with respect to development of the conservation planning effort there is an environmental document required by both the state and federal government. Early next week there will be a Notice of Preparation (NOP) issued on the state side and a Notice of Intent (NOI) issued on the federal side as part of the environmental process. This will be the scoping period for the environmental processes and will include a 30-day comment period. There will be an open house meeting at OCTA on December 15, from 5 to 7 p.m. in room 103/104 for anyone who wished to comment on the process. Monte Ward added any of the EOC members are welcomed to attend and/or submit comments or letters.

Melanie Schlotterbeck asked if OCTA would be coordinating with the US Fish and Wildlife Services. Dan Phu said OCTA is the lead for the state document and would coordinate with Jonathan Snyder of US Fish and Wildlife Services on the issuance of the NOI and within a day of the issuance of the NOI, the NOP will be sent to the state where it will be posted for a 30-day review period. Melanie Schlotterbeck asked to have the NOI and NOP sent to the EOC members when they are posted.

Dave Means commented the California Wildlife Conservation Board is independent of the process.

Sylvia Vega asked who is the responsible agency under CEQA. Dan Phu said this could possibly be Caltrans, but OCTA is the lead agency and, as the lead agency, is part of the approval process.

Nancy Jimeno asked if the land OCTA purchases will be considered under the Natural Community Conservation Plan (NCCP). Dan Phu said yes, this is a 30-year period and all the land will not be acquired in the first three-year period. The first properties acquired with the first two tranches of money (\$42 million) will be integrated into OCTA's NCCP/Habitat Conservation Plan (HCP), accordingly. There will be an identification of future needs for acquisition and restoration projects within the NCCP/HCP. Nancy asked if land purchased three years after the establishment of the NCCP/HCP would be included. Dan said yes, and there is the management aspect. The land itself will be managed in perpetuity – an endowment will be set aside for any land acquired.

Chair Patricia Bates said there is a little lack of understanding on the OCTA Board of the NCCP/HCP. It might be a good idea to get some updated information to the Board Members while going through this process. Dan Phu said this had been discussed with the consultant and one of things suggested was to wait until the NOP is issued and to have presentations made to the EOC and OCTA Board on this conservation planning effort.

6. Public Comments

No one from the public spoke.

7. Committee Member Reports

Greg Winterbottom congratulated the EOC and OCTA staff on the good job they have done on this project. The work done on this project led to a good compromise with the OCTA Board.

Chair Patricia Bates agreed the understanding of what the EOC is doing and the partnership with the resource agencies, the land owners, and the willing sellers along with the consistent communication with the T2020 Committee and the OCTA Board has been a big job.

8. Next Meeting – Wednesday, January 5, 2011

9. Adjournment

The meeting was adjourned at 10:35 a.m.

Dec. 14, 2010

Name
Organization
Address
City, State ZIP

RE: Measure M2 Environmental Mitigation Program Call for Candidate
Acquisition Properties

Dear Name:

The Orange County Transportation Authority (OCTA) is interested in acquiring properties for the Measure M2 (M2) Freeway Environmental Mitigation Program (Mitigation Program). The M2 Environmental Oversight Committee (EOC) is soliciting potential conservation sites and seeking eligible property owners/managers, conservation and community groups, and local government entities who may be interested in participating or nominating acquisition properties. **Property owners that have previously submitted their properties need not re-apply unless they have withdrawn their property from further consideration and would like it re-considered at this time.**

Interested participants can submit their property information online at www.octa.net/myproperty or complete and return the enclosed property information form by January 14, 2011. This form has been updated to assist you in providing OCTA with important property details. For more information regarding the Mitigation Program, please refer to the enclosed "Freeway Mitigation Program Fast Facts."

During the first round of submissions, OCTA received over 100 potential acquisition sites and restoration projects, and built an inventory of potential habitat conservation sites that may be eligible for funding through OCTA's Mitigation Program. The baseline for the inventory was formed by the Green Vision Map, a comprehensive listing of potential conservation opportunities in Orange County developed by a consortium of non-governmental environmental groups. Using the Green Vision Map, OCTA embarked on a countywide assessment for conservation opportunities. This countywide assessment is available online at www.octa.net/eoc.

On November 22, 2010, the OCTA Board of Directors (Board) authorized staff to begin negotiations to acquire up to \$42 million worth of properties. Concurrently, the Board also directed staff to allow interested participants to submit additional candidate acquisition properties. An assessment team will evaluate all new acquisition property submissions and use the same biological and non-biological criteria approved during the first round of evaluations. Note this program is voluntary and will not include the use of eminent domain. All landowners must agree to have their property evaluated and, where/when appropriate, appraised for its current fair market value. The program's goal is to comprehensively mitigate (off-set) impacts from the M2 freeway projects, and fit within the working budget.

The enclosed application includes a set of eligibility criteria to enable the assessment team to adequately evaluate the property's conservation value and alignment with this Mitigation Program. With your assistance, we can continue to build the inventory so that we have a complete understanding of what available conservation sites exist within Orange County. The EOC strongly supports a fair and open process that allows all community partners to participate and we encourage you to offer input during this property solicitation phase.

Please note, a second solicitation round for restoration projects will occur at a later date. ***This letter only invites new or previously withdrawn properties for acquisition consideration.***

If you have questions about the Mitigation Program, please contact Marissa Espino, Senior Community Relations Specialist, at (714) 560-5607 or at mespino@octa.net.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patricia F. Bates".

Patricia Bates
OCTA Board of Directors Member
Chair, Environmental Oversight Committee

PB:dp
Attachments

c: OCTA Board of Directors
EOC Members



Measure M2 Environmental Mitigation Program 2010/11 Acquisition Properties Call for Projects Questionnaire

The Orange County Transportation Authority (OCTA) is building an inventory of potential habitat conservation sites that may be eligible for future funding for acquisition through OCTA's Measure M2 (M2) Freeway Environmental Mitigation Program (Mitigation Program).

During the first round of submissions, OCTA received over 100 acquisition sites and restoration projects, and built an inventory of potential habitat conservation sites that may be eligible for funding through OCTA's Mitigation Program. The baseline for the inventory was formed by the Green Vision Map, a comprehensive listing of potential conservation opportunities in Orange County developed by a consortium of non-governmental environmental groups. Using the Green Vision Map, OCTA embarked on a countywide assessment for conservation opportunities. This countywide assessment is available online at www.octa.net/eoc.

The Environmental Oversight Committee (EOC) is looking for potential conservation sites and is seeking eligible property owners/managers, conservation and community groups and local governments who may be interested in participating or nominating acquisition properties. Interested participants can provide property information on this form. **Please return the form by January 14, 2011.**

Properties previously submitted need not apply unless the property was withdrawn from further consideration.

1. Has this property been previously submitted to OCTA for acquisition consideration?
☐ Yes ☐ No
If yes, proceed to Question 2. If no, proceed with completing this application.
2. Was the property withdrawn from further consideration? ☐ Yes ☐ No
If yes, proceed with completing this application. **If no, do not proceed further.**

Submitter Contact Information

Name:

Affiliation:

Mailing Address:

City: State: Zip Code:

Phone:

Email Address:

Are you the property owner or the representative? If yes, ☐ Owner ☐ Representative

If owner, how long have you owned the property?

If no, identify your association with the property:

Owner's Contact Information (skip if same as above):

Owner's Name:

Mailing Address:

City:

State:

Zip Code:

Phone: (Home):

(Cell):

Email Address:

Acquisition Property Information

Property Name:

Address (or nearest cross streets):

City:

State:

Zip Code:

Phone:

Assessor Parcel #:

Approximate Property Acreage:

Thomas Guide Page # and Section:

Complete questionnaire to the best of your knowledge. Provide photos and mapping, if available.

An assessment team will evaluate all acquisition property submissions for accuracy and use the same biological and non-biological criteria approved during the first round of evaluations.

Biological Criteria/Factors

**Is property already identified
in Green Vision Map?**

☐ Yes

☐ No

☐ Unsure

**Is the property in core or
linkage areas?**

☐ Yes

☐ No

☐ Unsure

Does the property align with impacted habitats?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	If yes,
Any sensitive habitats within the property?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	If yes,
Does the property contain habitat for covered species?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	If yes,
Does the property enhance natural lands connectivity, including significant wildlife corridors?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	If yes,
Does the property include habitat diversity?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	If yes,
Does the property provide for quality habitat or potential for quality habitat?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	If yes,
Is the property contiguous to existing open space or reserves?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	If yes,
Are there any state or federal wetlands on the property?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	If yes,

Non-Biological Criteria/Factors

Is there potential development for this property?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	If yes,
Are you aware of matching funds for your property?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	If yes,
Are you aware of hazardous materials associated with this property?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	If yes,
Is there public access to the property?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	If yes,
Are there trail connectors to the property?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	If yes,
Are there known archaeological, cultural or historical resources?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	If yes,
Does the property possess viewshed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	If yes,
Does the property provide any economic benefits (i.e., supports local businesses)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	If yes,
Is there support from local and/or state governments?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	If yes,
Does the community support the property for acquisition?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	If yes,
Has the property ever been entitled for development?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	If yes,
Is there currently a conservation easement?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	If yes,

Are there dwelling structures on the property?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	If yes,
Any potential future property manager?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	If yes,
Has there been cost analysis performed for management?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure	If yes,

What are the key biological attributes that make this acquisition property unique?

Comments / Questions

Please return the form by January 14, 2011 via fax at 714.560.5795, by mail to Orange County Transportation Authority, Attn: Marissa Espino, 550 South Main Street, P.O. Box 14184, Orange, CA 92863-1584 or via email at mespino@octa.net.

Public Scoping Notice

Measure M2 HCCP/NCP/MSAA: Encompassing all of Orange County



Why the M2 HCCP/NCP/MSAA?

The Orange County Transportation Authority (OCTA), in coordination with the United States Fish and Wildlife Service (Service), California Department of Fish and Game (CDFG), and the California Department of Transportation (Caltrans), intends to prepare the Measure M2 (M2) Natural Community Conservation Plan/Habitat Conservation Plan/Master Streambed Alteration Agreement (NCCP/HCP/MSAA) (the Plan), which will provide a habitat conservation/mitigation strategy to off-set impacts of proposed M2 freeway improvement projects in exchange for streamlined permitting of those projects. This Project includes issuance of a Federal Endangered Species Act (FESA) incidental take permit, a California Endangered Species Act (CESA) incidental take permit based on implementation of the Plan, and issuance of a Master Streambed Alteration Agreement (MSAA). The Plan will identify the Covered Activities carried out by OCTA that may result in take of Covered Species within the Plan area. Anticipated Covered Activities currently consist of thirteen proposed M2 freeway improvement projects.

Purpose of Public Scoping:

- Provide the public and the governmental agencies with information about the proposed M2 NCCP/HCP/MSAA in the County of Orange.
- Provide an opportunity for the public to officially comment on the project.

The OCTA is the California Environmental Quality Act (CEQA) Lead Agency, and the USFWS is the National Environmental Policy Act (NEPA) Lead Agency. Also, the CDFG and Caltrans are Responsible Agencies under CEQA. A combined Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) will be prepared for the Plan.

Public Scoping Meeting:

Wednesday, December 15, 2010, 5:00 to 7:00 PM
Orange County Transportation Authority, Conference Rooms 103/104
550 South Main Street, Orange, CA 92863-1584

MEASURE M2 FREEWAY PROJECTS



Project Descriptions

Early Action Projects

- C** I-5, PCH to Pico
- D** I-5/Ortega Interchange
- G** SR-57 NB, Lincoln to Katella; SR-57 NB, Orangethrope to Lambert
- H** SR-91 WB, I-5 to SR-57
- J** SR-91, SR-55 to SR-241; SR-91 EB, SR-241 to SR-71; SR-91, SR-241 to County Line (RTC Project)
- K** I-405, SR-55 to I-605

Conceptual Engineering Projects

- A** I-5, SR-57 to SR-55; I-5, SR-55 to El Toro Y
- B** I-5, El Toro Y to SR-73
- C** South OC Freeway Interchanges
- E** SR-22 Access Improvements
- F** SR-55, SR-22 to I-405
- G** SR-57 NB, Lambert to County Line
- I** SR-91, SR-57 to SR-55
- L** I-405, SR-55 to I-5
- M** I-605 Access Improvements

Alternatives:

A reasonable range of Alternatives to the Project will be defined during the preparation of the impact analysis for the EIR/EIS. These could include alternatives such as additions or subtractions to the number of covered species, alternative conservation strategies for specific species, or variations in the approach to prioritization of preserve acquisition or restoration project selection. In accordance with the state CEQA Guidelines, alternatives will be identified that obtain the Project's basic objectives, but that either avoid or substantially lessen any identified significant adverse environmental effects of the Project. Analysis of alternatives fosters informed decision-making and public participation.

Comments:

We welcome your input on this project. Please provide any comments concerning alternatives to be studied or potential social, economic, or environmental impacts resulting from this project. Submit your comments, questions, and contact information by 5 p.m. on January 10, 2011 to:

Dan Phu, Section Manager
Orange County Transportation Authority
Attn: M2 NCCP/HCP/MSAA
550 South Main Street
P.O. Box 14184
Orange, CA 92863-1584
Tel: 714.560.5907

In addition, comments can be emailed to:
OCTA_NCCP_HCP_comments@octa.net

The NOP and NOI can be viewed at:
[\[www.octa.net/M2EnvironmentalFreeway.aspx\]](http://www.octa.net/M2EnvironmentalFreeway.aspx)

Environmental Analysis:

The environmental document will analyze impacts that include, but are not limited to the following:

- Agricultural Resources
- Air Quality and Climate Change
- Biological Resources
- Cultural Resources
- Geology, Soils, and Mineral Resources
- Hydrology and Water Quality
- Land Use Planning & Consistency
- Noise
- Population and Housing
- Public Services & Utilities
- Recreation & Open Space
- Transportation



Measure M2 Environmental Mitigation Program



December 15, 2010
NCCP/HCP Scoping Meeting

Presentation Overview

1. M2 Mitigation Program Overview and Structure
2. NCCP/HCP Process Overview
3. Environmental Review (CEQA/NEPA)
4. How to Get Involved



What is the Environmental Mitigation Program?

A minimum of 5% of the M2 freeway program budget will be available, subject to a master agreement, to provide for comprehensive, rather than piecemeal, mitigation of the environmental impacts of freeway improvements.



Benefits to Orange County

The Environmental Mitigation Program (Mitigation Program) will:

- Provide habitat protection, wildlife corridors and resource preservation
- Result in streamlined project approvals for the freeway program (endangered species, wetlands, waters, etc.)
- Expedite freeway projects through planning, design and construction phases
 - Considers their aesthetic, historic and environmental impacts on nearby properties and communities



Mitigation Program Process

Mitigation Land Needed for 13 M2
Freeway Projects



Acquire and/or Restore Land for Mitigation



Complete Conservation Plans
(NCCP/HCP) to Address Long-term
Operations and Management



Build 13 M2 Freeway Projects

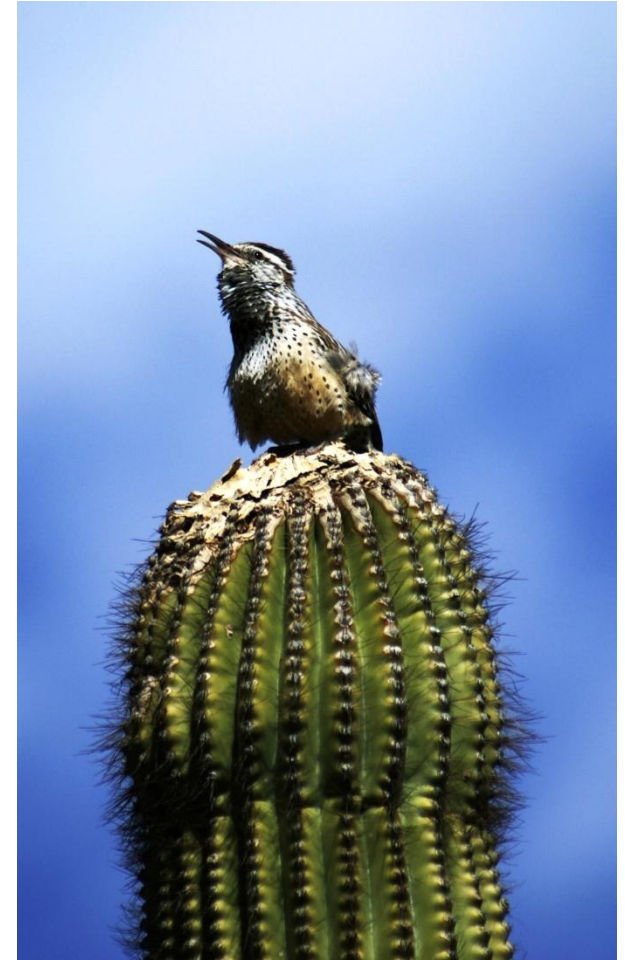
M2 Mitigation Program Structure

- Measure M2 (M2) approved November 2006
 - ½ cent transportation sales tax
 - Funding for innovative Mitigation Program
- Early Action Plan (EAP) approved August 2007
 - Developed to start implementing Mitigation Program
- Environmental Oversight Committee (EOC)
 - 12 members representing local jurisdictions, regional/state/federal agencies, and environmental organizations



M2 Mitigation Program Activities

- **2008** – Public outreach to land owners interested in offering property for potential acquisition and restoration
 - Reviewed and selected properties based on eligibility criteria
 - EAP enabled early acquisition and restoration activities
- **2009** – Conservation priorities identified through a Conservation Assessment
- **2010/11** – Call for projects for land acquisition
- **2011** – Call for projects for restoration activities



Conservation Assessment for Orange County

- Identified lands that would contribute most to conserving remaining natural resource values
- Conducted a science-based conservation assessment to describe and map selected conservation values across the County
- Provides a tool to assist decision-makers in prioritizing lands for acquisition for Mitigation Program



NCCP/HCP Process

- Mitigation Program uses the biological prioritization from the Conservation Assessment
 - Implemented through the development of a **Natural Community Conservation Plan (NCCP)** and a **Habitat Conservation Plan (HCP)**

- What is an NCCP/HCP?
 - A long-term regional species and natural community conservation program approved by state and federal wildlife regulatory agencies CDFG and USFWS*

 - If the NCCP/HCP is successfully and continually implemented, then CDFG and USFWS issue permits to allow limited impacts to protected species for construction projects

*CDFG: California Department of Fish and Game
USFWS: US Fish and Wildlife Service

NCCP/HCP Process (Continued)

- An NCCP/HCP is a win-win for OCTA Project Implementation and Environmental Conservation



- Streamlines the permitting process under state and federal endangered species acts
- Results in more efficient and effective use of mitigation funding

Elements of an NCCP/HCP

- Program goals
- Geographic coverage
- Species covered
- Biological goals and objectives
- Activities covered
- Permit duration
- Impacts on species

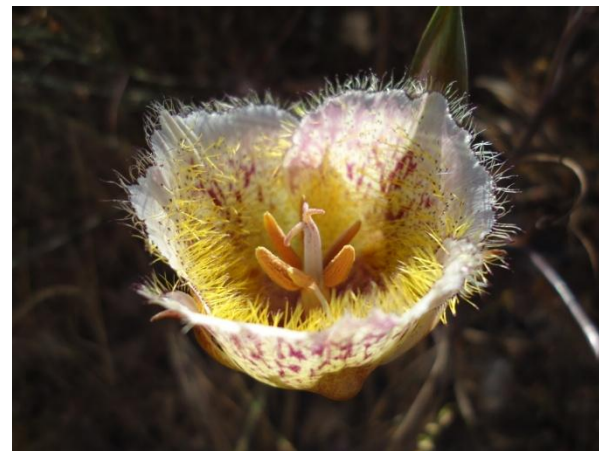


Components of the M2 NCCP/HCP

- **Program goal**
 - Streamlines permitting processes of M2 freeway projects
- **Geographic coverage**
 - Orange County - 798 square miles (approx. 510,720 acres)
- **Species covered**
 - Approximately 22 endangered, threatened, or otherwise sensitive species
- **Biological goals and objectives**
 - Conserve, enhance, and/or restore populations and habitat of the 22 covered species
 - Adaptively manage species and natural communities in perpetuity

Components of the M2 NCCP/HCP (Continued)

- Activities covered
 - 13 M2 freeway projects
- Permit duration
 - 30 years
- Impacts on species
 - Quantified using freeway project footprints, species distribution models, and known observed locations of species



Covered Species

Currently, 22 species are proposed for coverage under the Plan. Species may be added or deleted during the course of the Plan development based on further analysis, new information, agency consultation, and public comment.

Amphibians and Reptiles

- **Southwestern Pond Turtle**
- **San Diego Coast Horned Lizard**
- **Orange Throated Whiptail Lizard**
- **Red Diamond Rattlesnake**

Birds

- **Coastal Cactus Wren**
- **Coastal California Gnatcatcher**
- **Rufous-Crowned Sparrow**
- **Flycatcher**
- **Least 's Vireo**

Fish

- **Arroyo Chub**
- **Santa Ana Sucker**

Mammals

- **Bobcat**
- **Mountain Lion**
- **Pallid bat**
- **Small-footed myotis**
- **Long-eared myotis**
- **Yuma myotis**

Plants

- **Braunton's Milk-Vetch**
- **Coulter's Matilija Poppy**
- **Intermediate Mariposa Lily**
- **Many Stemmed Dudleya**
- **Southern Tarplant**

NCCP/HCP Plan Area

- Orange County
- Considers linkages to existing preserve areas within the County

Note: letters A-M represent the 13 M2 freeway projects



NCCP/HCP Schedule

Fall 2010

- Complete baseline data collection and GIS database
- Develop NCCP/HCP conservation plan goals

Winter 2011

- Identify alternative and preferred conservation strategies
- Describe covered projects and activities

Spring 2011

- Identify mitigation requirements and conservation opportunities
- Develop NCCP/HCP implementation strategy

Summer 2011

- Assess alternatives and strategies
- Develop economic analysis and funding plan
- Complete draft NCCP/HCP

Summer 2012

- Finalize NCCP/HCP
- OCTA Board Adoption of NCCP/HCP

NCCP/HCP Schedule (Continued)

Summer 2011

- Assess alternatives and strategies
- Develop economic analysis and funding plan
- Complete draft NCCP/HCP

Summer 2012

- Finalize NCCP/HCP
- OCTA Board Adoption of NCCP/HCP

State & Federal Environmental Review Process

Purpose is to:

- Describe proposed action and alternatives
- Study and evaluate potential environmental impacts resulting from the NCCP/HCP implementation
- Identify mitigation for significant impacts
- Follow state and federal environmental laws
 - California Environmental Quality Act (CEQA)
 - National Environmental Policy Act (NEPA)

Lead Agencies for Environmental Review

- These lead agencies will oversee the preparation of an Environmental Impact Report/Environmental Impact Statement (EIR/EIS):
 - **CEQA** – OCTA in conjunction with CDFG
 - **NEPA** – USFWS



Potential Environmental Effects

- The EIR/EIS will examine potential environmental benefits and impacts of the project resulting from the following environmental factors:
 - Agricultural Resources
 - Air Quality & Climate Change
 - Biological Resources
 - Cultural Resources
 - Geology, Soils, & Mineral Resources
 - Hydrology & Water Quality
 - Land Use Planning & Consistency
 - Noise
 - Population & Housing
 - Public Services & Utilities
 - Recreation & Open Space
 - Transportation
 - Other environmental factors as identified by OCTA, CDFG and USFWS through the scoping process

Scoping Meeting Purpose

- Early opportunity for the public and governmental entities to provide feedback on the scope and content of the EIR/EIS.

- Scoping comments can include information regarding:
 - Scope of important environmental issues
 - Similar studies that are relevant to the proposed project
 - Characterization of the existing environment
 - Resources that may be cumulatively affected
 - Existing and reasonably foreseeable projects that are likely to affect the same resources as the project

Project Schedule

December 2010

Public Scoping Meeting

Winter 2011

**Draft EIR/EIS and NCCP/HCP
circulation and public hearing**

Spring 2012

**Response to Comments/Final
EIR/EIS and NCCP/HCP**

Summer 2012

**Certification of EIR/EIS and Board
Approval of NCCP/HCP**



Tonight's Scoping Meeting

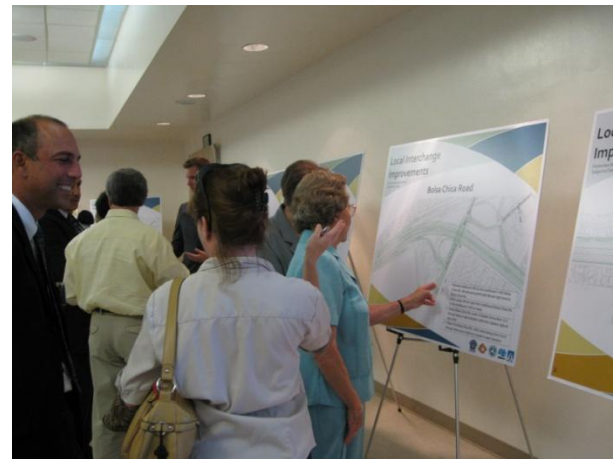
We want to hear from you!

Public input is valued and important

Comments will be considered throughout the EIR/EIS process

Please fill out comment cards

(Return by Monday, January 10, 2011)



Contact Us

- Environmental Mitigation Program Project Manager
 - Dan Phu
- Environmental Mitigation Program Public Outreach Specialist
 - Marissa Espino (mespino@octa.net or 714-560-5607)
- Website: www.octa.net/environmental
- Email: octa_nccp_hcp_comments@octa.net



Environmental Mitigation Program

What is the Environmental Mitigation Program?

A minimum of 5% of the M2 freeway program budget will be available, subject to a master agreement, to provide for comprehensive, rather than piecemeal, mitigation of the environmental impacts of freeway improvements



Benefits to Orange County

- Provide habitat protection, wildlife corridors and resource preservation
- Result in streamlined project approvals for the freeway program (endangered species, wetlands, waters, etc.)
- Expedite freeway projects through planning, design and construction phases
 - Considers aesthetic, historic and environmental impacts on nearby properties and communities



M2 Mitigation Program Activities

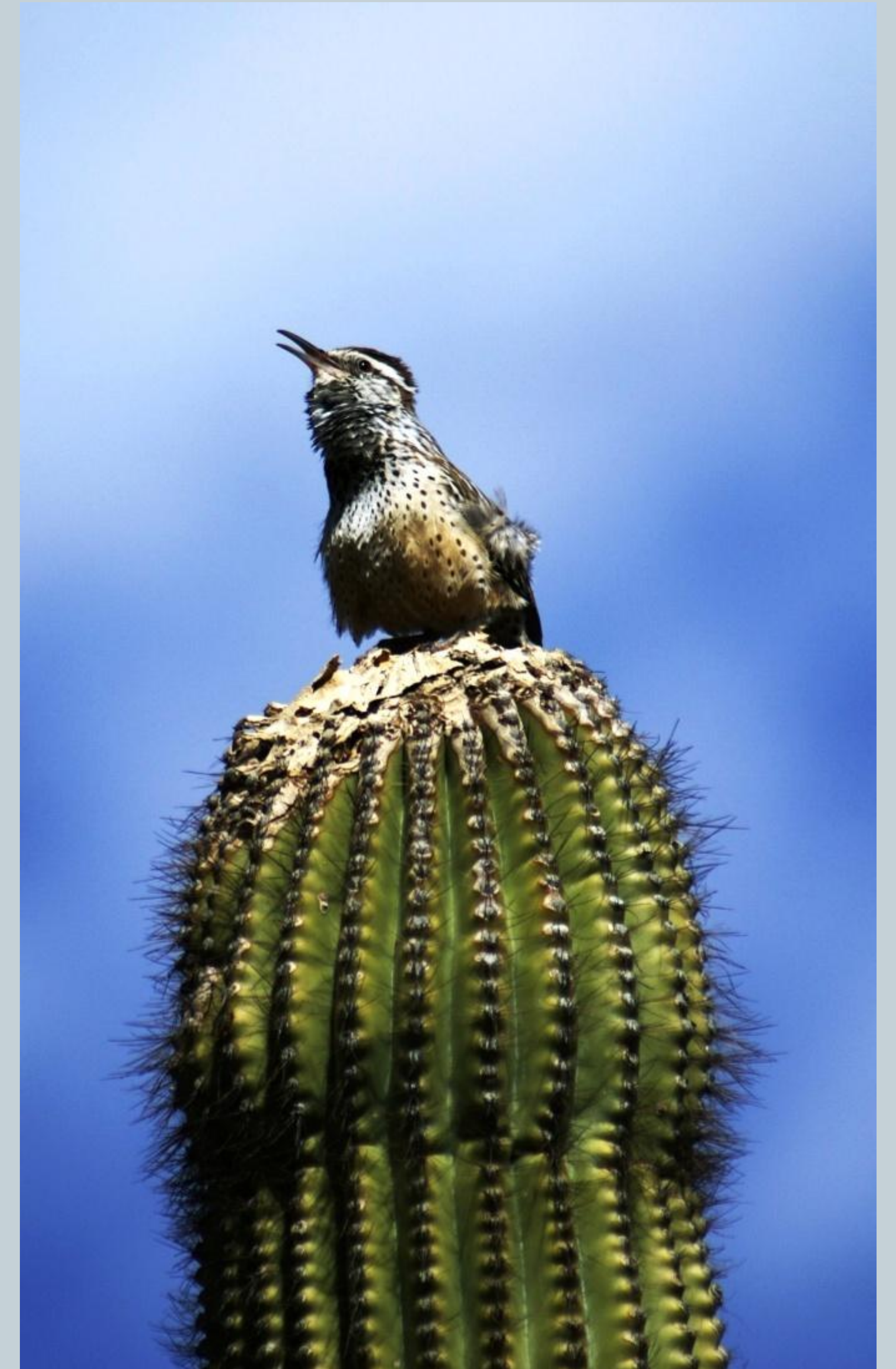
- **2008** – Public outreach to land owners interested in offering property for potential acquisition and restoration
 - Reviewed and selected properties based on eligibility criteria
 - EAP enabled early acquisition and restoration activities
- **2009** – Conservation Assessment identifies priorities
- **2010/11** – Call for projects for land acquisition
- **2011** – Call for projects for restoration activities





What is a Natural Community Conservation Plan (NCCP) and a Habitat Conservation Plan (HCP)?

- A long-term regional species and natural community conservation program approved by state and federal wildlife regulatory agencies CDFG and USFWS
- If the NCCP/HCP is successfully and continually implemented, then CDFG and USFWS issue permits to allow limited impacts to protected species for construction projects
- An NCCP/HCP is a win-win for OCTA Project Implementation and Environmental Conservation
 - Streamlines the permitting process under state and federal endangered species acts
 - Results in more efficient and effective use of mitigation funding





Components of the NCCP/HCP

- Program goal
 - Streamlines permitting processes of 13 M2 freeway projects for 30-year duration
- Geographic coverage
 - Orange County - 798 square miles (approximately 510,720 acres)
- Species covered
 - Approximately 22 endangered, threatened, or otherwise sensitive species
- Biological goals and objectives
 - Conserve, enhance, and/or restore populations and habitat of the 22 covered species
 - Adaptively manage species and natural communities in perpetuity
- Impacts on species
 - Quantified using freeway project footprints, species distribution models, and known observed locations of species



Covered Species

Currently, 22 species are proposed for coverage under the Plan. Species may be added or deleted during the course of the Plan development based on further analysis, new information, agency consultation, and public comment.

Amphibians and Reptiles

- Southwestern Pacific Pond Turtle
- San Diego Coast Horned Lizard
- Orange Throated Whiptail Lizard
- Red Diamond Rattlesnake

Birds

- Coastal Cactus Wren
- Coastal CA Gnatcatcher
- Rufous-Crowned Sparrow
- Flycatcher
- Least Bell's Vireo

Fish

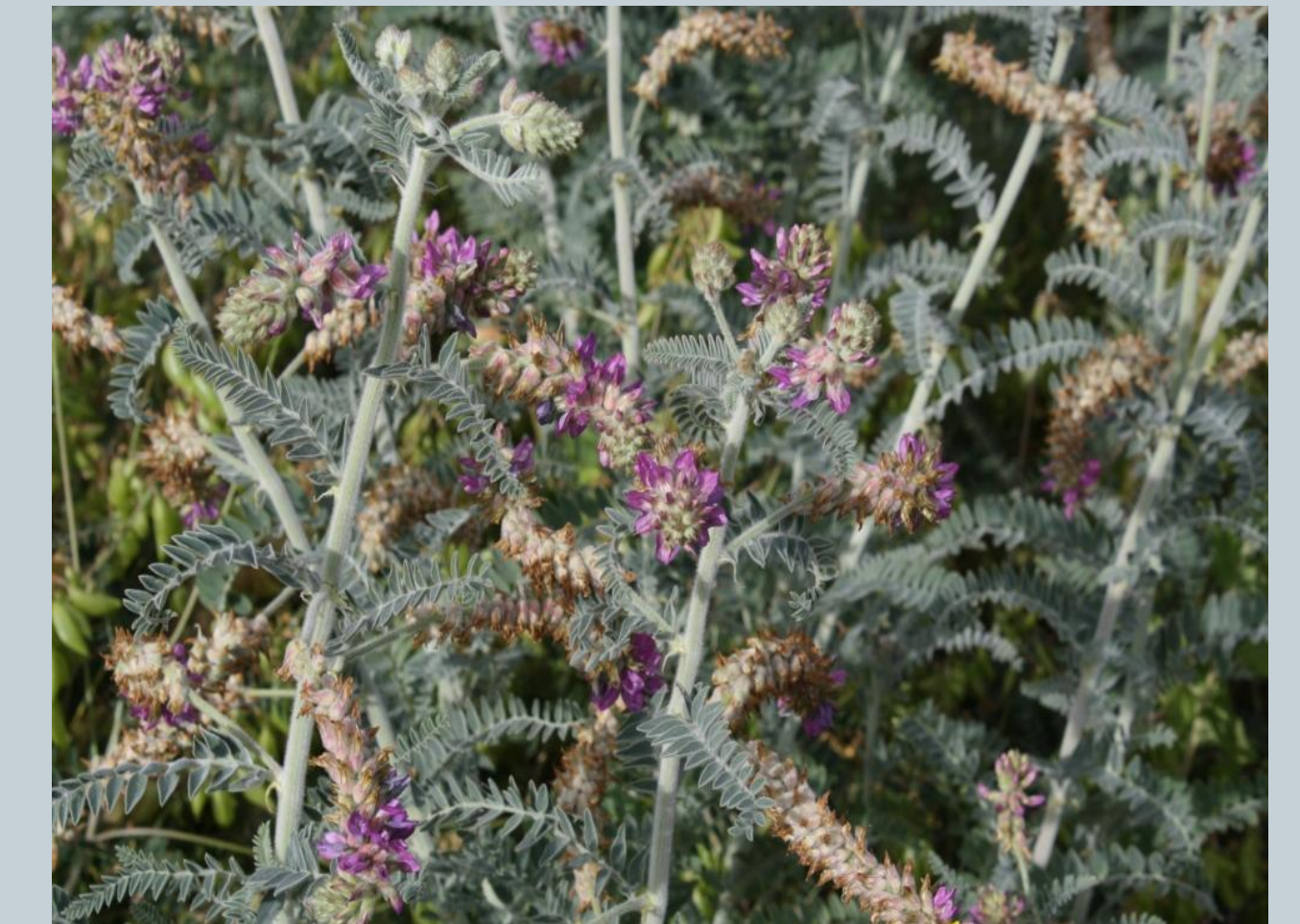
- Arroyo Chub
- Santa Ana Sucker

Mammals

- Bobcat
- Mountain Lion
- Pallid bat
- Small-footed myotis
- Long-eared myotis
- Yuma myotis

Plants

- Braunton's Milk-Vetch
- Coulter's Matilija Poppy
- Intermediate Mariposa Lily
- Many Stemmed Dudleya
- Southern Tarplant





State & Federal Environmental Review

Purpose:

- Study and evaluate potential environmental impacts resulting from NCCP/HCP implementation
- Identify mitigation for significant impacts
- Follow state and federal environmental laws
 - California Environmental Quality Act
 - National Environmental Policy Act

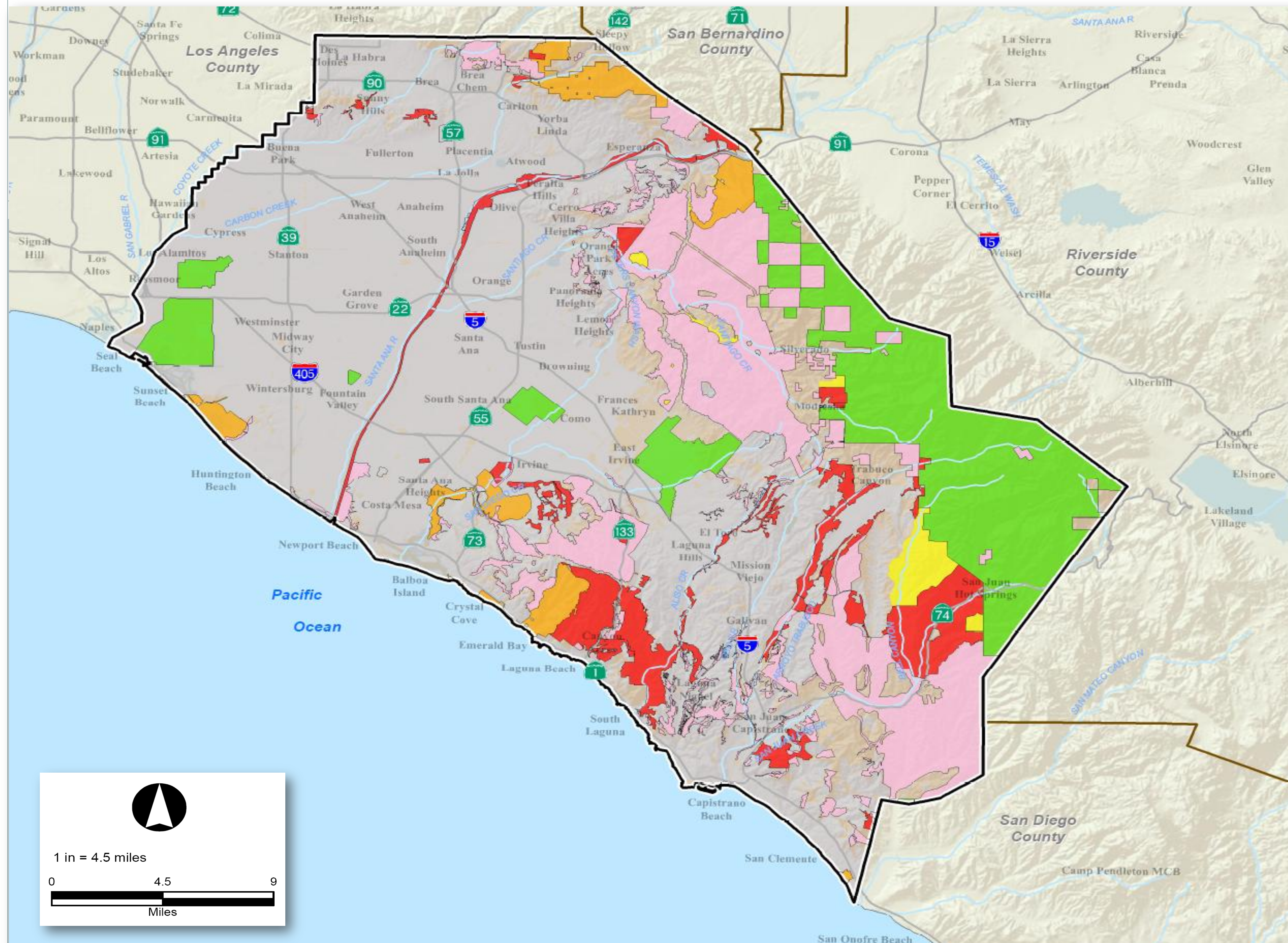


Examine potential environmental benefits and impacts of the project resulting from the following environmental factors:

- | | |
|---------------------------------------|---|
| • Agricultural Resources | • Population & Housing |
| • Air Quality & Climate Change | • Public Services & Utilities |
| • Biological Resources | • Recreation & Open Space |
| • Cultural Resources | • Transportation |
| • Geology, Soils, & Mineral Resources | • Other environmental factors as identified by OCTA, CDFG and USFWS through the scoping process |
| • Hydrology & Water Quality | |
| • Land Use Planning & Consistency | |
| • Noise | |



Protected Lands



Protected Lands

Legend

Open Space

Developed

Ownership

Federal

State

Local

Private

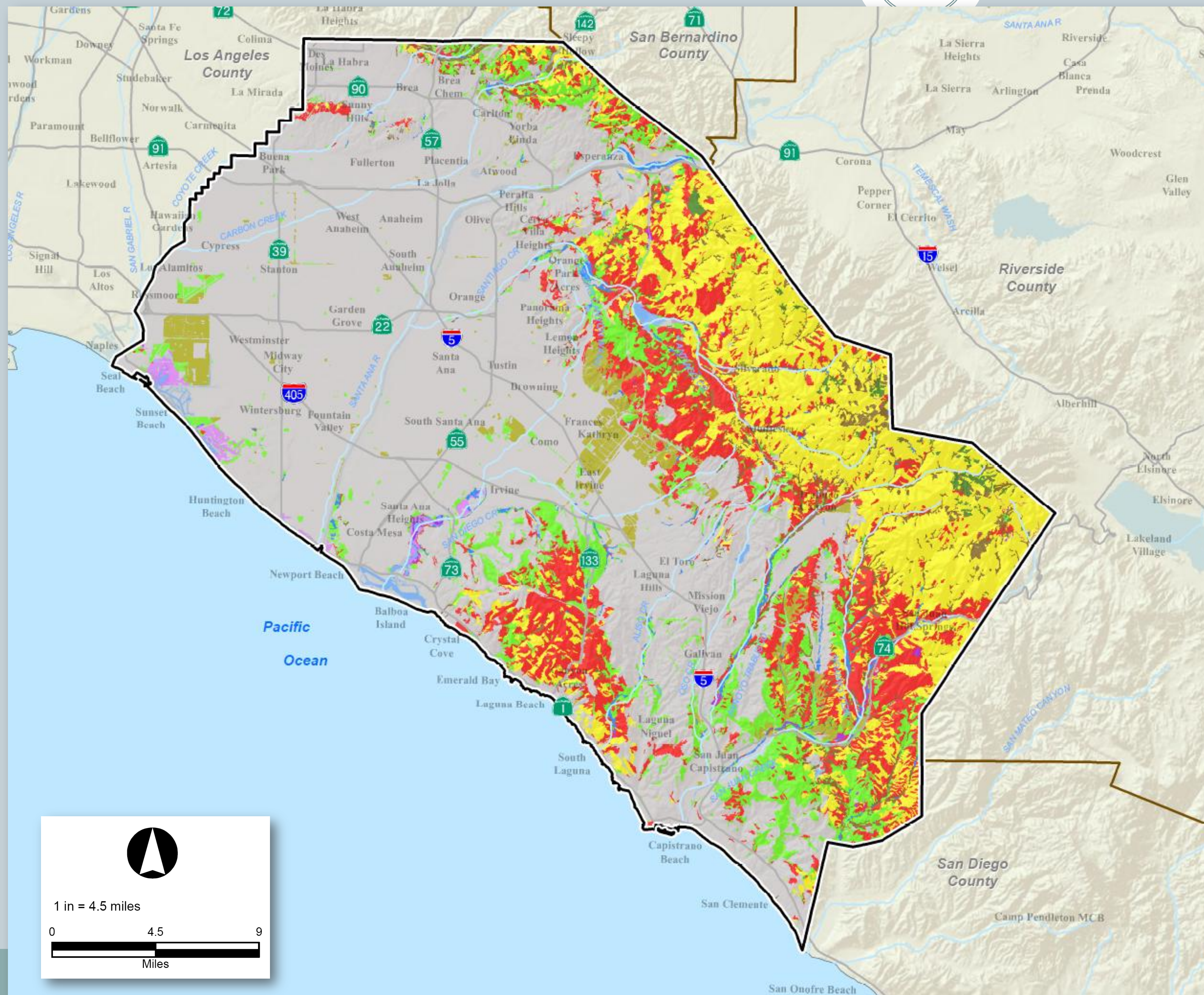
other

Source: CBI 2009

Date: Nov 18, 2010



Vegetation Communities



Vegetation Communities

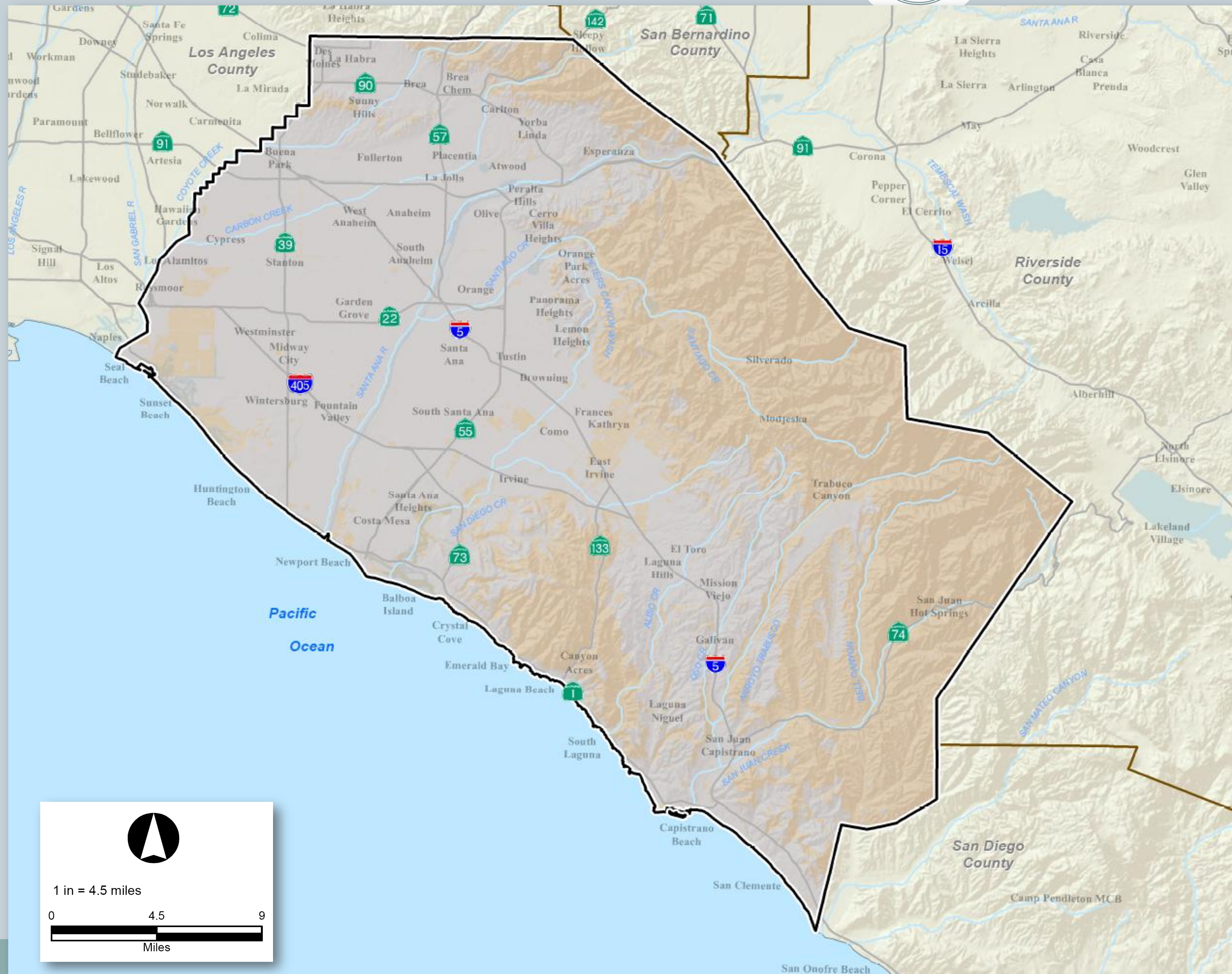
Legend

- Scrub
- Chaparral
- Grassland
- Wet Meadows/Marsh
- Riparian
- Woodland
- Coniferous Forest
- Water
- Barren
- Agriculture
- Developed

Source: CBI 2009, updated by
Technology Associates 2010



Plan Area



Plan Area

Legend

- Open Space
- Developed



Get Involved!

Tonight's Scoping Meeting is your chance to provide feedback on what should be studied during the environmental review of the project

- Please provide comments on the range of issues and type of information that should be considered in the studies
- If you have any questions about the project, please refer to the boards or powerpoint or ask any staff member
- Please turn in comments no later than January 10, 2011
- Your input is very important to us!

