

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

614B



FROM: TLMA - Transportation Department

SUBMITTAL DATE:
September 10, 2013

SUBJECT: Resolution No. 2013-064 - Making Responsible Agency Findings pursuant to the California Environmental Quality Act; Adopting a Mitigation Monitoring and Reporting Plan and Issuing Certain Limited Approvals for the Perris Valley Line Project by Authorizing Closure of Gernert Road/Poarch Road at the At-Grade Crossing of the Perris Valley Line to non-emergency traffic Adjacent to Watkins Drive, in the Box Springs Mountain Area of Unincorporated Riverside County - Fifth Supervisorial District/First Supervisorial District

RECOMMENDED MOTION: That the Board of Supervisors:

1. Consider the environmental effects of the Closure of Gernert Road/Poarch Road at the At-Grade Crossing of the Perris Valley Line to non-emergency traffic Adjacent to Watkins Drive, in the Box Springs Mountain Area of Unincorporated Riverside County ("Closure Project") as identified in the Final Environmental Impact Report for the Perris Valley Line Project (SCH#2009011046) prepared by the Riverside County Transportation Commission; and
2. At the Close of the Public Hearing, Adopt Resolution No. 2013-064 - Making Responsible Agency Findings Pursuant to the California Environmental Quality Act, Adopting a Mitigation Monitoring and Reporting Plan and Issuing Certain Limited Approvals for the PVL Project by Authorizing Closure of Gernert Road/Poarch Road at the At-Grade Crossing of the Perris Valley Line to non-emergency traffic Adjacent to Watkins Drive, in the Box Springs Mountain Area of Unincorporated Riverside County; and

BACKGROUND: (Continued on Page 2)

Patricia Romo

Assistant Director of Transportation

Juan C. Perez

Director of Transportation and Land Management

WJH

Attachments: Listed on page 3

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Stone and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended with the addition of an amendment that the Board support the consideration of RCTC to fund paving of Gernert Road and direct staff to draft ideas for approval by the Public Utilities Commission to allow for public to access rail lines safely.

Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley
 Nays: None
 Absent: None
 Date: September 24, 2013
 xc: Transp.

Kecia Harper-Ihem
 Clerk of the Board

By: Deputy

Prev. Agn. Ref. 2-24 of 7/30/13; 2-23 of 8/20/13

District: 5/1

Agenda Number:

ATTACHMENTS FILED
 WITH THE CLERK OF THE BOARD

9-1

REVIEWED BY EXECUTIVE OFFICE
 9-3-13 AG
 DATE
 Departmental Concurrence
 Alex Gern
 FORM APPROVED COUNTY COUNSEL
 BY: CYNTHIA M. GUNZEL
 DATE 9-13

Dept's Recomm.: Consent Policy
 Per Exec. Ofc.: Consent Policy

The Honorable Board of Supervisors

RE: Resolution No. 2013-064 - Making Responsible Agency Findings pursuant to the California Environmental Quality Act; Adopting a Mitigation Monitoring and Reporting Plan and Issuing Certain Limited Approvals for the Perris Valley Line Project by Authorizing Closure of Gernert Road/Poarch Road at the At-Grade Crossing of the Perris Valley Line to non-emergency traffic Adjacent to Watkins Drive, in the Box Springs Mountain Area of Unincorporated Riverside County - Fifth Supervisorial District/First Supervisorial District

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RECOMMENDED MOTION: (continued from Page 1)

3. Authorize the Closure of Gernert Road/Poarch Road at the At-Grade Crossing of the Perris Valley Line to Non-Emergency Traffic Adjacent to Watkins Drive, in the Box Springs Mountain Area, subject to the attached Mitigation Monitoring and Reporting Plan, and based upon the findings and conclusions incorporated in Resolution No. 2013-064; and
4. Direct the Clerk of the Board to file the Notice of Determination with the County Clerk and the Governor's Office of Planning and Research within 5 working days of approval of this Closure Project.

BACKGROUND: (Continued from Page 1)

The Riverside County Transportation Commission's ("RCTC") Perris Valley Line Project ("PVL Project") is a 24-mile extension of the Metrolink 91 Line service, which currently provides service from Riverside to downtown Los Angeles and Orange County. The PVL Project would bring commuter rail service from downtown Riverside to the city of Perris; thus, linking several communities to major employment centers and to the Southern California commuter rail network. The County of Riverside ("County"), as a member of RCTC, frequently works in concert and cooperatively with RCTC to further the overall goals of RCTC and the County to improve and provide services and facilities to the public.

RCTC, as lead agency, certified the California Environmental Quality Act ("CEQA") Final Environmental Impact Report ("EIR") for the Perris Valley Line Project on July 25, 2011. A Final Supplemental Environmental Assessment ("FSEA") pursuant to The National Environmental Protection Act was prepared and approved by RCTC and the Finding of No Significant Impact ("FONSI") was issued on May 24, 2012. The EIR identified and analyzed the closure of the Poarch Road Crossing to public non-emergency traffic access; while keeping it accessible to public safety agencies for emergency access only.

RCTC has sought assistance from the County to implement a part of the PVL Project by requesting the closure of the Gernert Road/Poarch Road at the at-grade crossing (Crossing) to non-emergency traffic due to the safety deficiencies and concerns identified by RCTC during its design process and completing its environmental review. The Crossing is located adjacent to Watkins Drive, directly opposite the northbound I-215 on-ramp in unincorporated Riverside County. Poarch Road is an unimproved dirt road that provides as an alternate access to a small, rural residential area of about 10 homes on the hillside northeast of the Perris Valley Line Project. The residents may choose to use the Crossing to gain access to Watkins Drive and I-215 Highway. The Crossing connects to Gernert Road, a County-maintained dirt road that links to Morton Road, which borders Moreno Valley. Gernert Road is used by some peak-hour commuter traffic by-passing a portion of I-215 when the highway is congested. The primary paved access route for this area is via Gernert Road to Morton Road to Box Springs Road. Box Springs Road is a full-access interchange on the I-215 Highway, approximately two miles from the Crossing.

The Honorable Board of Supervisors

RE: Resolution No. 2013-064 - Making Responsible Agency Findings pursuant to the California Environmental Quality Act; Adopting a Mitigation Monitoring and Reporting Plan and Issuing Certain Limited Approvals for the Perris Valley Line Project by Authorizing Closure of Gernert Road/Poarch Road at the At-Grade Crossing of the Perris Valley Line to non-emergency traffic Adjacent to Watkins Drive, in the Box Springs Mountain Area - Fifth Supervisorial District/First Supervisorial District

September 10, 2013

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BACKGROUND: (Continued from page 2)

The Crossing was found by RCTC to have several key deficiencies that would need to be addressed in order to be open to non-emergency traffic with Metrolink train usage after full implementation of the PVL Project has occurred. Some of the key deficiencies identified were: The Crossing does not have California Public Utilities Commission (CPUC) crossing warning devices, the intersection of Watkins Drive and Poarch Road is not signalized, the Crossing is not wide enough to permit large vehicles to make the turn movements without crossing into opposing traffic lanes, Poarch Road (as it crosses the railroad) does not meet vertical clearance, the corner sight distance at Watkins Drive looking towards the crossing is obstructed, Gernert Road/Poarch Road is not paved at the crossing, and the stopping sight distance on Watkins Drive north of the crossing is deficient. Any improvements that would need to be made to the Crossing are governed by several stringent federal and state safety standards applicable to each part of the design of the Perris Valley Line Project.

Design alternatives to bring the Crossing up to the stringent safety standards were considered and studied by RCTC. Two alternatives were found to be possible feasible solutions. The first alternative would be to address the identified deficiencies; however, it proposed substantial reconstruction of the Crossing's surrounding streets in order to reach a minimal grade crossing. Maintaining full public access would have required substantial improvements to the street grades of Poarch Road and Watkins Drive, crossing equipment upgrades, and signalization of the intersection of Poarch Road and Watkins Drive. This alternative was identified as infeasible due to the costs and challenges in meeting the stringent federal and state safety standards for at-grade crossings. The second alternative proposed closure of the Crossing to non-emergency traffic with installation by RCTC of crossing warning devices and securing the Crossing with fencing and locked gates, accessible only to emergency vehicles. This proposed closure to non-emergency traffic was identified in the certified EIR and FSEA for the PVL Project as the most feasible solution.

RCTC received a few comments on proposed road closure identified in the EIR and FSEA for the PVL Project; to which RCTC responded. No public review period is required for CEQA purposes when a responsible agency is considering whether or not to approve the project involved. Also, although not required by CEQA, the County is holding a public hearing for the Board to receive and consider any public comments.

The closure of the Crossing would not significantly affect the traffic volumes in the area and would continue to provide access to emergency vehicles. The closure of Gernert Road/Poarch Road to non-emergency traffic would become effective at such future time when construction begins on this segment of the Perris Valley Line Project by RCTC. This action does not preclude the County from considering an improved at-grade or grade-separated crossing in the future (subject to the approval by appropriate state and federal agencies).

Attachments: Letter from RCTC
Resolution No. 2013-064 with Exhibits A-C
Notice of Determination
RCTC's PVL Resolution No 11-013 and MMRP (full EIR and EA documents including exhibits, appendices and reports found at www.perrisvalleyline.info)

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

KECIA HARPER-IHEM, CLERK OF THE BOARD
RIVERSIDE CO. CLERK OF THE BOARD
4080 LEMON STREET, 1ST FLOOR CAC
P O BOX 1147 - RIVERSIDE, CA 92502

MAIL STOP # 1010

AND WHEN RECORDED MAIL TO:

RETURN TO: STOP #1010
RIVERSIDE COUNTY CLERK OF THE BOARD
P. O. BOX 1147 - RIVERSIDE, CA 92502

2016-0310899

07/25/2016 12:25 PM Fee: \$ 0.00

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Recorded in Official Records
County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder



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14									
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(d)

RESOLUTION NO. 2013-064

Title of Document

MAKING RESPONSIBLE AGENCY FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, ADOPTING A MITIGATION MONITORING AND REPORTING PLAN, AND ISSUING CERTAIN LIMITED APPROVALS FOR THE PERRIS VALLEY LINE PROJECT BY AUTHORIZING CLOSURE OF GERNERT ROAD/POARCH ROAD AT THE AT-GRADE CROSSING OF THE PERRIS VALLEY RAIL LINE TO NON-EMERGENCY TRAFFIC IN THE BOX SPRINGS MOUNTAIN AREA OF UNINCORPORATED RIVERSIDE COUNTY

(FIFTH SUPERVISORIAL DISTRICT/FIRST SUPERVISORIAL DISTRICT)

(Transportation Department ~ Item 9-1 of 09/24/13)

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION

2016-8-132711

2
3 **RESOLUTION NO. 2013-064**

4 MAKING RESPONSIBLE AGENCY FINDINGS PURSUANT TO THE CALIFORNIA
5 ENVIRONMENTAL QUALITY ACT, ADOPTING A MITIGATION MONITORING AND
6 REPORTING PLAN, AND ISSUING CERTAIN LIMITED APPROVALS FOR THE PERRIS
7 VALLEY LINE PROJECT BY AUTHORIZING CLOSURE OF GERNERT ROAD/POARCH ROAD
8 AT THE AT-GRADE CROSSING OF THE PERRIS VALLEY RAIL LINE TO NON-EMERGENCY
9 TRAFFIC IN THE BOX SPRINGS MOUNTAIN AREA
10 OF UNINCORPORATED RIVERSIDE COUNTY

(Fifth Supervisorial District/First Supervisorial District)

11 **WHEREAS**, the County of Riverside ("County") has been asked to issue certain limited
12 approvals that is under the jurisdiction of the County to implement that portion of the Perris Valley
13 Line Project, specifically the closure of Gernert Road/Poarch Road at the at-grade crossing of the
14 Perris Valley Rail Line to non-emergency traffic, located adjacent to Watkins Drive, in the
15 unincorporated Box Springs Mountain area of Riverside County; and

16 **WHEREAS**, pursuant to the California Environmental Quality Act (Public Resources Code
17 section 21000 et seq.) and the State CEQA Guidelines (14 California Code of Regulations
18 section 15000 et seq.) ("CEQA"), an Environmental Impact Report ("EIR") for the Perris Valley
19 Rail Line Project ("PVL Project") was previously prepared and certified by the Riverside County
20 Transportation Commission ("RCTC"), as the CEQA lead agency, on the extension of commuter
21 rail service from the existing Riverside Downtown Station to south of the City of Perris in western
22 Riverside County (State Clearinghouse No.2009011046); and

23 **WHEREAS**, the RCTC served as lead agency for the environmental review and analysis of
24 the PVL Project pursuant to the requirements of CEQA; and

25 **WHEREAS**, a Final Supplemental Environmental Assessment ("FSEA") pursuant to the
26 National Environmental Protection Act was prepared and approved by RCTC and the Finding of
27 No Significant Impact ("FONSI") was issued on May 24, 2012; and

28 **WHEREAS**, the County has more limited approval and implementing authority over the
PVL Project and thus serves only as a responsible agency for the PVL Project pursuant to the
requirements of CEQA; and

FORM APPROVED COUNTY COUNSEL
BY: *Synthia M. Guenzel* DATE: *9-4-13*
BY: *Synthia M. Guenzel* DATE: *9-4-13*

1 **WHEREAS**, RCTC, as the lead agency, at a noticed public meeting on July 25, 2011,
2 adopted Resolution No. 11-013, reviewed and considered the Final EIR, the Initial Study, a
3 Mitigation Monitoring and Reporting Program, the PVL Project, all oral and written comments
4 received, and certified the EIR, made written findings and statement of project benefits, adopted a
5 Mitigation Monitoring and Reporting Program, and approved the PVL Project; and

6 **WHEREAS**, the Board of Supervisors of the County of Riverside may close or restrict the
7 use of a county highway for the protection of the public pursuant to Section 942.5 of the Streets
8 and Highways Code; and

9 **WHEREAS**, during the environmental review by the RCTC for its Perris Valley Line rail
10 extension project, a number of road crossing deficiencies were identified at the Gernert
11 Road/Poarch Road at the at-grade rail crossing ("Crossing") located adjacent to Watkins Drive
12 directly opposite the northbound I-215 onramp in the unincorporated Box Springs area of
13 Riverside County where closure of this Crossing was analyzed and proposed to be closed to non-
14 emergency traffic by the County; and

15 **WHEREAS**, on September 10, 2013, the Board of Supervisors of the County of Riverside
16 held a public hearing to consider and hear comments on the proposed closure of Gernert
17 Road/Poarch Road Project at the at-grade crossing to non-emergency traffic to implement a
18 portion of the RCTC's Perris Valley Rail Line Project, that is under the authority and jurisdiction of
19 the County; and

20 **WHEREAS**, traffic on Gernert Road/Poarch Road over this Crossing is of low volume and
21 another access route exists via Gernert Road to Morton Road to Box Springs Road.

22 **WHEREAS**, the closure of Gernert Road/Poarch Road at the at-grade crossing located
23 adjacent to Watkins Drive is the County's "Closure Project" for the purposes of adoption of these
24 Findings of Fact and Exhibits hereto; and

25 **WHEREAS**, the County, as a responsible agency, has considered the certified Final EIR
26 and the potential environmental impacts associated with the County's limited role as a
27 responsible agency in the implementation of the PVL Project; and

28 **WHEREAS**, all other legal prerequisites to the adoption of this Resolution have occurred;

1 now, therefore,

2 **BE IT RESOLVED, DETERMINED AND ORDERED** by the Board of Supervisors of the
3 County of Riverside, State of California, ("Board") in regular session assembled on September
4 10, 2013, in the meeting room of the Board of Supervisors located on the 1st floor of the County
5 Administrative Center, 4080 Lemon Street, Riverside, California, based upon the evidence and
6 testimony presented on the matter, both written and oral, including the EIR and Mitigation
7 Monitoring and Reporting Plan, as it relates to the Closure Project, that:

8 1. Incorporation of Recitals. The above recitations constitute findings of the Board of
9 Supervisors for the County of Riverside with respect to the Closure Project and are hereby
10 incorporated herein.

11 2. Consideration of the EIR and Adoption of Findings Regarding CEQA Compliance. As
12 the decision-making body for the County of Riverside and in the County's limited role as a
13 responsible agency under CEQA, the County has received, reviewed, and considered the
14 information contained in the Final Environmental Impact Report for the Perris Valley Line Project,
15 the Initial Study, all comment letters, and other related documents. Based on this review, the
16 County finds that, as to those potential environmental impacts within the County's powers and
17 authorities as responsible agency, that the EIR for the PVL Project contains a complete,
18 objective, and accurate reporting of those potential impacts and reflects the independent
19 judgment and analysis of the County of Riverside. The Board finds that there are no significant
20 effects of the Closure Project and therefore no findings required by CEQA Guidelines section
21 15096(h) are needed.

22 3. CEQA Findings on Environmental Impacts. In its limited role as a responsible
23 agency under CEQA, the Board finds that there are no feasible alternatives to the Project which
24 would avoid or substantially lessen the Project's potentially significant environmental impacts but
25 still achieve most of the Closure Project's objectives. The Board further finds that the mitigation
26 measures imposed by the lead agency are sufficient to reduce all potentially significant impacts
27 to a level of less than significant. As such, the County concurs with the environmental findings
28 adopted by the lead agency found in Resolution No. 11-013, which are attached hereto as

1 Exhibit "A," and therefore the Board adopts those findings as its own and incorporates them
2 herein. The Closure Project is within the scope of the EIR and the environmental effects of the
3 Closure Project have been adequately analyzed and addressed in the EIR.

4 4. Adoption of Mitigation Monitoring and Reporting Program. The Board hereby
5 approves and adopts the Mitigation Monitoring and Reporting Program as it relates to the
6 Closure Project which was prepared for the PVL Project and approved by the lead agency,
7 which is attached to the written findings attached hereto as Exhibit "A" and incorporated herein.

8 5. Concurrence. The responsible agency process under CEQA does not require a
9 public review period when a responsible agency is considering whether or not to issue certain
10 limited approvals for the portion of the lead agency's project involved. The County has received
11 a few comments that were received outside of any formal public review periods that were held by
12 RCTC during its EIR and FSEA processes for the PVL Project. Although the County is not
13 required to provide a public review period for the Closure Project under CEQA, it has reviewed
14 any comments received and the Board concurs with RCTC's response to the comments
15 pertaining to the Closure Project. Those comments and any responses thereto are attached
16 hereto as Exhibit "B" and by this reference incorporated herein and fully addressed in the PVL
17 Project EIR (SCH#2009011046) and FSEA.

18 **BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED** by the Board of
19 Supervisors of the County of Riverside, State of California, that the Gernert Road/Poarch Road
20 at-grade crossing northeast and adjacent to Watkins Drive was found to have the following
21 deficiencies in connection with the Perris Valley Rail Line Project and creates a potential hazard
22 to the public:

- 23 1. The rail crossing does not have California Public Utilities Commission crossing
24 warning devices.
- 25 2. The intersection of Watkins Drive and Gernert Road/Poarch Road is not signalized.
- 26 3. The crossing is not wide enough to permit large vehicles to make the turn movements
27 without crossing into opposing traffic lanes.
- 28 4. Poarch Road, as it crosses the railroad, does not meet vertical clearance.

- 1 5. The corner sight distance at Watkins Drive looking towards the crossing is obstructed.
- 2 6. Gernert Road/Poarch Road is not paved at the crossing.
- 3 7. The stopping site distance on Watkins Road north of the crossing is deficient.

4 **BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED** by the Board of
5 Supervisors of the County of Riverside, pursuant to Section 942.5 of the Streets and Highways
6 Code, that it is necessary for the safety and protection of the travelling public to close the use of
7 Gernert Road/Poarch Road at the at-grade crossing of the Perris Valley Rail Line adjacent to
8 Watkins Drive to non-emergency traffic, as shown in Exhibit "C," attached hereto and by this
9 reference incorporated herein, by RCTC securing the crossing area with fencing and locked
10 gates.

11 **BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED** that, as required by State
12 CEQA Guidelines section 15096 and in its limited role as responsible agency under CEQA, the
13 Board hereby approves the Closure Project.

14 **BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED**, that effective such date
15 that RCTC shall begin implementation of the PVL Project within the Gernert Road/Poarch Road
16 at the at-grade crossing area, the use of Gernert Road/Poarch Road at the at-grade crossing of
17 the Perris Valley Rail Line adjacent to Watkins Drive shall be closed to non-emergency traffic
18 and limit access to emergency service vehicles only.

19 **BE IT FURTHER RESOLVED** that the Clerk of the Board shall cause a certified copy of
20 this resolution to be recorded in the Office of the County Recorder of Riverside County, California.

21 **BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED** that the Board hereby
22 directs staff to file a Notice of Determination with the Riverside County Clerk and also with the
23 Governor's Office of Planning and Research within five (5) working days of the approval of the
24 Project.

25 **BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED** that the documents and
26 materials that constitute the record of proceedings on which these findings are based are located
27 at the following offices: Clerk of the Board of Supervisors for the County of Riverside at 4080
28 Lemon St., 1st Floor, Riverside, CA 92501; County of Riverside, Transportation Department at

1 4080 Lemon St, Riverside, CA 92501; and the EIR and related documents are located at
2 Riverside County Transportation Commission at 4080 Lemon St. 3rd Floor, Riverside, CA 92501

3 **BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED** that the Clerk of the
4 Board shall sign this Resolution and the Clerk shall attest and certify to the passage and adoption
5 thereof.

6
7 ROLL CALL:

8 Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley
9 Nays: None
10 Absent: None

11 The foregoing is certified to be a true copy of a resolution duly
12 adopted by said Board of Supervisors on the date therein set forth.

13 KECIA HARPER-IHEM, Clerk of said Board

14 By *Kecia Harper-Ihem*

15 Deputy



EXHIBIT "A"

RESOLUTION NO. 11-013

A RESOLUTION OF THE RIVERSIDE COUNTY TRANSPORTATION COMMISSION
ADOPTING ENVIRONMENTAL FINDINGS AND A STATEMENT OF PROJECT
BENEFITS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT,
CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH#2009011046),
ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, AND
APPROVING THE PERRIS VALLEY LINE PROJECT

RESOLUTION NO. 11-013

A RESOLUTION OF THE RIVERSIDE COUNTY TRANSPORTATION COMMISSION ADOPTING ENVIRONMENTAL FINDINGS AND A STATEMENT OF PROJECT BENEFITS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH #2009011046), ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVING THE PERRIS VALLEY LINE PROJECT

WHEREAS, the Perris Valley Line project is a proposed rail extension that would extend 24-miles of commuter rail service from the existing Riverside Downtown Station to south of the City of Perris in western Riverside County using a 3-mile segment of the existing Burlington Northern Santa Fe (“BNSF”) main line and connecting to the San Jacinto Branch Line (“SJBL”) with the proposed Citrus Connection (an approximately 2,000-foot long curved rail segment that connects the BNSF to the SJBL for approximately 21 miles extending south to the City of Perris), thereby extending commuter rail service into the Interstate 215 corridor (the “Project”); and

WHEREAS, pursuant to Public Resources Code section 21000 et seq., Title 14 of the California Code of Regulations section 15000 et seq. (hereinafter, “the State CEQA Guidelines”), and the Riverside County Transportation Commission’s Local Guidelines (collectively, “CEQA”), the Riverside County Transportation Commission (the “Commission”) is the CEQA lead agency for the Project; and

WHEREAS, pursuant to CEQA, the Commission prepared an Initial Study and Mitigated Negative Declaration (“IS/MND”) for the Project and circulated the IS/MND for public review and comment in January 2009; and

WHEREAS, the Commission held two public outreach workshops in June 2008, a public information meeting in February 2009, and two public hearings in February 2009 to accept comments from the public on the IS/MND; and

WHEREAS, the Commission, in accordance with CEQA, decided to discontinue the IS/MND process and instead prepare a Draft Environmental Impact Report (“Draft EIR”) in order to analyze all potentially adverse environmental impacts of the proposed Project; and

WHEREAS, the Commission solicited comments, including details about the scope and content of the environmental analysis, as well as potential feasible mitigation measures, from responsible agencies, trustee agencies, and the public, in a Notice of Preparation (“NOP”) for the Draft EIR which was distributed on July 14, 2009, and circulated for a period of at least thirty (30) days pursuant to State CEQA Guidelines section 15082(a); and

WHEREAS, the Commission received approximately 5 comment letters in response to the NOP, which assisted the Commission in focusing the scope of the issues and alternatives for analysis in the Draft EIR; and

WHEREAS, pursuant to Public Resources Code section 21083.9 and State CEQA Guidelines section 15082(c) and 15083, the Commission held a scoping meeting on July 28, 2009 at the Moreno Valley Towngate Community Center to gather public comments on the Project, the NOP, and the potential impacts that the Project would have on the physical environment; and

WHEREAS, in accordance with Public Resources Code section 21092 and State CEQA Guidelines section 15087, the Commission initiated a public review period for the Draft EIR on April 5, 2010 by filing a Notice of Completion and Availability with the State Office of Planning and Research and publicly circulating the Draft EIR to state agencies, other affected agencies, adjacent cities and counties, members of the public, and parties who had submitted a written request for a copy; and

WHEREAS, the public comment period on the Draft EIR closed on May 24, 2010; and

WHEREAS, during the public comment period, the Commission consulted with and requested comments from all responsible and trustee agencies, other regulatory agencies, and others pursuant to State CEQA Guidelines section 15086; and

WHEREAS, three public hearings were held to solicit comments on the Draft EIR for the Project on April 14, 2010, April 22, 2010, and May 17, 2010; and

WHEREAS, during the official public comment period, the Commission received approximately 38 written comment letters on the Draft EIR as well as numerous oral and other comments; and

WHEREAS, the Commission has prepared the Final Environmental Impact Report (the "Final EIR"), which includes revisions and clarifications to the Draft EIR and written responses to all comments received on the Draft EIR; and

WHEREAS, pursuant to Public Resources Code section 21092.5, the Commission provided copies of its written responses to all public agency comments received during the 45-day public review period for the EIR at least 10 days prior to the Commission's consideration of the Final EIR; and

WHEREAS, all potentially significant adverse environmental impacts were fully analyzed in the EIR and all feasible mitigation measures were imposed to reduce those impacts to a less than significant level; and

WHEREAS, as contained herein, the Commission has endeavored in good faith to set forth the basis for its decision on the Project; and

WHEREAS, all the requirements of CEQA have been satisfied by the Commission in connection with the preparation of the EIR, which fully analyzes the Project's potentially significant environmental effects as well as feasible mitigation measures; and

WHEREAS, the EIR prepared in connection with the Project fully analyzes both the feasible mitigation measures necessary to avoid the Project's potentially significant environmental impacts and a range of potentially feasible alternatives capable of eliminating or reducing these effects in accordance with CEQA; and

WHEREAS, all of the findings and conclusions made by the Commission pursuant to this Resolution are based upon all oral and written evidence in the administrative record as a whole and not based solely on the information provided in this Resolution; and

WHEREAS, environmental impacts identified in the EIR that the Commission finds are less than significant and do not require mitigation are described in Section 2 below; and

WHEREAS, environmental impacts identified in the EIR that the Commission finds are potentially significant but can be mitigated to a level of less than significant, through the imposition of feasible mitigation measures identified in the EIR, are described in Section 3 below; and

WHEREAS, the cumulative environmental impacts of the Project identified in the EIR are described in Section 4 below; and

WHEREAS, irreversible environmental changes identified in the EIR are described in Section 5 below; and

WHEREAS, growth inducing impacts identified in the EIR are described in Section 6 below; and

WHEREAS, alternatives to the Project that might eliminate or reduce significant environmental impacts are described in Section 7 below; and

WHEREAS, the Mitigation Monitoring and Reporting Program, which sets forth the mitigation measures to which the Commission shall bind itself in connection with the Project, is adopted in Section 11 below, and is attached hereto as Exhibit "A"; and

WHEREAS, prior to taking action, the Commission has heard, been presented with, reviewed and considered all of the information and data in the administrative record, including but not limited to the EIR, and all oral and written evidence presented to it during all meetings and hearings; and

WHEREAS, the EIR has been completed in compliance with CEQA, reflects the independent judgment of the Commission, and is fully adequate for purposes of making decisions on the merits of the Project; and

WHEREAS, no comments made or information presented during or after the EIR's public review period has produced any significant new information requiring recirculation of the EIR or additional environmental review of the Project under Public Resources Code section 21092.1 or State CEQA Guidelines section 15088.5; and

WHEREAS, on July 13, 2011, the Commission conducted a duly noticed public meeting on the Project at which time the Project was fully considered; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE RIVERSIDE COUNTY TRANSPORTATION COMMISSION DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1
INTRODUCTION

A. PROJECT DESCRIPTION

The Project proposes to extend 24 miles of commuter rail service, known as the Perris Valley Line (PVL), from the existing downtown Riverside Downtown Station to the cities of Moreno Valley and Perris in western Riverside County. In the City of Riverside, the PVL would connect to the existing Riverside Downtown Station from the existing Burlington Northern Santa Fe (BNSF) right-of-way. From the BNSF, the PVL would operate on a new curved rail segment known as the "Citrus Connection," which would connect the BNSF and the San Jacinto Branch Line (SJBL). The Citrus Connection would be constructed on property that would be located north of Citrus Street and Springbrook Wash in the City of Riverside. The eastern end of the Citrus Connection would link to the existing 21-mile SJBL alignment and extend south to the City of Perris. The Project would provide rail upgrades, such as new ballast and welded rail, would add a second track along a portion of the existing San Jacinto Branch Line, and would also include support facilities, including station areas and a Layover Facility. Once built, the Project's commuter rail services would be operated by the Southern California Regional Rail Authority.

B. LEGAL REQUIREMENTS

Public Resources Code section 21002 states that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" Section 21002 further states that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects."

Pursuant to section 15091 of the State CEQA Guidelines, the Commission may only approve or carry out a project for which an EIR has been completed that identifies any significant environmental effects if the Commission makes one or more of the following written finding(s) for each of those significant effects accompanied by a brief explanation of the rationale for each finding:

1. Changes or alterations have been required in, or incorporated into, the project which will avoid or substantially lessen the significant environmental impact as identified in the EIR; or
2. Such changes or alterations are within the responsibility and jurisdiction of a public agency other than the Commission, and such changes have been adopted by such other agency, or can and should be adopted by such other agency; or
3. Specific economic, social, legal or other considerations make infeasible the mitigation measures or project alternatives identified in the EIR.

Notably, Public Resources Code section 21002 requires an agency to “substantially lessen or avoid” significant adverse environmental impacts. Thus, mitigation measures that “substantially lessen” significant environmental impacts, even if not completely avoided, satisfy section 21002’s mandate. (Laurel Hills Homeowners Association v. City Council (1978) 83 Cal.App.3d 515, 521 (“CEQA does not mandate the choice of the environmentally best feasible project if through the imposition of feasible mitigation measures alone the appropriate public agency has reduced environmental damage from a project to an acceptable level”); Las Virgenes Homeowners Federation, Inc. v. County of Los Angeles (1986) 177 Cal.App.3d 300, 309 (“[t]here is no requirement that adverse impacts of a project be avoided completely or reduced to a level of insignificance . . . if such would render the project unfeasible”).)

The Public Resources Code requires that lead agencies adopt feasible mitigation measures or alternatives to substantially lessen or avoid significant environmental impacts. An agency need not, however, adopt infeasible mitigation measures or alternatives. (State CEQA Guidelines, § 15091, subs. (a), (b).) Public Resources Code section 21061.1 defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.” State CEQA Guidelines section 15091 adds “legal” considerations as another indicia of feasibility. (See also Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553, 565.) Project objectives also inform the determination of “feasibility.” (City of Del Mar v. City of San Diego (1982) 133 Cal.App.3d 401, 417.) “[F]easibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*Id.*; see also Sequoiah Hills Homeowners Assn. v. City of Oakland (1993) 23 Cal.App.4th 704, 715.)

Environmental impacts that are less than significant do not require the imposition of mitigation measures. (Leonoff v. Monterey County Board of Supervisors (1990) 222 Cal.App.3d 1337, 1347.)

The California Supreme Court has stated, “[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced.” (Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553, 576.) In addition, perfection in a project or a project’s environmental alternatives is not required; rather, the requirement is that sufficient information be produced “to permit a

reasonable choice of alternatives so far as environmental aspects are concerned.” Outside agencies (including courts) are not to “impose unreasonable extremes or to interject [themselves] within the area of discretion as to the choice of the action to be taken.” (Residents Ad Hoc Stadium Com. v. Board of Trustees (1979) 89 Cal.App.3d 274, 287.)

C. SUMMARY OF ENVIRONMENTAL FINDINGS

As more fully explained below, this document contains the written CEQA findings required by CEQA. The Commission has determined that based on all of the evidence in the administrative record as a whole, including, but not limited to the EIR, written and oral testimony given at meetings and hearings, and submission of comments, and the responses to comments, that the Project will have no potentially significant and unavoidable environmental impacts. More specifically, all of the Project’s potential environmental impacts are less than significant or less than significant with mitigation as set forth below:

No Impact or Less than Significant Impact that Do Not Require Mitigation

The Project has been found to have no impact or a less than significant impact to the following resource areas:

- **Aesthetics:** Scenic Vistas, Scenic Highways, Visual Character and Quality
- **Agricultural Resources:** Convert Viable Farmland, Existing Zoning or Williamson Act Contract, Forest Land and Timberland
- **Air Quality:** Applicable Air Quality Plan, Violate Air Quality Standards, Criteria Pollutants, Sensitive Receptors, Odors
- **Biological Resources:** Native Resident or Migratory Fish or Wildlife, Local Policies Regarding Biological Resources, Habitat Conservation Plan or Natural Community Conservation Plan
- **Geology And Soils:** Seismic Hazards, Soil Erosion, Geologic Hazards, Expansive Soils, Septic Systems
- **Greenhouse Gas Emissions:** Conflict with Applicable Plan for Greenhouse Gas Reduction
- **Hazards and Hazardous Materials:** Transport, Use or Disposal of Hazardous Materials; Accidental Release of Hazardous Materials; Hazardous Materials Near Schools; Airport Hazards; Private Airstrip Hazards
- **Hydrology/Water Quality:** Water Quality Standards; Groundwater; Drainage and Erosion; Drainage and Runoff; Runoff; Water Quality; Housing and 100-Year Flood; Structures and 100-Year Flood; Dam Inundation; Seiche, Tsunami, Mudflow
- **Land Use and Planning:** Division of Established Community, Land Use Plan Consistency, Conflict with a Habitat Conservation Plan

- **Mineral Resources:** All thresholds of significance
- **Noise and Vibration:** Temporary Noise Increase, Airport Noise, and Airstrip Noise
- **Population & Housing:** All thresholds of significance
- **Public Services:** All thresholds of significance
- **Recreation:** All thresholds of significance
- **Traffic and Transportation:** Air Traffic Patterns, Hazards Due to Design Features, Emergency Access, Alternative Transportation
- **Utilities and Service Systems:** Wastewater, New or Expanded Wastewater Treatment Facilities, New or Expanded Stormwater Facilities, Water Supplies, Capacity of Wastewater Facilities, Landfills, Solid Waste

Potentially Significant Impacts that Can be Avoided or Reduced to a Less than Significant Level through Implementation of Mitigation Measures

The Project has been found to have a less than significant impact, following the imposition of feasible mitigation measures, to the following resources areas:

- **Aesthetics:** Light and Glare
- **Biological Resources:** Sensitive Species, Riparian Habitat, Wetlands
- **Cultural Resources:** Historical Resources, Archeological Resources, Paleontological Resources, Human Remains
- **Hazardous and Hazardous Materials:** Hazardous Materials Sites, Emergency Evacuation Plan, Wildland Fires
- **Noise and Vibration:** Permanent Noise Increase, Noise Generation, Groundborne Vibration and Noise
- **Traffic and Transportation:** Increase Traffic, Exceed Levels of Service

Public Resources Code section 21081.6 requires the Commission to prepare and adopt a Mitigation Monitoring and Reporting Program for any project for which mitigation measures have been imposed to assure compliance with the adopted mitigation measures. The Commission adopts a Mitigation Monitoring and Reporting Program for the proposed Project in Section 11 of this Resolution.

SECTION 2
FINDINGS REGARDING ENVIRONMENTAL IMPACTS
NOT REQUIRING MITIGATION

Section 15091 of the State CEQA Guidelines does not require specific findings to address environmental effects that an EIR identifies have “no impact” or a “less than significant” impact. Nevertheless, these findings fully account for all resource areas, including resource areas that were identified in the EIR to have either no impact or a less than significant impact on the environment. The Commission hereby finds that the following potential environmental impacts of the Project are less than significant and therefore do not require the imposition of Mitigation Measures:

A. Aesthetics

1. Scenic Vistas (Threshold 4.1-1): Any structures required for the Project would be visually consistent with existing visual landscape and thus would not significantly alter the visual landscape or impair scenic views. Therefore, the Project would have less than significant impacts on scenic vistas. The visual landscape where the Citrus Connection will occur is of existing public roads and railways and also features commercial, industrial, and residential land uses. (Draft EIR¹, pp. 4.1-7 to 8.) The Citrus Connection will closely resemble existing conditions and would not significantly alter the visual landscape. (*Ibid.*) A portion of the Project also involves upgrading the existing track along the SJBL alignment and adding a double track in certain segments (depicted in Figure 2.4-3 of the Draft EIR), which entails ground-level changes only and thus does not significantly alter the visual landscape. (*Ibid.*)

The Project also includes construction of several radio towers, including the CP Citrus Radio Tower, the Palmyrita Station Microwave Tower, and CP Marlborough Radio Tower. (Draft EIR, p. 4.1-10.) Box Springs Mountain Reserve is to the southeast of these towers; however, these towers have thin profiles and their shelter would not exceed the height of existing structures in the areas, and thus their development would not introduce any new visually impacting elements near Box Springs Mountain Reserve. (*Ibid.*) Visible about one mile west of the CP Eastridge Radio Tower is the Sycamore Canyon Wilderness Park, but given existing conditions and the tower’s thin profile, the tower is consistent with the visual landscape and no new visually impacting elements would be introduced. (Draft EIR, pp. 4.1-10 to 11.) The Riverside National Cemetery is viewable from the CP Oleander Radio Tower, but the tower’s thin profile is similar to existing telephone poles and would therefore be consistent with the visual landscape and not introduce any significantly adverse scenic impacts around the Riverside National Cemetery (Draft EIR, p. 4.1-11.) Likewise, Motte Rimrock Reserve can be seen to the west of the CP Nuevo Radio Tower, but based upon existing conditions and the tower’s thin profile, the tower would be consistent with the visual impacts and no new significant impacts would result. (*Ibid.*) There are no scenic vistas near to any of the other communication towers that would be constructed for the Project (East Maintenance Facility, the South Perris Station Communication Shelter and Tower, and the Control Point Mapes Radio Tower) and thus no impact would occur from their construction. (Draft EIR, p. 4.1-10.)

¹ Cites to the Draft EIR throughout this Findings document are to the Draft EIR, as revised and as incorporated as part of the Final EIR.

Additionally, the Project involves four stations: the Hunter Park Station, the Moreno Valley/March Field Station, the Downtown Perris Station, and South Perris Station and the Layover Facility. (Draft EIR, pp. 4.1-7 to 4.1-10.)

- The Hunter Park Station would be constructed at one of three sites adjacent to the SJBL alignment and south of the Citrus Connection. Box Springs Mountain Reserve abuts the existing SJBL alignment and can be seen southeast from the proposed station locations, but Hunter Park cannot be seen from any of the proposed stations due to intervening development. The views around the proposed Station consist of roads, agricultural land, industrial buildings that are equal or greater in height than the proposed Station and thus no new visually impacting elements near Box Spring Mountain Reserve or Hunter Park will be introduced from this Station. (*Ibid.*)
- The Moreno Valley/March Field Station is near the Sycamore Canyon Wilderness Park and was approved as part of the Meridian Business Park Plan in 2003. This Station will not introduce any new visually impacting elements near Sycamore Canyon Wilderness Park. (*Ibid.*)
- The Downtown Perris Station is part of the Perris Multimodal Transit Facility that is currently under construction adjacent to the SJBL alignment in downtown Perris. Located to the north are Russell Stewart Park, Metz Park, Foss Field Park, and Banta Beatty Park, all of which are not visible from the proposed Downtown Perris Station. The views around the Station consist of light industrial, agricultural, and residential structures, and the City of Perris has also approved plans to revitalize downtown in the area surrounding the Multimodal Transit Facility. Given the existing conditions and the planned construction, the Station would not introduce any new visually impacting elements and would not negatively impact scenic vistas in the area. (*Ibid.*)
- There are no scenic vistas identified near to the South Perris Station and the Layover Facility and thus no impact would result. (*Ibid.*)

Landscape walls are incorporated into the Project design. Landscape walls will be constructed at Highland Elementary and also at Hyatt Elementary as depicted in Figure 4.1-4 of the EIR. (Draft EIR, pp. 4.1-12 to 14.) Also, RCTC will fund another landscape wall at Nan Sanders Elementary School. (*Ibid.*) The walls will be located within the PVL ROW adjacent to the school properties. Although these landscape walls are not mitigation for any potentially significant impact (Draft EIR, p. 4.1-13), they are nonetheless being provided as Project features in response to concerns and requests from the community and the local school district.

The landscape wall near Highland Elementary School will be located between two of the noise mitigation barriers. This location will create a continuous 3140 foot long wall between Spruce Street and Blaine Street. The height of the wall will vary between 9 and 13 feet. (Draft EIR, p. 4.1-13.) The views from Highland Elementary School of Highland Park to the northeast and Box Springs Mountain Reserve to the east will not be impacted by the wall that would be to the west of the school. The height of the wall, as a general concern, would not exceed the height of existing structures and therefore would not obstruct scenic views of the park and reserve for either the school or neighboring residential properties, or substantially degrade the existing

visual landscape of the area. (Draft EIR, pp. 4.1-12 to 13.) Furthermore, the wall placed along the eastern edge of Hyatt Elementary will not exceed the height of existing school buildings and thus would not significantly alter the visual landscape or impair scenic views of the Box Springs Mountain Reserve, which is adjacent to the railroad and the school. (*Ibid.*) A landscape wall is also intended for Nan Sanders Elementary School, but ROW constrictions at the school require that the Commission provide funding for the design and construction of the wall, instead of constructing the wall itself. (Draft EIR, p. 4.1-14.) This wall would block views of the ROW as well as views of I-215. These views, however, are not identified as significant views for this area of the Project because the rail alignment along this portion of the Project site is not considered a valuable scenic resource and thus impacts would be less than significant. (*Ibid.*)

2. Scenic Highways (Threshold 4.1-2): The Project intersects the segment of the SR-74, which is eligible for designation as a state scenic highway, as well as the Ramona Expressway. The City of Riverside has also established three Scenic and Special Boulevards that fall within the Project area: Palmyrita Avenue, Marlborough Avenue, and Alessandro Boulevard. The Project, however, does not substantially damage scenic resources, including but not limited to tress, rock croppings, and historic building within the applicable state scenic highways. (Draft EIR, pp. 4.1-16 to 19.)

The Project intersects the segment of the SR-74 that is eligible for designation as a state scenic highway, as well as the Ramona Expressway. The City of Riverside has also established three Scenic and Special Boulevards that fall within the Project: Palmyrita Avenue, Marlborough Avenue, and Alessandro Boulevard. Neither Palmyrita nor Marlborough Avenues are visible from the Citrus Connection and no new visually impacting elements would be introduced by the Connection to detract from the views along these Avenues. As concerns the SJBL alignment, which involves upgrading the existing track and thus involves only ground-level changes, proposed development would resemble existing conditions and would not introduce new visually impacting elements to the area or detract from the scenic views of Palmyrita Avenue, Marlborough Avenue, Ramona Expressway, or SR-74. The Hunter Park Station option involves station buildings that would not exceed the height of existing structures in the area, and thus any proposed development for this portion of the Project would be consistent with existing conditions and would not introduce new visually impacting elements that would detract from the scenic views along Palmyrita and Marlborough Avenues. The Moreno Valley/March Field Station is part of the approved Meridian Business Park Specific Plan, which has indicated that Alessandro Boulevard would not be negatively impacted by the development of this Station option. The Downtown Perris Station is visible from SR-74, but the existing and planned urban view from SR-74, the addition of this Station would not introduce new visually distracting elements to the area or negatively affect the future designation of SR-74 as a State Scenic Highway. The South Perris Station and Layover Facility are located within the viewshed of SR-74, but they would be consistent with existing conditions and would not introduce new visually impacting elements around SR-74, nor would the implementation of this portion of the Project affect the future designation of SR-74 as a State Scenic Highway. The Palmyrita Station Microwave Tower and CP Marlborough Radio Tower are located along Palmyrita Avenue and Marlborough Avenue, respectively, near the SJBL alignment, but the Towers have a thin profile and would blend in with existing conditions and thus not introduce new visually detracting elements along Palmyrita and Marlborough Avenues. CP Oleander Radio Tower is about 1.7 miles north of the intersection of Ramona Expressway and I-215, and the CP Nuevo Radio

Tower is about 3 miles south. But, the thin profile of the Towers would blend in with the visual landscape and would therefore not detract from the scenic view of the Expressway. The South Perris Station Communication Shelter and Tower and CP Mapes Radio Tower may be visible to drivers along the SR-74, but the South Perris Shelter Station Communication Tower would blend in with existing conditions and would therefore not introduce any new visually detracting elements around SR-74. (Draft EIR, pp. 4.1-16 to 4.1-19.)

No trees, rock outcroppings, or historical buildings are located near the Citrus Connection, the SJBL alignment, the Hunter Park Station options, the South Perris Station and Layover Facility, the Palmyrita Station Microwave Tower, the CP Marlborough Radio Tower, CP Oleander Radio Tower, CP Nuevo Radio Tower, the South Perris Station Communication Shelter and Tower and the CP Mapes Radio Tower. (Draft EIR, pp. 4.1-16 to 4.1-19.)

The Perris Depot is an historic building located in the vicinity of SR-74 and the Downtown Perris Station option. No trees or rock croppings are located in the area, however. The proposed development of the Downtown Perris Station would not alter, impair, or diminish the qualities for which the historic Perris Depot is valued and any proposed development would in fact be consistent with existing conditions. (Draft EIR, pp. 4.1-17 to 18.)

There are no scenic highways in the vicinity of the East Maintenance Facility, the CP Citrus Tower, and the CP Eastridge Radio Control Tower, and no impacts will result. (Draft EIR, p. 4.1-18.)

3. Visual Character and Quality (Threshold 4.1-3): Project does not substantially degrade the existing visual character or quality of the site and its surroundings. As discussed previously, the proposed tracks, stations, Layover Facility, communication towers, and landscape walls within the PVL corridor would conform to the current land use of the area and blend in with existing development. The proposed development would serve only to upgrade the current railways and construct buildings that are of a similar height to the surrounding structures. Therefore, the visual character and quality of the area within the PVL corridor would not be affected by these proposed developments. Replacing two bridges along the SJBL alignment is also a component to the proposed Project. These existing bridges, which span the San Jacinto River at MP 20.70 and MP 20.80, would be replaced in-kind. Since they would have a similar visual character as the original bridges, the current look and quality of the area within the PVL corridor would not be degraded. (Draft EIR, p. 4.1-19.)

B. Agricultural Resources

1. Convert Viable Farmland (Threshold 4.2-1): The Project does not involve the conversion of Farmland, Unique Farmland or Farmland of Statewide Importance to non-agricultural uses and thus no significant impact will result from the Project on such resources. (Draft EIR, pp. 4.2-6 to 11.)

Farmland designations for the relevant portions of the Project are based on maps provided by the Riverside County Land Information System (2008) and the CDC's FMMP (2006). The SJBL alignment and Downtown Perris Station are not subject to the applicable regulations because they are not designated as farmland and therefore would not involve

conversion of farmland to non-agricultural use. The California LESA Model for a corridor project was used to evaluate if significant impacts would occur as a result of the implementation of the Project (see Appendix D). The total LESA score for each of the three corridor options (see Table 4.2-3) was less than 39 points, which indicates that the conversion of farmland is not a significant impact, regardless of which Hunter Park Station is selected. The Project is also occurring on sites that have already been slated for development in the future, as set forth in the pertinent portions of the Riverside County General Plan, the City of Riverside General Plan, and the City of Perris General Plan. To illustrate, the Citrus Connection is located on land designated as Farmland of Local Importance, but the area is now approved for a warehouse/distribution center, and thus the development of the Project is not altering the planned land use of the area. The land considered for the three Hunter Park Station options was previously designated as Prime Farmland and Farmland of Local Importance, those options are located in an area that has been approved for Business/Office Park development and is now designated for light industrial uses. Given the change in the land use designation of the area for the proposed stations, the three options would not convert Prime Farmland, Unique Farmland, or Farmland of Local Importance to non-agricultural uses. The Moreno Valley/March Field Station is part of the approved Meridian Specific Plan and there it was determined that the site for this station was no longer designated as farmland. The South Perris Station and the Layover Facility is on land was designated as Farmland of Local Importance but is now approved for Public and Community Commercial Land Use designations, and also involves vacant land that will be developed pursuant to the approved Riverglen and Green Valley Specific Plans, and thus the station and facility would not convert Prime Farmland, Unique Farmland, or Farmland of State/Local Importance to non-agricultural uses. The Project would therefore not have any significant impact on agricultural resources. (Draft EIR, pp. 4.2-7 to 4.2-11.)

2. Existing Zoning or Williamson Act Contract (Threshold 4.2-2): The Project does not conflict with existing zoning for agricultural uses or with Williamson Act contracts. There are no Williamson Act contracts affecting land involved in the Project. Any development on the Project sites is also consistent with existing zoning land uses, as explained in pages 4.2-1 through 4.2-10 of the Draft EIR. (Draft EIR, p. 4.2-11.)

3. Forest Land and Timberland (Threshold 4.2-3): No components of the Project would convert existing designated Farmland to non-agricultural use, nor would any impact to forest land result. Therefore, the Project would have no impact on forest land or timberland resources. (Draft EIR, p. 4.2-12.)

C. Air Quality

1. Applicable Air Quality Plan (Threshold 4.3-1): The Project would not conflict with or obstruct implementation of any applicable air quality plan. The Project is included in the Southern California Area Government's 2008 Regional Transportation Improvement Plan, which indicates that the Project's operational emissions meet the transportation conformity requirements imposed by the U.S. Environmental Protection Agency and the South Coast Air Quality Management District ("SCAQMD"). The SCAQMD manages the South Coast Air Basin, which is the Basin in which the PVL Project is located. Therefore, the proposed Project would have less than significant impacts in this regard. (Draft EIR, p. 4.3-14.)

2. Violate Air Quality Standards (Threshold 4.3-2): The Project does not violate any existing air quality standard or contribute substantially to an existing or projected air quality violation. Therefore, the proposed Project would have less than significant impacts in this regard. (Draft EIR, pp. 4.3-14 to 28.)

CO Intersection Analysis: Vehicle exhaust is typically the primary source of CO emissions in an urban setting. CO concentrations are generally analyzed at intersections because if impacts are less than significant in close proximity to the congested intersections, then impacts will also be less than significant at more distant sensitive receptor locations. The SCAQMD recommends a hot-spot evaluation of potential localized CO impacts when volumes-to-capacity ratios are increased by two percent at intersections with a Level of Service (“LOS”) of C or worse. Four intersections were accordingly analyzed at the proposed Downtown Perris Station where a large amount of parking is expected and thus a significant number of vehicle trips are expected to be generated. Table 4.3-7 of the Draft EIR shows the Project’s CO concentrations for AM and PM peak hour periods (one and eight hour periods), and demonstrates that the Project would not have a significant impact upon local concentrations due to mobile source emissions. Therefore, no significant impacts will occur at any other locations in the study area because the conditions yielding CO hotspots would not be worse than those occurring at the analyzed intersections. As a result, the sensitive receptors included in the analysis would not be significantly affected by the CO emissions generated by the net changes in traffic that would occur under the Project. Because the Project does not cause an exceedance or exacerbate an existing exceedance of an Ambient Air Quality Standard, the Project’s localized operational air quality impacts would be less than significant and no mitigation is necessary. (Draft EIR, pp. 4.3-14 to 4.3-18.)

CO Parking Lot Analysis: There would be four stations with parking lots, and CO concentrations were evaluated for the largest parking lot (880 spaces) because if impacts are less than significant at the largest parking lot, then impacts would also be less than significant at each of the smaller parking lot locations. The maximum offsite CO concentration at any sensitive receptor around the 880-space parking lot perimeter was determined to be 7.9 parts per million and 5.6 parts per million for the one and eight hour averaging periods, which occurred at a distance of 100 meters from the proposed parking lot. At the model default of 25 meters, the one hour and eight hour concentrations were 7.2 and 8.0 parts per million (see Table 4.3-8). These worst case scenarios are below the NAAQS of 35 parts per million and 9 parts per million for the one and eight hour averaging periods. They are also below the CAAQS one hour concentration not exceeding 20 parts per million, and the eight hour concentration of 9 parts per million. The Project’s local operational air quality impacts would be less than significant. (Draft EIR, pp. 4.3-12 to 4.3-18.)

PM2.5 and PM10: The Project is in an area designated nonattainment for PM2.5 and PM10 and although it is not an exempt project under 40 CFR section 93.126, only projects considered to be a Project Of Air Quality Concern (“POAQC”) are required to undergo a PM2.5/PM10 hot spot analysis pursuant to section 93.126(b). The Project is not POAQC, as discussed on page 4.3-19 of the EIR, and a quantitative PM2.5/PM10 analysis is therefore not required. (Draft EIR, pp. 4.3-18 to 20.)

Mobile Source Air Toxics – Health Risk Assessment: Projects with low potential MSAT effects, like the Project here, may analyze MSATs qualitatively. To estimate the localized MSAT effect of the new train service, a health risk assessment (“HRA”) was conducted following CEQA air quality guidelines. The HRA takes into account the effects of air toxic contaminants on human health. Diesel, PM2.5 and PM10, and acrolein were selected for analysis as the U.S. EPA identifies them as part of a group of priority MSATs. The HRA calculates a health risk index based on the emissions from diesel locomotives currently being used by SCRRA/Metrolink on other rail lines, as well as the running and idle times of the engines. This estimate is conservative since engines used by the Project completion year will be required to meet stricter U.S. Environmental Protection Agency standards. SCAQMD, in its CEQA Air Quality Handbook, identifies an excess individual cancer risk of one in one million to be minimal, and risk levels of up to ten in one million are considered less than significant. The chronic hazard indexes for these two toxics are also calculated to determine the likelihood of chronic health effects due to exposure. Per SCAQMD, a hazard index less than 1.0 is considered acceptable. The results of the HRA are shown in Table 4.3-9 of the EIR and appears in full detail as Air Quality Technical Report B located in Appendix C of the EIR. Table 4.3-9 shows that there would be no exceedances of the impact thresholds for any of the criteria pollutants arising from the operation of the Project. As requested by the SCAG TCWG, prior to construction, the Commission would submit a project review form for the PM2.5 and PM10 hot spot analysis to TCWG for their concurrence with the finding that the proposed Project would not be considered a project of air quality concern with respect to PM2.5 or PM10 emissions as defined by 40 CFR 93.123(b)(1). (Draft EIR, pp. 4.3-20 to 21.)

Supplemental Baseline Analysis: Under SCAQMD procedures, no air quality assessment of intersections is required for the “Baseline”² condition. Thus, for these conditions, there are no air quality metrics (i.e. maximum pollutant concentrations) available to describe traffic-related air quality. As a result, the metric utilized here to describe “Baseline” conditions is the traffic LOS, which measures the level of intersection congestion. Traffic congestion has a major influence on potential increases in pollutant concentrations at the microscale (sidewalk) level. Consequently, the SCAQMD LOS screening procedures were used as the tool to select those intersections where more detailed mobile source air quality analysis could be appropriate. Based on SCAQMD screening procedures, intersections with a LOS of C or better are not of concern with respect to air quality. As a result, those intersections which would be considered a LOS D or worse were selected for comparison. (Final EIR at 0.2-10 to 0.2-16.)

For the No Build + Project scenario³, SCAQMD screening criteria recommends a detailed air quality analysis for signalized⁴ intersections exhibiting an LOS D or worse and an increase of 2% or more in volume to capacity ratio (v/c) ratio when measured from the “No Build” to the No Build + Project condition. For the PVL environmental documents, four intersections meeting the SCAQMD criteria were selected for a detailed air quality analysis. These selected intersections would have the greatest potential to have an adverse air quality impact due to the large amount of expected parking, project-generated trips and projected traffic growth. (*Ibid.*)

² “Baseline” represents traffic intersection conditions in 2008 when the data collection effort was undertaken.

³ Conditions in 2012 opening year of the PVL project; therefore, this condition includes the PVL project, No Build projects, and changes to the roadway network since 2008.

⁴ Unsignalized intersections are generally not analyzed for air quality impacts because such locations are not characterized by lengthy queuing.

For the Baseline + Project scenario⁵, SCAQMD screening criteria were also utilized to determine the number of intersections that would potentially require a detailed analysis. SCAQMD mobile source analysis criteria are designed to measure the differences between the No Build and No Build + Project scenarios. However, the criterion was also applied for the Baseline and Baseline + Project scenario in order to facilitate a qualitative comparative assessment between the No Build + Project scenario and the Baseline + Project scenario. Because the comparative assessment only requires the use of the LOS for selected traffic intersections, no detailed air quality analysis was performed as a result of the selection of intersections under this analysis scenario. (*Ibid.*)

Hunter Park Station

Baseline Scenario

For the Hunter Park Station, the PVL traffic analysis for the three location options (Palmyrita, Columbia, and Marlborough) resulted in the analysis of four signalized intersections. Only one of these four intersections operated at LOS D or worse during the PM peak period. LOS D represents the point at which a traffic intersection starts to experience some noticeable decrease in operational efficiency. These inefficiencies could result in an increase in pollutant concentrations nearby. The Baseline traffic intersection with an overall LOS D Condition is shown below (*ibid.*):

- Iowa Avenue @ Center Street - LOS D

Baseline + Project Scenario

Under all of the analyzed station location options, only one of the four intersections would display a LOS D or worse and an increase in volume to capacity (V/C) ratio of two percent or more, meeting the SCAQMD criteria for a mobile source air quality analysis (*ibid.*):

- Iowa Avenue @ Center Street - LOS E

None of the other studied traffic intersections would meet the SCAQMD criteria requiring a detailed analysis. (*Ibid.*)

No Build + Project Scenario

Under SCAQMD criteria, a quantitative assessment is recommended for signalized intersections operating at LOS D or worse while having an increase in volume-to-capacity ratio (v/c) of at least two percent. Under the “No Build + Project” scenario two intersections met the SCAQMD criteria for detailed mobile source air quality analysis for the proposed Hunter Park Station location.

- Iowa Avenue @ Center Street - LOS E
- Iowa Avenue @ Columbia Avenue - LOS D

⁵ Assumes that only the PVL project is overlaid on 2008 Baseline Conditions; therefore, this condition excludes No Build projects and future changes to the roadway network.

None of the other studied traffic intersections would meet the SCAQMD criteria requiring a detailed analysis. (*Ibid.*)

Comparison of Baseline + Project Scenario to the No Build + Project Scenario

The Baseline + Project scenario indicates that one intersection would meet the criteria for a mobile source air quality analysis as compared to the No Build + Project scenario, for which two intersections would meet the SCAQMD criteria for mobile source analysis. (*Ibid.*)

Moreno Valley/March Field Station

Baseline Scenario

Four signalized intersections were analyzed for the traffic study at the proposed Moreno Valley/March Field station location. Only one of these four studied intersections near this station operated at LOS D or worse during the PM peak period. The Baseline traffic intersection with a LOS D Condition is shown below (*ibid.*):

- Cactus Avenue @ Valley Spring Pkwy/Old SR-215 – LOS D

Baseline + Project Scenario

Only one of the four intersections analyzed in the traffic study displayed a LOS of D or worse and an increase in V/C ratio of two percent or more, meeting the criteria for a mobile source air quality analysis, as recommended by SCAQMD.

- Cactus Avenue @ I-215 SB Ramp – LOS D

None of the other studied traffic intersections would meet the SCAQMD criteria requiring a detailed analysis. (*Ibid.*)

No Build + Project Scenario

Following SCAQMD screening criteria, a quantitative assessment is recommended for signalized intersections operating at LOS D or worse while having an increase in volume-to-capacity ratio (v/c) of at least two percent. Under the “No Build + Project” scenario one of the four studied intersections would meet the criteria for a mobile source air quality analysis.

- Cactus Avenue @ I-215 SB Ramp – LOS F

None of the other studied traffic intersections would meet the SCAQMD criteria requiring a detailed analysis. (*Ibid.*)

Comparison of Baseline + Project Scenario to the No Build + Project Scenario

The Baseline + Project scenario indicates that one intersection would meet the criteria for a mobile source air quality analysis. The No Build + Project scenario also indicates one intersection that would meet the SCAQMD criteria for mobile source analysis. (*Ibid.*)

Downtown Perris Station

Baseline Scenario

Six signalized intersections were analyzed for the traffic study at the proposed Downtown Perris station location. One of the studied intersections near this station operated at LOS D or worse during the PM peak period. The Baseline traffic intersection with a LOS D Condition is shown below (*ibid.*):

- San Jacinto Avenue @ Perris Blvd – LOS D.

Baseline + Project Scenario

Two of the six analyzed traffic intersections displayed a LOS of D or worse and an increase in v/c ratio of two percent or more, meeting the SCAQMD criteria for a mobile source air quality analysis.

- SR-74/W. 4th Street @ Navajo Road – LOS D
- San Jacinto Avenue @ Perris Blvd – LOS D.

None of the other studied traffic intersections would meet the SCAQMD criteria requiring a detailed analysis. (*Ibid.*)

No Build + Project Scenario

Following SCAQMD screening criteria, a quantitative assessment is recommended for signalized intersections operating at LOS D or worse while having an increase in volume-to-capacity ratio (v/c) of at least two percent. Under the “No Build + Project” scenario four of the six studied intersections would meet the criteria for a mobile source air quality analysis.

- SR-74/W. 4th Street @ Navajo Road – LOS D
- SR-74/W. 4th Street @ D Street – LOS F
- San Jacinto Avenue @ Perris Blvd – LOS D
- San Jacinto Avenue @ D Street – LOS D

None of the other studied traffic intersections would meet the SCAQMD criteria requiring a detailed analysis. (*Ibid.*)

Comparison of Baseline + Project Scenario to the No Build + Project Scenario

For the Baseline Conditions + Project scenario, two intersections would meet the criteria for a mobile source air quality analysis as compared to four intersections under the No Build Conditions + Project scenario. Since the initial air quality assessment, one additional intersection was included with those selected for the No Build Conditions + Project scenario because conditions for this intersection have since changed (a traffic signal has since been installed at this location). As a result, the intersection, SR-74/W. 4th Street @ C Street – LOS D would now meet the SCAQMD criteria for a mobile source analysis. (*Ibid.*)

South Perris Station

Baseline Scenario

At the proposed South Perris Station location, no signalized intersections would meet the SCAQMD LOS D air quality screening analysis criteria. The relocated Mapes Road and Station Access Road intersection, which would be improved as part of the PVL project, does not currently exist and therefore, would be analyzed based on future conditions only. (*Ibid.*)

Baseline + Project Scenario

Intersections built or modified as a result of the project (such as the relocated Mapes Road) do not have an existing condition for comparison of V/C ratios. Consequently, the SCAQMD criteria for a mobile source air quality analysis is not applicable. However, in the future condition, the newly created Mapes Road @ Station Access Road intersection would operate at a LOS C. As a result, it is not an intersection of concern with respect to air quality. (*Ibid.*)

No Build + Project Scenario

Intersections modified as a result of the project would not have a "No Build" condition for comparison of V/C ratios. Consequently, the SCAQMD criteria for a mobile source air quality analysis is not applicable. However, in the future condition, the newly created Mapes Road @ Station Access Road intersection would operate at a LOS C. As a result, it is not an intersection of concern with respect to air quality. (*Ibid.*)

Comparison of Baseline + Project Scenario to the No Build + Project Scenario

For the Baseline + Project scenario and the No Build + Project scenario no intersections would meet the SCAQMD criteria such that they would require a detailed mobile source air quality analysis. In addition, the newly created Mapes Road @ Station Access Road intersection would operate at a LOS C. As a result, it is not an intersection of concern with respect to air quality. (*Ibid.*)

Construction-Related Impacts: Construction is a source of fugitive dust and exhaust emissions that can have substantial temporary impacts on local air quality causing exceedance of CAAQS for PM10 and/or PM2.5. Dust emissions would result from earthmoving and use of heavy equipment, as well as land clearing, ground excavation, and cut-and-fill operations. However, as most standard dust prevention measures would significantly reduce the level of soil-related dust, a major portion of dust emissions for the proposed Project would be caused by construction-related vehicle traffic. Construction emissions from vehicular exhaust would result from the movement and operation of vehicles related to construction activities. Emissions would be generated by both off-site and on-site activities. Off-site emission producing activities include construction work crews traveling to and from the work site. They also include on-road emissions from delivery trucks and dump trucks in addition to locomotive emissions from freight deliveries. Onsite emission producing activities include the operation of off-road construction machinery and vehicles. Pollutants of interest with respect to construction exhaust emissions include: CO, NOx, ROC, SO2, PM10, PM2.5, and CO2. To assess construction emissions, daily average emissions were calculated for all construction activities. These emissions were then compared to the SCAQMD daily construction emission pollutant thresholds shown in Table 4.3-11 of the EIR. Table 4.3-11 demonstrates that, based upon the cumulative evaluation of the

reasonable worst-case construction day, the construction of the Project would not result in exceedances of the SCAQMD CEQA daily construction emission limits. Significant adverse impacts therefore would not occur. Even so, in accordance with existing air quality regulations, the following Best Management Practices (“BMP”) will be implemented to control localized emissions in accordance with SCAQMD Rule 403 (Draft EIR, pp. 4.3-23 to 4.3-28):

- **BMP AQ-1:** All land clearing/earth-moving activity areas will be watered to control dust as necessary to remain visibly moist during active operations.
- **BMP AQ-2:** Streets will be swept as needed during construction, but not more frequently than hourly, if visible soils have been carried onto adjacent public paved roads.
- **BMP AQ-3:** Construction equipment will be visually inspected prior to leaving the site and loose dirt will be washed off with wheel washers as necessary.
- **BMP AQ-4:** Water three times daily or apply non-toxic soil stabilizers, according to manufacturers’ specifications, as needed to reduce off-site transport of fugitive dust from all unpaved staging areas and unpaved road surfaces.
- **BMP AQ-5:** Traffic speeds on all unpaved roads will not exceed 5 mph.
- **BMP AQ-6:** All equipment will be properly tuned and maintained in accordance with manufacturer’s specifications.
- **BMP AQ-7:** Contractors will maintain and operate construction equipment so as to minimize exhaust emissions. During construction, trucks and vehicles in loading and unloading queues would have their engines turned off when not in use, to reduce vehicle emissions.
- **BMP AQ-8:** Establish an on-site construction equipment staging area and construction worker parking lots, located on either paved surfaces or unpaved surfaces subject to soil stabilization.
- **BMP AQ-9:** Use electricity from power poles, rather than temporary diesel or gasoline powered generators.
- **BMP AQ-10:** Use on-site mobile equipment powered by alternative fuel sources (i.e., ultra-low sulfur diesel, methanol, natural gas, propane or butane).
- **BMP AQ-11:** Develop a construction traffic management plan that includes, but is not limited to: (1) consolidating truck deliveries (2) utilizing the existing rail freight line for materials delivery.

- **BMP AQ-12:** Construction grading on days when the wind gusts exceed 25 miles per hour would be prohibited to control fugitive dust.

Overall, Riverside County and the study corridor are forecasted to have substantial increases in population and employment over the coming decades. The general result of such growth would be increased travel on the existing roadway network, demand for additional capacity on those existing facilities, demand for new roadways, as well as additional demand for transit services. The cumulative impacts of increased transportation demands would likely be degradation of air quality as the volume of travel continues to expand, conversion of land use from agriculture/vacant to residential and commercial development, a corresponding reduction of habitats as land uses change, and increased demands on public facilities. The Project would help reduce these impacts as it would reduce some long-distance trips now made by cars resulting in a corresponding improvement in air quality. Indeed, the introduction of commuter rail service provides an ongoing opportunity for reducing vehicular trips. The proposed rail service would result in a net decrease in CO, ROC, and SO_x emissions. In addition, SCRRA/Metrolink will be replacing engines over time and the next generation trains would meet USEPA Stage III requirements, which have up to 40% lower emissions characteristics than the current fleet. As these new engines are incorporated into the fleet, air quality benefits would increase. (Draft EIR, pp. 4.3-23 to 4.3-27.)

3. Criteria Pollutants (Threshold 4.3-3): The Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under any applicable federal or state ambient air quality standard and thus no mitigation is required. (Draft EIR, p. 4.3-28 to 29.)

Threshold 4.3-3 asks whether the Project would result in a cumulatively considerable net increase of any criteria pollutant in a nonattainment area under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors). Table 4.3-12 of the EIR (on page 4.3-28) shows the air quality impacts that would occur during operation of the proposed Project. The Project would result in decreased emissions of carbon monoxide, volatile organic compounds, SO_x PM 2.5 and PM 10. Nitrogen oxide emissions would increase, but the increase would be less than significant. With the reductions in these pollutants, the Project would produce a cumulative net benefit to the region's air quality. Also, as passenger rail ridership increases over time and the diesel engines continue to meet EPA's more stringent emission standards, there would be ongoing and increasing air quality benefits. Moreover, the Project is included in SCAG's 2008 Adopted RTIP (Project ID RIV520109), which indicates that the Project's operational emissions meet the transportation conformity requirements imposed by USEPA and SCAQMD. (Draft EIR, pp. 4.3-28 to 29.) The Air Quality Technical Report B in Appendix E contains a more detailed analysis.

4. Sensitive Receptors (Threshold 4.3-4): The Project would not expose sensitive receptors to substantial pollutant concentrations and impacts would be less than significant and no mitigation is required. (Draft EIR, pp. 4.3-29 to 31.)

Locations that may contain a high concentration of these sensitive population groups include hospitals, daycare facilities, elder care facilities, elementary schools, and parks. For the Project, the sensitive receptors closest to the alignment are: Highland Elementary School,

Highland Park, UC-Riverside Child Development Center, Hyatt Elementary School, Nan Sanders Elementary School, and the City of Perris Senior Center. An analysis of the potential for impact to sensitive receptors is performed in circumstances where CO pollution could be expected to occur, such as at parking facilities where extensive idling could occur and at intersections where a large volume of automobiles and trucks could be expected. None of these sensitive receptors are located near the intersections that are projected to have the most potential for future congestion (see also the traffic analysis in Chapter 4.11 of the EIR). In addition, these receptors would not be close to any of the proposed parking lots. The CO hot spot analysis evaluated the potential impacts to these sensitive receptors and calculated the pollutant concentrations. Generally, pollutant concentrations decrease as distance from the pollutant source to a receptor increases. Therefore, because analysis determined that there would be a less than significant impact at the sensitive receptors closest to the congested intersection, impacts to receptors located further away from these intersections (such as the sensitive receptors listed above) would also be less than significant and would not require analysis. Because none of the specific sensitive receptors would be near any of the congested intersections, impacts are less than significant. (Draft EIR, pp. 4.3-29 to 31.)

An HRA of sensitive receptors near the proposed PVL station parking lots was also conducted. The HRA identified residential receptors located close to the proposed station parking lots. Specifically, the parking lot for the proposed commuter rail station at Palmyrita Avenue (one of the Hunter Park Station options) would be located approximately 35 meters (115 feet) south and east of residences, while the Downtown Perris Station would be located approximately 65 meters (215 feet) east of a row of homes. At these locations, where receptor distances are nearest to the pollutant source, the proposed station parking lots will not generate significant CO concentrations, and any impact would be less than significant. Other receptors located even farther away (such as St. James Catholic School and Perris Elementary School in Perris) would also experience less than significant impacts. A health risk assessment for diesel emission from PVL locomotive operations was also considered. Air quality modeling was conducted to predict maximum concentrations of air toxic pollutants. The resulting health risk assessment indicated that the "health risk" to sensitive receptors within the Project corridor would be substantially below the SCAQMD threshold of significance. Therefore, the potential health risk from train operations would be less than significant. (Draft EIR, pp. 4.3-29 to 31.)

As shown in the Tables 4.3-7, 4.3-8, 4.3-9, 4.3-10, 4.3-11, and 4.3-12 of the EIR, the potential Project-related emissions are below all established thresholds of significance for pollutant concentrations and health risk assessments and no potentially significant impact will occur. (Draft EIR, pp. 4.3-29 to 31.)

5. Odors (Threshold 4.3-5): The Project would not create objectionable odors affecting a substantial number of people and thus impacts will be less than significant and no mitigation is required. The emissions related with this Project are odorless and thus the level of Project-related odors is less than significant. (Draft EIR, p. 4.3-31.)

D. Biological Resources

1. **Native Resident or Migratory Fish or Wildlife (Threshold 4.4-4):** The SJBL is located within Proposed Constrained Linkage Nos. 7 and 19 as identified in the Western Riverside County MSHCP ("WRCMSHCP"). As concerns Proposed Constrained Linkage No. 7, species identified in this linkage would continue to cross the ROW as they have done previously when the PVL was in place and, considering the Project improvements proposed for this area, there is no impact to the continued use of the corridor by the identified species and no mitigation is necessary. There will be minor short-term impacts to Proposed Constrained Linkage No. 19 resulting from the replacement of two rail bridges; however, these impacts would be less than significant as demonstrated in RCTC's equivalency analysis contained in its Determination of Biologically Equivalent or Superior Preservation ("DBESP") submitted to the Western Riverside County Regional Conservation Authority ("WRCRCA"). (Draft EIR, pp. 4.4-24 to 25.)

The Project is not located in an area where native, or migratory, fish are located and therefore fish would not be impacted by the Project. However, the MSHCP does identify Cores and Linkages for wildlife species within western Riverside County. The Linkages are considered wildlife corridors connecting the identified Core areas. Since the SJBL is located within Proposed Constrained Linkage 7, and Proposed Constrained Linkage 19, there is a concern that the Project has a potential to impact the continued use of these wildlife corridors. (*Ibid.*)

Proposed Constrained Linkage 7 is located south of the Box Springs Mountain Reserve area. The only proposed Project work in this area is the rehabilitation of the existing track, and minor improvements to existing culverts, with no new improvements proposed. The existing track configuration in this area is on a raised track bed, and has not changed in the preceding 100 years since the SJBL was initially constructed. This area is also located near the I-215/60. The species that may use this Linkage are bird species and bobcat. These species would continue to cross the ROW as they have done previously when the PVL is in place. Based on the Project improvements proposed for this area, there is no impact to the continued use of this corridor by the identified species, and therefore no mitigation is necessary. (*Ibid.*)

It should be noted that there is mitigation proposed within the noise section of the EIR to extend a noise barrier, within the ROW, from Mount Vernon Avenue towards Box Springs Mountain Reserve area. This noise barrier is proposed to reduce the train noise impacts to the residential homes adjacent to the Reserve boundary, north of the ROW. With implementation of this mitigation measure, no impact to the continued use of the Linkage 7 will occur because the noise barrier would be located adjacent to the residential homes and not impact the open areas of the Box Springs Mountain Reserve area. (*Ibid.*)

There is also a landscape wall proposed for the Hyatt School area. Hyatt School is located within Linkage 7 and concurrently has fencing separating the school property from the ROW. The landscape wall would replace this fence and therefore not create a new impediment to the Linkage. Proposed Constrained Linkage 19 is located at the San Jacinto River and the San Jacinto River Overflow Channel area. The proposed Project work in this area is the replacement of the two rail bridges. The replacement bridges are designed to allow the same volume of water beneath them and would therefore continue to allow for wildlife movement under the existing

bridges when the water is not present. It should also be noted that this Project is not making any changes outside of the existing ROW, and therefore the existing Case Road Bridge will not change as a result of this Project. (*Ibid.*)

Bridge replacement will require construction equipment to work adjacent to and within the existing channels. This equipment will be removed from the channels at the conclusion of every work day. Nighttime wildlife travel in the river channel can continue unimpeded both during and after construction. Additionally, it should be noted that there is no ROW fencing in this area so wildlife may continue to cross the ROW without physical barriers. Once construction is complete the new bridges will have greater clearance underneath than the existing and therefore have fewer impediments within the Linkage area. (*Ibid.*)

2. Local Policies Regarding Biological Resources (Threshold 4.4-5): Project will not have a negative impact on local policies protecting biological species (other than the MSHCP discussed elsewhere in these Findings and in the EIR) and thus no impact will result. There are no local policies or ordinances in effect within the County of Riverside, the City of Riverside, or the City of Perris, other than the Western Riverside County MSHCP (“WRCMSHCP”) and the Stephens’ Kangaroo Rat Habitat Conservation Plan (“SKR HCP”) that protect and address biological resources. (Draft EIR, p. 4.4-25.) The Project would not have an adverse impact on such policies or plans. (See *ibid.*)

3. Habitat Conservation Plan or Natural Community Conservation Plan (Threshold 4.4-6): The Project area is within the boundaries of the WRCMSHCP (“MSHCP”), and the Commission is a Permittee under the MSHCP. The Commission is therefore required to comply with the provisions of the MSHCP for this Project. Consistent with the requirements of the MSHCP, RCTC submitted an application for a Joint Projects Review to the Western Riverside County Regional Conservation Authority (“WRCRCA”). As part of that application process, RCTC prepared and submitted to the WRCRCA a Determination of Biologically Equivalent or Superior Preservation (“DBESP”), Riparian/Riverine surveys, a burrowing owl survey and a Narrow Endemic Plant Survey. Based on the aforementioned surveys, RCTC demonstrated that the Project is consistent with the various provisions of the MSHCP, including the Riparian/Riverine and Urban/Wildlands Interface Guidelines, and that the Project would not have negative impacts on Constrained Linkage 7 or any other resources within the MSHCP criteria area. The Project is also within the SKR HCP fee area, although it is outside the SKR Core Reserve. Accordingly, a series of species and habitat surveys were performed along the entire Project route in order to assess the potential for SKR and their habitat. (Draft EIR Technical Report E, Revised Habitat Assessment Report (2009) at § 4.1.) No SKR were found in any of those surveys. (*Id.* at § 5.2.) Nonetheless, and as set forth in Mitigation Measure BR-14, RCTC will voluntarily pay the SKR HCP mitigation fee as set forth in Threshold 4.4-1 below. In sum, the proposed Project would not conflict with any established Habitat Conservation Plan or Natural Community Conservation Plan. (Draft EIR, pp. 4.4-22, 25.)

E. Geology And Soils

1. Seismic Hazards (Threshold 4.6-1)

Surface Rupture: No known faults intersect the existing rail corridor and thus the Project would not expose people or structures to a potentially significant impact related to surface fault rupture. According to the 2007 Interim Revision to the Alquist-Priolo Earthquake Fault Zoning Map (CGS, 2007), western Riverside County is a seismically active region. The Project boundaries themselves are not within the Alquist-Priolo Zone. The northern portion of the PVL corridor is located approximately 6 miles southwest of the San Jacinto fault zone, while the southern portion of the corridor is located approximately 15 miles northeast of the Elsinore fault zone. Because no known faults intersect the existing rail corridor, implementation of the PVL commuter rail service would not expose people or structures to adverse effects related to surface fault rupture. Therefore, there would be no impacts from a known earthquake fault. (Draft EIR, pp. 4.6-15 to 16.)

Seismic Ground Shaking: The Project does not intersect fault zones and there would not be any potentially significant impact resulting from strong seismic shaking and no mitigation is required. According to the 2007 Interim Revision to the Alquist-Priolo Earthquake Fault Zoning Map (CGS, 2007), western Riverside County is a seismically active region. The Project boundaries themselves are not within the Alquist-Priolo Zone. The northern portion of the PVL corridor is located approximately 6 miles southwest of the San Jacinto fault zone, while the southern portion of the corridor is located approximately 15 miles northeast of the Elsinore fault zone. Because no known faults intersect the existing rail corridor, implementation of the PVL commuter rail service would not expose people or structures to adverse effects related to surface fault rupture. Therefore, there would be no impacts from a known earthquake fault. (Draft EIR, p. 4.6-16.)

Ground failure and Liquefaction: Parts of the Project are in areas that are subject to high potential for liquefaction, but the implementation of industry recommendations for design and construction activities would make impacts less than significant and no mitigation is necessary. Portions of the rail corridor are in areas subject to high potential for liquefaction. Those areas particularly susceptible include the vicinity of the MARB and the proposed March Field/Moreno Valley Station. Project elements including track, and stations would be designed in accordance with appropriate industry standards, including established engineering and construction practices and methods per the CBC, County of Riverside, the National Engineering Handbook, current AREMA guidance documents, and SCRRA standards. These industry recommendations will be followed during design and construction activities at the proposed March Field/Moreno Valley Station. Therefore, there would be no impacts for seismic-related ground failure, including liquefaction. (Draft EIR, p. 4.6-16.)

Landslides: One area of the Project is highly susceptible to seismically induced landslides, but limited track work is proposed for this area. The remainder of the Project is considered to have low landslide potential, and moreover, engineering and design elements of the Project would comply with industry standards and thus impacts would be less than significant and mitigation is not required. The Safety Element of the Riverside County General Plan indicates that the northern portion of the PVL corridor adjacent to the Box Springs Mountain

Reserve is highly susceptible to seismically induced landslides (Riverside County, 2003). Limited track work relating to construction is proposed for this area; therefore, there would be less than significant impacts during the construction of the PVL. Moreover, while the steep terrain around Box Springs may be subject to rock fall, igneous tonolite and granodiorite bedrock generally is not susceptible to landslides. Therefore, the PVL corridor is considered to have a low landslide potential (Kleinfelder, 2009). Engineering and design would comply with CBC, Riverside County Building and Safety Department Code, the National Engineering Handbook, AREMA guidance documents, and SCRRRA standards. Because of engineering recommendations before and during construction, there would be no impacts during the operations and maintenance of this within the PVL corridor. (Draft EIR, p. 4.6-16.)

2. Soil Erosion (Threshold 4.6-2): The Project would implement a Stormwater Pollution Prevention Plan, which would reduce or eliminate soil loss, and thus impacts would not be significant and mitigation is not required. Because the PVL commuter rail service would be implemented within an existing railroad corridor and adjacent properties, earth moving activities would be limited to the construction of the proposed stations and associated parking lots, communication equipment shelters and towers, and Layover Facility. Site preparation and excavation activities associated with construction of the new facilities may result in soil erosion or the loss of topsoil because of local precipitation and runoff. In accordance with the requirements of the SWRCB, which administers the State's construction stormwater program, the Project, which will disturb more than one acre of soil, must obtain coverage under the General Permit for Discharges of Stormwater Associated with Construction Activity (Construction General Permit [CGP]). The CGP requires the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) to reduce or eliminate soil loss. The SWPPP would identify BMPs to minimize erosion and sediment loss. SWPPP requirements are discussed in the Hydrology/Water Quality section of the report. (see Draft EIR, Section 4.8.2). With implementation of a Project-specific SWPPP, there would not be a potential for a significant impact regarding soil erosion. (Draft EIR, pp. 4.6-16 to 17.)

3. Geologic Hazards (Threshold 4.6-3): The Project would not have any impact regarding subsidence as it is not located within the "Documented Area of Subsidence." Also, the Project's conformance with industry standards for engineering and construction-related activities would make impacts less than significant as concerns landslides, lateral spreading, liquefaction and collapse. (Draft EIR, p. 4.6-17.)

The underlying geology of the PVL corridor extends through three geologic units. The northern portion of the corridor, which includes the Citrus Connection, and Hunter Park Station options, to the I-215/SR 60 interchange, is underlain by foliated or fractured igneous rocks. A portion of the PVL corridor extending south from the I-215/SR-60 interchange is underlain by Pleistocene-age, fine-grained unconsolidated to moderately consolidated sediments. The San Jacinto River and its vicinity is made up of Holocene-age, fine-grained unconsolidated alluvial sediments, including stream channel, floodplain, alluvial fan, and lacustrine sediments. Collapse typically occurs in recent soils, such as Holocene deposits. The PVL corridor is not located within the "Documented Area of Subsidence," based on a review of the County of Riverside Subsidence Map, and therefore, there would be no impact regarding subsidence for the Project. Project elements including track, bridges, and stations will be designed in accordance with appropriate industry standards, including established engineering and construction practices and

methods per the CBC, County of Riverside, the National Engineering Handbook, current AREMA guidance documents, and SCRRA standards. Because of the industry standards for engineering, and guidance recommendations before and during construction, there would be no impact during the operations and maintenance of this within the PVL corridor. (Draft EIR, p. 4.6-17.)

4. Expansive Soils (Threshold 4.6-4): Expansive soils are present along the SJBL alignment, but compliance with industry standards for engineering will result in less than significant impacts and mitigation is not required. Soils within the Project corridor and the proposed station locations are generally well-drained sandy loams, which do not tend to be expansive. However, expansive soils (Willow series) are present along the SJBL alignment in the area around both San Jacinto River bridges and South Perris Station. Changes in soil volumes due to shrink-swell potential could result in adverse impacts to buildings at these locations. Impacts from expansive soils associated with the Project in the vicinity of the San Jacinto River and proposed South Perris Station are reduced to no impact by engineering design based on site-specific geotechnical and geologic analysis along the PVL corridor. Construction of the Project, including portions of the SJBL alignment, both bridges and South Perris Station will comply with CBC, Riverside County Building and Safety Department Code, the National Engineering Handbook, AREMA guidance documents, and SCRRA standards. Because of the industry standards for engineering, and guidance recommendations during design and construction, there would be no impact during the operations and maintenance of this within the PVL corridor. (Draft EIR, p. 4.6-17.)

5. Septic Systems (Threshold 4.6-5): The Project will not require septic tanks or alternative wastewater disposal systems and thus there is no impact here. A proposed wastewater connection is proposed at the Layover Facility and thus no septic tanks or alternative disposal systems are involved in this Project. (Draft EIR, p. 4.6-18.)

F. Greenhouse Gas Emissions

1. Conflict with Applicable Plan for Greenhouse Gas Reduction (Threshold 4.3-2): The Project will reduce Vehicle Miles Traveled and thus reduce the amount of CO₂, which is the most abundant GHG in the Project area, and which also indicates a reduction in the less prominent exhaust-based GHGs. The Project will not result in a potentially significant impact by the generation of GHGs and no mitigation is required. (Draft EIR, pp. 4.3-21 to 23.)

The most prevalent contributors to the greenhouse effect in the Earth's atmosphere are water vapor, carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), O₃, and chlorofluorocarbons (CFCs). CO₂ is the GHG most closely linked to passenger car and light truck emissions, and recent studies have shown that CO₂ accounted for approximately 84 percent of total GHG emissions in California (California Energy Commission, 2006). Since CO₂ is the most abundant greenhouse gas in the Project area, it is assumed that a reduction in CO₂ will indicate a reduction in the less prominent GHGs. (Draft EIR, pp. 4.3-21 to 23.)

Because climate change is a global effect, it is difficult to ascertain the effects from an individual Project. Indeed, according to a recent paper by the Association of Environmental Professionals (Hendrix and Wilson, 2007), an individual Project does not generate enough GHGs

to significantly influence global climate change, and thus global climate change is a cumulative effect. However, for this Project, some baseline quantification of the opportunity to switch from private vehicle to the PVL was prepared to demonstrate the regional benefits that would accrue with the PVL. (*Ibid.*)

The CO₂ emissions from the operation of the diesel locomotives is estimated based on national usage data for commuter rail and compared to the reduction in CO₂ emissions resulting from the diverted ridership to the PVL. In 2009, CEQA included a new section to its guidelines for determining the significance of GHGs (State CEQA Guidelines §15064.4), which accounts for the lack of an established method for the calculation of GHGs and allows for the use of a qualitative assessment to evaluate GHGs, which is the type of evaluation performed for this Project. The results of the assessment are shown in Table 4.3-10 of the Draft EIR. The existing and future vehicle miles traveled (VMT) projections for the proposed Project were not available. Therefore, an approximation of reduced VMT (see the Air Quality Technical Report B, Appendix E) was calculated based on the assumption that the proposed PVL service would replace the single passenger vehicles driving from South Perris to Riverside to connect to the existing rail service. The diversion from private car use to PVL ridership is estimated to reduce VMT by approximately 34 million miles per year in the Project area. This estimate includes vehicle miles traveled from private homes to the proposed stations. Based on emission factors from EMFAC2007 in the Project operation year of 2012, the reduction in VMT was calculated to result in decreased CO₂ emissions of about 160,000 lbs per day. As CO₂ is the most abundant GHG found in automobile emissions, a reduction in CO₂ indicates a reduction in the less prominent exhaust based GHGs. Therefore, it is unlikely that the proposed PVL Project operations would increase the GHG burden in the region, but would likely result in a quantifiable reduction in GHG. (*Ibid.*)

G. Hazards And Hazardous Materials

1. Transport, Use or Disposal of Hazardous Materials (Threshold 4.7-1): During construction, the Project would involve the use of small volumes of commercially available hazardous materials and the use of such substances will be governed by existing regulations and thus would not adversely affect construction workers or the public. Also, no hazardous materials will be transported as part of the Project, which concerns a commuter rail service. The Project will not have a potentially significant impact relative to hazardous materials and no mitigation is required.

Construction activities associated with the Project would involve the use of small volumes of commercially available hazardous materials, but the use of these substances is governed by existing hazardous materials regulations and would not adversely affect on-site construction workers or the public. As a commuter rail line, PVL service is passenger only. As such, there would never be an occasion when hazardous materials would be transported on commuter trains. Any such materials incidental to construction and operational activities, including routine maintenance, would be required to be stored, used, and disposed of in accordance with existing federal, state, and local hazardous materials regulations, and would not adversely affect on-site construction workers or the public. Each communication equipment shelter within the PVL corridor would contain a 250-gallon propane AST. Several arrays of batteries containing regulated heavy metals would also be located within the equipment shelters.

The propane tanks would be used to operate emergency generators in the equipment shelters. Each of the tanks would be mounted on a concrete pad and permitted through the RCDEH. The ASTs would also be included in the Hazardous Materials Business Plan for the PVL Project, which is kept on file with RCDEH. The storage and use of the heavy metals is regulated by federal, state, and county hazardous materials regulations. (Draft EIR, pp. 4.7-11 to 12.)

The proposed Layover Facility would include portable track pans at each track to catch drips during emergency fueling. Routine fueling of the trains will not take place within the PVL Project corridor. Regular or routine fueling will occur outside of the Project area. An SWPPP will be prepared and put into place during the construction of the entire Project, including the Layover Facility. As part of the Construction General Permit (CGP) requirements, the SWPPP will also include BMPs to minimize the potential for leaks and spills during operations. (*Ibid.*) Impacts will therefore be less than significant.

2. Accidental Release of Hazardous Materials (Threshold 4.7-2): The small volume of hazardous materials that would be used in compliance with existing regulations, and the design criteria of the Project, means that impacts resulting from reasonably foreseeable upset and accident conditions relative to the release of hazardous materials will be less than significant.

Construction and operation activities will involve the use of small quantities of hazardous materials, but the materials would be used in compliance with existing regulations and thus no potentially significant impacts will occur. Also, The pipelines located within the existing rail ROW were installed in accordance with the safety requirements of the owners. The pipelines are buried at a minimum of three feet below ground surface, or deeper if they are closer than 40 feet to the rail line, and/or are encased. There have been no reported leaks from the previously mentioned pipelines within or adjacent to the PVL corridor. There would not be an adverse affect on the environment, on-site workers, or the public during operation and maintenance of the PVL trains in these areas. Therefore, there will be less than significant impacts through the implementation of the Project from these pipelines. (Draft EIR, pp. 4.7-12 to 13.)

Derailment could cause an accidental spill from the SCRAA/Metrolink train engines or diesel fuel tanks. However, the derailment risk is extremely low risk. Statistics discussed in the EIR and the PVL track improvements made to the latest standards, as dictated by FRA and SCRAA/Metrolink design criteria, will further decrease the risk of derailment potential. SCRAA/Metrolink would also regularly inspect the track to ensure safe operating conditions. (*Ibid.*)

Moreover, in response to a number of concerns raised regarding a possible derailment, the Master Responses to Comments, as incorporated herein, further addressed the risk of a derailment. As explained in the Master Responses, a derailment generally may include one of the following; a train leaving the tracks, just one set of wheels leaving the tracks, side swiping another train, or general damage to a train while on the tracks. Section 4.7, Hazards and Hazardous Materials, in the Draft EIR (discussed above) addressed derailment statistics that were calculated for the PVL project based on data up to fiscal year 2006/2007. This section stated that, based on information obtained from the FRA Safety Database (<http://safetydata.fra.dot.gov/officeofsafety/>) and local resident information, there were 4.5 million freight train miles on SCRRRA tracks since 1993, and that there have only been three

freight train derailments. This equates to approximately one derailment per 1.5 million train miles or 0.000000667. In contrast, the derailment risk for BNSF freight trains on the SJBL alignment is 0.00801, which equates to a derailment approximately once every 124 years.

Since the Draft EIR was submitted to the public for review, additional statistics were calculated for fiscal year 2007/2008. This updated data also computes the derailment exposure risk on SCRRA's lines and then compares this risk to the estimated risk currently experienced by the SJBL with freight only. First, the SCRRA had 455,684 freight train miles operated over their lines in fiscal year 2007/2008, and this is assumed to be typical of operations since the start of SCRRA operations. This yields a freight history of about 6.8 million freight train miles since 1993 (first full year of operation). There have been three main track freight train derailments (not counting the collision at Chatsworth). Second, this calculates to an exposure ratio of about one derailment per 2.28 million train miles or 0.00000044. Third, the BNSF operated 11,440 freight train miles on the SJBL in fiscal year 2007/2008, and this rate of train miles has been consistent over the years. Since 1993, this would total 171,600 train miles. Fourth, the annual future (after completion of the project) freight train derailment risk is then the product of 0.00000044 (risk per train mile) and 11,440 annual train miles, or 0.00502. Fifth, assuming that there have been two freight train derailments on the main line of the PVL since 1993, the risk is two divided by 171,600 (the total train miles BNSF has operated since 1993) or 0.0000116 per train mile. These calculations show that the SCRRA derailment risk is 0.00000044, while the BNSF freight train derailment risk is 0.0000116. The reason for this difference is that, because the SCRRA tracks are used for commuter rail, the tracks are maintained to high standards of safety and ride quality due to their role in public passenger transport. The PVL project includes track improvements throughout its length because a commuter train would be added to the track (see Draft EIR, Section 4.2.1). These track improvements would upgrade the existing physical condition of the rail line, which would result in a stronger infrastructure, a higher level of maintenance, and enhanced operational safety. Therefore, not constructing the PVL project poses a much higher risk of freight train derailment exposure than constructing the project would.

As the Master Response further explains, the commenters also brought up a third derailment in BNSF history, which occurred in 1990 near Hyatt Elementary School. Since the derailment occurred outside of the 17-year window of SCRRA experience, it was not included in the analyses. However, even if it were included in the derailment calculations, it would increase the freight train risk factor, further strengthening the argument that the PVL project is a benefit to the community. Therefore, the analysis in the Draft EIR is correct - there are no significant impacts and no mitigation is required. The Draft EIR was changed to further clarify this issue. No additional analysis was required and no additional mitigation measures were added.

3. Hazardous Materials Near Schools (Threshold 4.7-3): The Project would not have the potential for a significant impact relative to the generation of hazardous emissions or the handling of hazardous materials, substances, or waste within a quarter mile of a school or a proposed school and no mitigation is required.

Construction activities associated with the Project, near the schools, would involve the use of small volumes of commercially available hazardous materials, such as petroleum products (gasoline, diesel, and other oils), brake fluids, coolants, and paints. The use of these substances is governed by existing hazardous materials regulations. The construction of the Project would not include power lines or propane tanks within a 1,500-foot setback of the schools, nor would the

Project introduce newly constructed high pressure natural gas lines or gasoline lines. (Draft EIR, p. 4.7-13.)

The Air Quality section of the EIR notes that sensitive receptor sites, including schools are near mobile source emissions generated from freight trains using the SJBL, and from vehicles using the adjacent SR-60 and I-215 corridors. It is also noted that most PVL trains would pass by the schools either prior to the beginning of the school day or after the end of the day, resulting in less potential exposure to emissions. Simultaneously, vehicle emissions would be reduced with a shift of modes from private vehicles to the PVL and other reductions in mobile source pollution through increased vehicular speeds on the major vehicular corridors. Using the available interim guidance from the FHWA, the Project is categorized as having low potential emission effects. (*Ibid.*)

Exposure to MSATs as a risk to schools would result from the siting of a new fixed, continuously operating point source of pollution, such as a stack from a factory. With an engine and the proposed train sets for the PVL, exposure to PM10 in diesel exhaust from passing commuter trains would be limited. The trains would pass by schools very quickly, for only several seconds along the PVL between stations. For most PVL movements, schools would not be in session, as most scheduled runs occur either before the start of the school day or after its completion. Opportunity for exposure to emissions is limited in occurrence and duration and is therefore no impact. (*Ibid.*)

Additionally, as further discussed in the Master Responses to Comments, which are incorporated by reference herein, the RCTC, in response to concerns raised about the proximity of the rail line to the existing Kinder Morgan pipeline, commissioned a focused technical study to specifically evaluate potential safety and/or hazard impacts associated with the pipeline. (Analysis of Safety Issues for the Proposed Commuter Rail Service on the Riverside County Transportation Commission's Perris Valley Line in the Vicinity of Highland and Hyatt Schools, dated March 22, 2011 (the "Zeta Tech Report")). The Zeta Tech report evaluated whether the addition of commuter rail to the existing line would significantly increase the safety risks in the vicinity of the Highland Elementary School and the Kinder-Morgan pipeline near the school (Zeta Tech Report, page 2). The derailment risk analysis examined general derailment risk as well as derailment risk specific to passenger trains in the context of a derailment energy analysis. The derailment energy analysis compared the maximum available energy at the time of derailment of a freight train to that of a passenger train on the Perris Valley Line (Zeta Tech Report, page 7). This analysis also took into account the mass of a given train as well as the speed of that train. Ultimately, the Zeta Tech Report concluded that the addition of commuter rail to the existing railway line would not significantly increase the safety risks in the vicinity of Highland Elementary School and the Kinder-Morgan pipeline near that school (Zeta Tech Report, page 7).

Additionally, as further discussed in the Master Responses, incorporated herein, RCTC commissioned a focused technical study to specifically evaluate the potential risk of derailment that would result from the proposed project's addition of commuter trains to the existing Perris Valley Line. This study considered: (1) whether the addition of commuter rail to the existing line significantly increase the safety risks in the vicinity of the Highland Elementary School and the Kinder-Morgan pipeline near that school, and (2) whether the addition of commuter rail to

the existing line significantly increase the safety risks in the vicinity of Hyatt Elementary School. The Zeta Tech Report concluded that the addition of commuter rail to the existing railway line would not significantly increase the safety risks in the vicinity of Highland Elementary School and the Kinder-Morgan pipeline near that school (Zeta Tech Report, page 7). The Zeta Tech report also shows that the addition of commuter rail to the existing railway line does not significantly increase the derailment risk at or near Hyatt Elementary School.

4. Airport Hazards (Threshold 4.7-5): The PVL corridor and the Moreno Valley/March Field Station would be within the airport land use plan of the MARB. The Moreno Valley/March Field Station is within appropriate zoning uses and thus there is no impact.

The PVL corridor and the proposed Moreno Valley/March Field Station are located west of I-215 and MARB airport, and within the boundaries of the airport land use plan of MARB. The proposed station would be located predominantly within APZ II, which allows for industrial and transportation uses. As currently designed, a small southerly segment of the proposed parking lot associated with the station would be located in APZ I, which prohibits dense concentrations of people, but allows for parking lots (March JPA 2003). The Riverside County ALUC and the March JPA reviewed the Commission's application for the Project and the Riverside County ALUC determined that the Moreno Valley/March Field Station will be consistent with the airport land use plan subject to the following conditions: (1) prior to issuing building permits, the RCTC shall convey an aviation easement to the March Inland Port Airport Authority; (2) any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky, and outdoor lighting shall be downward facing; and (3) proscribing (i) any use that would direct a steady light or flashing light of red, white, green, or amber colors associated with aircraft operations toward an aircraft engaged in a straight final approach (other than an FAA-approved light source); (ii) any use that would cause sunlight to be reflected toward an aircraft in flight; (iii) any use that would generate smoke or water vapor that would attract large numbers of birds or that could somehow affect safe air navigation within the area; (iv) any use that would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation; (v) children's schools, hospitals, nursing homes, and highly noise sensitive outdoor residential uses; (4) any ground-level or aboveground water retention or detention basin or facilities shall be designed to provide for a detention period for a storm that does not exceed 48 hours and must remain totally dry between rain events, nor can no landscaping with vegetation that would attract birds and that would be incompatible with airport operations, landscaping must utilize plant species that do not produce seeds, fruits or berries, and trees must be spaced to prevent large expanses of contiguous canopy when mature; and (5) any proposed use identified on the site plan as a future use shall be reviewed by ALUC for consistency when proposed for a specific development. (Draft EIR, p. 4.7-15 to 16.)

5. Private Airstrip Hazards (Threshold 4.7-6): The Project is within the Perris Valley Airport Influence Area, however the only restriction in the Influence Area pertains to residential development for safety purposes. The implementation of the Project will, therefore, not result in a safety hazard to the people residing or working near to the airstrip and Project impacts will be less than significant.

The Perris Valley Airport is located immediately south of Ellis Avenue and southwest of Case Road, approximately 500 feet southwest from the existing rail corridor. The airport is largely used for skydiving. The PVL corridor lies within the Perris Valley Airport Influence Area, from west of Goetz Road, along SJBL, to just east of Murrieta Road, including the South Perris Station. In this Influence Area, only residential uses “are to be limited to areas not in the actual flight path and to areas where aircraft have gained sufficient altitude so as to no longer pose a relative safety threat” (City of Perris, 2005). Implementation of the PVL will not result in a safety hazard for any people residing or working in the Project area. The Perris Valley Airport is currently drafting a land use plan. (Draft EIR, p. 4.7-16 to 17.)

The Riverside County ALUC has reviewed RCTC’s application to ensure zone compatibility. The ALUC determined that the South Perris Station will be consistent with airport land use plan subject to the following conditions: (1) prior to issuing building permits, the RCTC shall convey an avigation easement to the March Inland Port Airport Authority; (2) any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky, and outdoor lighting shall be downward facing; and (3) proscribing (i) any use that would direct a steady light or flashing light of red, white, green, or amber colors associated with aircraft operations toward an aircraft engaged in a straight final approach (other than an FAA-approved light source); (ii) any use that would cause sunlight to be reflected toward an aircraft in flight; (iii) any use that would generate smoke or water vapor that would attract large numbers of birds or that could somehow affect safe air navigation within the area; (iv) any use that would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation; (v) children’s schools, hospitals, nursing homes, and highly noise sensitive outdoor residential uses; (4) any ground-level or aboveground water retention or detention basin or facilities shall be designed to provide for a detention period for a storm that does not exceed 48 hours and must remain totally dry between rain events, nor can no landscaping with vegetation that would attract birds and that would be incompatible with airport operations, landscaping must utilize plant species that do not produce seeds, fruits or berries, and trees must be spaced to prevent large expanses of contiguous canopy when mature; and (5) structure height shall not exceed 40 feet, and no structure shall be located less than 3,841 feet from any point on the centerline of the runway at Perris Valley Airport unless the Federal Aviation Administration has first issued a Determination of No Hazard to Air Navigation for said structure. (*Ibid.*)

H. Hydrology/Water Quality

1. Water Quality Standards (Threshold 4.8-1): The Project would implement BMPs, to the extent necessary, to ensure that no water quality standards or waste discharge requirements are violated and thus impacts will be less than significant without mitigation.

The Citrus Connection would use small quantities of wheel lubricators (to reduce squeal) in a small area and will not contribute to local runoff pollution. This portion of the Project would not violate water quality standards. The SJBL alignment primarily involves an upgrade of existing tracks and culverts, and will not appreciably change from existing conditions and will therefore not result in a water quality violation. A bypass track is also to be constructed, but the construction, operation, and maintenance of the bypass would be same as existing conditions and no impacts will result. The relative small size of the Stations would not create a surface large

enough to create a significant amount of runoff that would affect water quality. However, operation and maintenance of the Stations' parking lots could create polluted runoff and thus the Commission will install structural BMPs to ensure any pollutants are properly contained. BMPs may include catch basin inserts and oil/water separators that would stop debris, oil, and other pollutants from entering the MS4s. The addition of the BMPs will ensure that water quality standards are not violated. (Draft EIR, pp. 4.8-10 to 12.)

It is anticipated that up to four trains would be stored in the Layover Facility overnight. Drip pans will be installed to catch any fuel, lubrication, or other liquids coming from the engines. The train inspection pit will also contain an oil/water separator to ensure treatment prior to drainage into an MS4. Overall, BMPs will be implemented to ensure that the construction, operation, and maintenance of the Layover Facility does not result in a violation of water quality standards or waste discharge requirements. As a result, no impacts will occur. (*Ibid.*)

Construction of the bridges will take place during the summer when the San Jacinto River and San Jacinto River Overflow Channel are dry. Equipment storage, fueling, and construction staging areas would be located to minimize risks of waste discharge and water contamination, and the Project-specific SWPPP would identify proper BMPs to control any pollutants. The bridge replacement would therefore not result in a violation of water quality standards or waste discharge requirements. (*Ibid.*)

2. Groundwater (Threshold 4.8-2): The Project does not involve groundwater resources and thus impacts would be less than significant. The proposed PVL Project involves upgrading the existing rail corridor, and adding four stations and a Layover Facility. The approximate maximum depth of excavation at the proposed stations and Layover Facility is 14 feet below existing grade. Dewatering is not anticipated because groundwater is greater than 50 feet in the Project area. No groundwater resources would be needed for the construction, maintenance, and operation of the PVL Project. Additionally, it should be noted that the paved areas at the stations and Layover Facility would not interfere with groundwater recharge because of the very small size compared to the overall watershed area. Therefore, the PVL Project would not substantially deplete groundwater supplies or interfere with existing groundwater resources and thus a potentially significant impact will not result. (Draft EIR, p. 4.8-11 to 12.)

3. Drainage and Erosion (Threshold 4.8-3): The Project will not substantially alter the existing drainage pattern, including through the alteration of a stream or river, and thus impacts will be less than significant.

Citrus Connection: The current BNSF and SJBL alignments traverse the Springbrook Wash. The proposed Citrus Connection track would be located north of the Wash, on disturbed vacant land. The approximately 2,000 feet of new track proposed for the Citrus Connection would connect the two existing alignments, the BNSF and SJBL, south of where they currently connect. Although the track will be new in this area, the drainage patterns will not substantially change. Current drainage is via sheet flow off the vacant land and into Springbrook Wash. With the installation of the new track, the sheet flow will be slowed by the track but water will be allowed to percolate through the ballast rock prior to reaching Springbrook Wash. Because the new construction would not alter drainage patterns, impacts are less than significant. (Draft EIR, p. 4.8-12.)

SJBL Alignment: The existing drainage pattern of the Project area currently includes the SJBL alignment. Since the construction, operation, and maintenance of this alignment would primarily upgrade the existing tracks, selected culverts, and bridges, proposed development within this segment of the PVL corridor would not substantially alter the existing drainage pattern of the area. The bypass track would be built adjacent to the existing SJBL tracks with an extension of the existing culverts. This bypass track would not alter the existing drainage pattern of the site. Impacts will thus be less than significant. (*Ibid.*)

Stations: The Station are all proposed to be constructed on previously disturbed land that does not contain defined drainage patterns. The Stations, including the associated parking structures, are designed to direct local drainage into catch basins that connect into the local MS4. Therefore, impacts will be less than significant. (*Ibid.*)

Layover Facility: The proposed Layover Facility would be constructed on previously disturbed land that does not contain defined drainage patterns. The Layover Facility is designed to direct local drainage into local catch basins that connect into the MS4. Therefore, impacts will be less than significant. (*Ibid.*)

4. Drainage and Runoff (Threshold 4.8-4): The Project would not substantially alter the existing drainage pattern, including the alteration of a stream or river, or substantially increase the rate or amount of surface water runoff, and thus impacts are less than significant.

Citrus Connection: The current BNSF and SJBL alignments traverse the Springbrook Wash. However, the proposed Citrus Connection track will not affect the existing drainage pattern. The approximately 2,000 feet of new track proposed for the Citrus Connection would serve to connect two existing alignments, the BNSF and SJBL south of where they currently connect. Overall, the operations and maintenance of the Citrus Connection would be the same as for the SJBL alignment. Since the proposed Citrus Connection would not be located in an area with a defined drainage pattern, the Citrus Connection would not substantially alter an existing drainage pattern or substantially increase the surface runoff in the site. Because the new construction would not alter existing drainage patterns, impacts are less than significant. (Draft EIR, pp. 4.8-13 to 14.)

SJBL Alignment: The existing drainage pattern of the Project area currently includes the SJBL alignment. Since the construction, operation, and maintenance of this alignment would primarily upgrade the existing tracks, selected culverts, and bridges, proposed development within this segment of the PVL corridor would not substantially alter the existing drainage pattern of the area. The bypass track would be built adjacent to the existing SJBL tracks with an extension of the existing culverts. This bypass track would not alter the existing drainage pattern of the site. Impacts are therefore less than significant. (*Ibid.*)

Stations: The Station locations are all proposed to be constructed on previously disturbed land that does not contain defined drainage patterns. The Stations, including the associated parking structures, are designed to direct local drainage into catch basins that connect into the local MS4. Therefore, impacts will be less than significant. (*Ibid.*)

Layover Facility: The proposed Layover Facility would be constructed on previously disturbed land that does not contain defined drainage patterns such as streams or rivers. . The Layover Facility is designed to direct local drainage into local catch basins that connect into the MS4. The buildings planned for the Layover Facility will be raised off the ground approximately six feet. These raised structures will not create an impermeable surface large enough to significantly contribute to runoff water in the surrounding area. Parking lots for the Layover Facility would increase the amount of impermeable surfaces in the area because the paved lots do not allow for water infiltration. However, the Layover Facility is designed to direct local drainage into the MS4, which would control the surface runoff and avoid flooding on or off-site. Therefore, impacts will be less than significant. (*Ibid.*)

5. **Runoff (Threshold 4.8-5):** The Project impacts would be less than significant with the implementation of BMPs, where necessary, to ensure that any runoff water would not exceed the capacity of existing or planned stormwater drainage systems and/or ensure sources of polluted runoff, if any, have no impact or a less than significant impact.

SJBL Alignment: Along the SJBL alignment are existing drainage structures (culverts) that allow stormwater flow to pass beneath the railroad tracks. As part of the Project, the culverts that would be replaced or extended will continue to convey the local stormwater flow beneath the tracks. These rehabilitated culverts will allow the same amount of water to pass through the alignment as the old ones. Since the construction, operation, and maintenance of the SJBL alignment would upgrade the existing tracks and selected culverts, the increase in impervious area is limited. Therefore, the proposed development within this segment of the PVL corridor would not create additional runoff that would exceed the capacity of existing or planned stormwater drainage systems. Additionally, the increase of twelve trains per day would cause minor quantities of oil and lubricants to weep onto the track. These minor quantities are not great enough to cause a potentially significant increase in polluted runoff. Therefore, impacts are less than significant. (Draft EIR, pp. 4.8-14 to 15.)

Stations: The relative small size of the station platforms will not create an impermeable surface large enough to significantly contribute to runoff water in the surrounding area. Operation and maintenance of the station parking lots would increase the amount of impermeable paved surfaces in the area. These surfaces would create additional runoff because the paved area does not allow for water infiltration. However, engineering designs for each station include the provision of stormwater detention when required. With these design elements in place, there will be sufficient capacity within the MS4s to support the Project. Oil and fluid leaks from parked cars would potentially be added to runoff water as it flows towards the local MS4s. However, the Commission will install structural BMPs, including catch basin inserts and oil/water separators that would stop debris, oil, and other pollutants from entering the MS4s. With the planned BMPs in place, the construction, operation, and maintenance of the stations would not provide substantial additional sources of polluted runoff to the MS4, and thus impacts would be less than significant. (*Ibid.*)

Layover Facility: The buildings planned for the Layover Facility will be raised off the ground by approximately six feet. These raised structures will not create an impermeable surface large enough to significantly contribute to runoff water in the surrounding area. The Layover Facility parking lots would increase the amount of impermeable paved surfaces in the area. This

surface would create additional runoff because the paved area does not allow for water infiltration. However, engineering designs for the Layover Facility include sizing the catch basins and local drainage structures to have capacity sufficient to accept the additional runoff. With these design elements in place, there will be sufficient capacity within the MS4s to support the Layover Facility. Oil and fluid leaks from parked cars would potentially be added to runoff water as it flows towards the local MS4s. The Commission would install structural BMPs, including catch basin inserts that would stop debris, oil, and other pollutants from entering the MS4s. With the planned BMPs in place, the construction, operation, and maintenance of the Layover Facility would not provide substantial additional sources of polluted runoff to the MS4, and impacts would be less than significant. (*Ibid.*)

6. Water Quality (Threshold 4.8-6): The Project would not otherwise substantially degrade water quality and impacts would be less than significant without mitigation. Most of the PVL Project consists of an existing rail corridor. It is not anticipated that any new sources of pollutants would occur as a result of the proposed upgrades. Proposed new structures for the PVL Project are minimal, and drainage and pollutants would be managed with appropriate measures that comply with federal, state, and local regulations. Therefore, the PVL Project would not otherwise substantially degrade water quality and impacts would be less than significant. (Draft EIR, p. 4.8-15.)

7. Housing and 100-Year Flood (Threshold 4.8-7): The Project would not involve housing and thus no impact will occur here. The Project would enhance transportation infrastructure by extending commuter rail service to additional portions of Riverside County and does not include the construction of housing. Therefore, no impacts will occur here. (Draft EIR, p. 4.8-15.)

8. Structures and 100-Year Flood (Threshold 4.8-8): The Project would not impede or redirect flows within a 100-year flood hazard area and thus impacts would be less than significant. (Draft EIR, pp. 4.8-15 to 19.)

Ten FIRM panels were evaluated to identify flood designations and floodways including and proximate to the PVL corridor. Four of these FIRM panels were located in a 100-year flood hazard area (FEMA, 2008). (See EIR Figures 4.8-1 and 4.8-2.)

FIRM Panel 06065C0065G: The area of Springbrook Wash has a 100-year flood Zone A designation. A small portion of the alignment, where the alignment passes over the Wash, between Spring Street and Citrus Street is within this high flood risk area.

FIRM Panel 06065C0727G: A portion of the SJBL alignment at Blaine Street, within the UCR area, has a 100-year flood Zone A designation. The floodplain boundary ends at the alignment and is identified east along Blaine Street and curves north at Valencia Hill Drive. Zone A has a high potential for flood risk.

FIRM Panel 06065C0731G: The University Wash located in Islander Park of the UCR area has a 100-year flood Zone AE designation. The floodplain boundary starts near Linden Street and is identified south to Big Springs Road, and is bounded by the alignment along the eastern boundary. Zone AE is a high risk area.

FIRM Panel 06065C1440G: The area adjacent to the west side of the alignment at Metz Road has a 100-year flood Zone A designation. This flood area is located in Metz Park within the City of Perris. Additionally, this panel includes the San Jacinto River and associated floodway. The floodplain boundary for the San Jacinto River is partially within a 100-year flood area, which includes the railroad bridges (MP 20.70 and 20.80). Both bridges (MP 20.70 and 20.80) are mapped within the 6,600-foot wide floodway. Extending from the floodway is a 12,000-foot-wide floodplain boundary for the 100-year event in Zone AE.

The SJBL alignment, two bridges, the South Perris Station option, and the Layover Facility are portions of the PVL Project that are located within a 100-year flood hazard area. Based on the hydraulic analysis presented in the Perris Valley Line Draft Hydrology Report Volume II San Jacinto River Analysis report, it is expected that the bridges, rail alignment, station platform, station parking lot, and Layover Facility could be submerged as much as five feet during the 100-year flood (AECOM, 2009). The SJBL alignment would not add new structures within the 100-year flood hazard area that would impede or redirect flows, and thus impacts would be less than significant here. The design plans for the bridges would be in compliance with the NFIP's No-Rise requirements, a No-Rise Certification would be obtained for the Project through the RCFCWCD, and thus the proposed bridges would not impede or redirect flows and impacts would be less than significant. The relative small size of the South Perris Station option would not create a surface that would significantly impede or redirect flows in a 100-year flood area. Also, the South Perris Station option and Layover Facility would be in compliance with the NFIP's No-Rise requirements. Thus, the proposed structures at the South Perris Station option and Layover Facility would not impede or redirect flows and no impacts are anticipated. (Draft EIR, pp. 4.8-15 to 19.)

9. Dam Inundation (Threshold 4.8-9): The Project would not result in a potentially significant impact related to the exposure of people or structures to a significant risk of loss, injury, or death involving flooding. During torrential rainfall or periods of extended rain, the storage capacity of Mystic Lake would be exceeded and overflow into the San Joaquin River. The River could swell and potentially flood the surrounding areas. Trains would not run if flooding occurs and thus commuters would not be exposed to flooding conditions along the SJBL alignment. Furthermore, development along the AJBL alignment involves upgrading existing tracks and would not expose new structures to a significant risk of loss, injury or death. Trains would not run if flooding occurred in the PVL corridor and the employee support building within the Layover Facility would be raised by six feet to remain out of the 100-year floodplain. People would therefore not be exposed to flooding. The raised structures, however, could be exposed to significant risk of loss involving flooding, but no impact would result relating to base flood elevations, regulatory floodway elevations, and floodway width according to the *Perris Valley Line Draft Hydrology Report Volume II San Jacinto River Analysis*, Layover Facility structures. Since Project design plans for the Layover Facility would be compliance with the NFIP's No-Rise requirements, and a No-Rise Certification would be obtained for the Project through the RCFCWCD. Therefore, the proposed Layover Facility would not expose structures to a significant risk of loss, injury or death involving flooding, and no impacts are anticipated for this issue area. (Draft EIR, p. 4.8-20.)

10. Seiche, Tsunami, Mudflow (Threshold 4.8-10): The Project will not increase the likelihood of inundation by seiche, tsunami, or mudflow and thus impacts will be less than significant. Because the PVL corridor is not located in close proximity to a coast or ocean, implementation of the proposed Project would not create or be subject to inundation by seiche, or tsunami. Additionally, the Project is on a rail corridor originally developed over 100 years ago. Since current rail operations will continue, and the commuter trains will not increase the current risk, the implementation of the PVL Project will not increase the likelihood of a mudflow. Therefore, impacts will be less than significant. (Draft EIR, p. 4.8-20.)

I. Land Use And Planning

1. Division of Established Community (Threshold 4.9-1): The Project would not physically divide an established community and thus impacts would be less than significant. The SJBL was constructed in the 1880s, and many of the communities now located within the vicinity of the railroad were established as a result of the railway facilities (MFA, 2003). The Citrus Connection would be constructed in an area that is bordered to the south and west by industrial and transportation facilities and to the north and east by residential and commercial uses. The proposed Project would operate entirely within an existing rail corridor and its adjacent parcels will be in an area where the railroad facilities have long been part of the local community setting. Therefore, the Project would not restrict the movement of people or physically divide an established community and impacts would be less than significant. (Draft EIR, p. 4.9-9.)

2. Land Use Plan Consistency (Threshold 4.9-2): The Project is consistent with existing and planned land uses and is consistent with federal, state, and local land use plans and policies and thus impacts will be less than significant.

The Project is located in western Riverside County and extends through or adjacent to several municipalities including the City of Riverside, the City of Moreno Valley, the March Air Reserve Base, the City of Perris, and Riverside County. Table 4.9-1 of the EIR provides an overview of the many land uses within and adjacent to the Project area. The Project would be consistent with existing and planned land uses and is consistent with the County, City, and Specific Plan policies. The Project is exempt from local land use controls and thus demonstration of compliance with local land use plans and policies is not required. However, as set forth below, County and City plans anticipate and support the Project (Draft EIR, pp. 4.9-9 to 11):

- The Riverside County General Plan promotes alternative transportation options within western Riverside County as a means for encouraging concentrated housing and employment centers, in order to reduce traffic congestion. Rail transit is envisioned as a travel option that can contribute to higher quality living environments by reducing auto dependency, concentrating compatible land uses, and relieving pressure to develop open space, and directing compatible land use activities to established urban centers. The PVL would be consistent with the alternative transportation goals outlined in this document.
- The City of Riverside General Plan aims to encourage mass transit to reduce roadway congestion, air pollution, and non-point source water pollution. Land use planning

was structured to support this principle by directing new growth along transportation corridors.

- The City of Riverside General Plan includes discussion of the PVL as the 22-mile extension of the SCRRA/Metrolink 91 line. The Land Use and Urban Design Element of the General Plan focuses on incorporating “smart growth” principles into planning and development decisions, and focusing development in already urbanized parts of the City rather than spreading growth to the urban fringes.
- The Hunter Business Park Specific Plan states that existing lead tracks and spurs serve established industrial plants, and it is the intent of the Specific Plan to accommodate rail usage where feasible in the designated Land Use Districts. The rail lines have historically supported facilities at the Hunter Business Park, and are maintained within the Specific Plan. The proposed station sites are within the Hunter Business Park, which is 1,300-acre planning area that contains existing industrial/warehouse facilities, scattered agricultural parcels, and a public park (Hunter Park). According to the City of Riverside General Plan, the Hunter Business Park is planned for redevelopment and business/office buildings in order to serve as a relatively more active employment center, while the Hunter Business Park Specific Plan (City of Riverside, 2002) describes the location of the rail lines within this area as excellent opportunities to serve future industrial-transportation-distribution facilities.
- The City of Moreno Valley General Plan’s Circulation Element states that public transit in the city of Moreno Valley consists primarily of bus service. It is anticipated that Moreno Valley would have access to commuter rail service; specifically, a commuter rail station for the southwest quadrant of Alessandro at I-215 to serve Moreno Valley residents (City of Moreno Valley, 2006). The PVL would also be consistent with the City of Moreno Valley General Plan’s Community Development Element, which encompasses the Land Use Plan of the City of Moreno Valley General Plan. The City of Moreno Valley General Plan Places Residential/Office and Commercial land uses within land located nearest to the PVL corridor. The properties are also identified as redevelopment areas, presumably to encourage economic growth.
- The proposed commuter service to serve the March Planning Area would be consistent with the March JPA General Plan, and the March JPA would work with transit providers to ensure that transit programming is oriented to the Meridian area, which is outlined as an economic center. The Meridian Master Plan places a future transit center near the PVL, and similarly, the March Specific Plan places a 15-acre transportation center to accommodate commuter rail service along the PVL corridor. The proposed station would be a permitted use. The March JPA General Plan identifies the PVL in its Transportation Element, and acknowledges the need for a multimodal facility to serve its planning area. It promotes the creation of adequate regional railway facilities, including the use of SCRRA/Metrolink service along the SJBL.

- The PVL would be consistent with the Mead Valley Area Plan (2003). The Mead Valley Area Plan identifies the SJBL as a viable regional transportation option for residents, employees, and visitors to the area.
- Commuter rail service along the existing SJBL is consistent with the Land Use Element of the City of Perris General Plan, which recognizes the need for future transportation and infrastructure improvements. The specific plans for Green Valley, Riverglen, Perris Downtown and the Village Walk District have incorporated the SJBL by assigning compatible land uses adjacent to the rail corridor, including the future development of commuter rail station planned for the old Perris Depot area. The Downtown Specific Plan describes a pedestrian-friendly Downtown Promenade District of mixed uses, within walking distance of a train station. The Circulation Element specifically identifies the extension of SCRRA/MetroLink service along the SJBL. The use of the existing railway would be consistent with existing and planned land uses, and the implementation of commuter rail service through downtown Perris would be consistent with specific plan policies to enhance and preserve natural and man-made features, and to promote alternative transportation to reduce regional traffic congestion.

3. Conflict with a Habitat Conservation Plan (Threshold 4.9-3): The Project would not result in any potentially significant impacts with regard to the MSHCP and the SKR HCP, which are the two habitat conservation plans in effect in the Project area.

The Project will not conflict with either the MSHCP or the SKR HCP. The Project is subject to the compliance requirements of the MSHCP, in particular the Urban/Wildlands Interface Guidelines in the MSHCP. (Draft EIR, pp. 4.9-11 to 13.) Furthermore, the Project will voluntarily pay SKR HCP fees to the Riverside County Habitat Conservation Authority (“RCHCA”) (*Ibid.*; see also Mitigation Measure BR-14.)

SJBL Alignment: By complying with the Guidelines and coordinating with the RCA (responsible for the MSHCP) and the RCHCA (responsible for the SKR HCP), the Project will not conflict with any conservation or habitat goals relative to the implementation of the SJBL alignment. (*Ibid.*)

Moreno Valley/March Field Station: Two noncontiguous wildlife reserves are in the vicinity of the proposed Moreno Valley/March Field Station. The SKR Sycamore Canyon – March Air Force Base Core Reserve (which coincides with Sycamore Canyon Park and the MSHCP Existing Core D) is located north and south of Alessandro Boulevard and west of the PVL corridor outside of the corridor and west of the Moreno Valley/March Field Station. Through compliance with the Guidelines and coordination with RCA and RCHCA, construction and operation of the proposed Moreno Valley/March Field Station option would not impair the value of wildlife habitat or cause an ecological intrusion into the nearby reserve areas. (*Ibid.*)

South Perris Station and Layover Facility: MSHCP Proposed Constrained Linkage 19 encompasses the San Jacinto River area, which is located approximately 500 feet west of the proposed South Perris Station. As previously described, the PVL Project is subject to the compliance requirements of the MSHCP, in particular its Urban/Wildlands Interface Guidelines,

which provide guidance on addressing the indirect effects on wildlife species when projects are located in proximity to reserve areas. Through compliance with the Guidelines and coordination with RCA, construction and operation of the proposed South Perris Station would not impair the value of wildlife habitat or cause an ecological intrusion of MSHCP Proposed Constrained Linkage 19. (*Ibid.*)

J. Noise And Vibration

1. Temporary Noise Increase (Threshold 4.10-4): Project impacts resulting from temporary or periodic increases in ambient noise levels would be less than significant and mitigation is not required. (Draft EIR, pp. 4.10-37 to 39.)

The construction noise assessment indicates that construction activities would not result in any new significant noise impacts at any nearby noise-sensitive receptors. The conclusions of the construction noise assessment are based on the use of the FTA construction noise criteria and they apply to both day- and night-time construction activities. While no significant impacts would be predicted to occur, construction activities may result in temporary short-term increases in noise levels, not unlike those typical of common street and utility projects. However, given the linear configuration of the construction corridor, only small area segments would likely experience construction noise at any given time. Once grade crossing improvements along with the excavation and grading of the track base are completed, specialized track equipment would move continuously along the alignment constructing the new track. The export of soils from the Project site may also result in increased noise levels along roadways in the immediate Project area. However, because the amount of exported soils from each location along the PVL alignment is finite, the site vehicular access would change frequently as construction moves along the alignment. Therefore, any resulting noise increase would be temporary since no single roadway segment would be affected for more than a few weeks. According to the FTA manual, this would not constitute a long period of time for a construction-related activity and, thus, would not result in any impact. With respect to noise from the construction of the stations, only the proposed Downtown Perris Station would be located nearby noise sensitive receptors. However, station construction would only last approximately two months. Any potential increase in noise levels would be temporary in nature and would generally only occur between about 6 AM and 7 PM, Monday through Friday. The exact hours when Project construction would be allowed are restricted to the hours described in the local construction noise policies above for the individual localities. For all construction activities, standard construction noise control measures would be required to reduce the likelihood of any temporary noise increases. (Draft EIR, pp. 4.10-37 to 38.) Some night-time work may also have to occur, such as track realignment. This would require prior approval by the locality in which the night-time activity is to take place. (*Ibid.*)

Although the overall length of construction for the entire PVL Project would be approximately 18 months, disturbances at individual receptor locations would not last for more than several months. Any potential construction noise impacts on schools and churches would be less than significant since Project construction noise levels would not surpass the FTA construction noise criteria levels. However, both sporadic and temporary increases in construction noise above local construction ordinance levels may occur. Any temporary increases would be based on potential occurrences of atypical events given the inconsistent and transitory nature of some construction activities and equipment usage. Consequently, the

contractor would use standard construction noise control measures such as temporary construction noise barriers, low noise emission equipment, and the use of acoustic enclosures or particularly noisy equipment to reduce the likelihood of any increases in construction noise above the local noise ordinance maximum levels. The longest sustained construction period near sensitive receptors would likely result from station construction and, as mentioned above, would last approximately two months. However, because of the relative small scale of a typical rail station, the use of heavy construction equipment would only occur during a short segment of that two month period. According to the PVL Construction Staging Plan, some nighttime construction is scheduled to occur specifically for new track layout. Because local codes allow construction only during day-time hours, any Project-related night-time construction activity would require the Project to obtain from the municipality written consent for an exemption, or variance to these codes. (*Ibid.*)

For mobile construction activities, the delivery of construction materials, such as the rail, rail ties, ballast, and specialized track equipment, would be accomplished using the existing rail rather than being delivered by truck. Also, staging yards would be located strategically so as to limit the travel time for construction crews. These processes would serve to limit the exposure radius of traffic-related construction noise in sensitive areas. (*Ibid.*)

The construction activity that would create the most noise and vibration is pile driving associated with the San Jacinto River bridge replacements, which are adjacent to the proposed Layover Facility. However, as there are no noise sensitive receptors located within approximately one mile of the proposed Layover Facility and the pile driving sites, construction-related noise impacts would not occur. In addition, pile driving would be temporary in nature, and any site specific pile driving would likely be completed in under a week. (*Ibid.*)

Other locations along the alignment would also be potentially impacted by construction noise. To determine whether construction of the proposed PVL Project would result in any noise impacts to sensitive receptors at these locations, an FTA general assessment procedure for construction noise was conducted for a representative residential location at 228 C Street in Perris. This location was chosen because it would be representative of a property which would be affected by typical track laying construction represented by activities such as culvert modifications and embankment work as well as track and road crossings construction. In addition, due to the proposed Perris Station, it would also be affected by construction noise from station and parking elements, which include earthwork, utility work and landscaping among others. (*Ibid.*)

As a result, based on construction noise projections shown in Noise and Vibration Technical Report C, the combined noise level for two of the noisiest pieces of construction equipment would result in a construction noise level of 79 dBA at the property line of the residential home. This would be below the FTA construction noise criteria described in Chapter 12 of the FTA Guidance Manual. It would also be below the 80 dB noise level set by Section 7.34.060 of the Perris General Plan. Therefore, although the total Project construction period is estimated to last approximately 18 months, because the FTA construction noise criteria level was not surpassed, potentially significant construction noise impacts will be less than significant. (*Ibid.*)

2. **Public Airport Noise (Threshold 4.10-5):** The Project is located near to the MARB, a public airport, but the Project would not have a potentially significant impact regarding exposure of people to excessive noise levels and mitigation is not required. One public airport exists within close proximity to the Project study area. The MARB airfield within the March JPA area is primarily used by the military and commercial cargo flights. The MARB airfields are located less than two miles from noise sensitive receptors along the PVL corridor. However, as shown in Tables 4.10-9, 4.10-10 and 4.10-11, no Project-related noise impacts were predicted to occur at this nearby location. Therefore, people will not be exposed to significant noise impacts. (Draft EIR, p. 4.10-39.)

3. **Private Airstrip Noise (Threshold 4.10-6):** The Project is located near to a private airport, the Perris Airport, but no potentially significant Project-related noise impacts will occur and thus impacts will be less than significant and mitigation is not required. One private airport, the Perris Airport, exists within close proximity to the Project study area. The Perris Airport is located across the street from the South Perris Station and Layover Facility. However, as shown in Tables 4.10-9, 4.10-10 and 4.10-11 of the EIR, no Project-related noise impacts were predicted to occur. (Draft EIR, p. 4.10-39.)

K. Traffic And Transportation

1. **Air Traffic Patterns (Threshold 4.11-3):** The Project would not result in a change in air traffic patterns and thus no impact would result. The Project does not propose any actions which would result in an increase in air traffic or a change in air traffic patterns, and therefore, would not create any impacts in this context. (Draft EIR, p. 4.11-34.)

2. **Hazards Due to Design Features (Threshold 4.11-4):** The Project would not introduce design features that would result in a potentially significant impact regarding hazards. The proposed Project would involve track upgrades to an existing rail line to allow for commuter rail service, but would not introduce design features that would increase hazards. The track and grade crossing improvements are required to bring the existing freight facility up to commuter rail standards, thereby resulting in safer operations. (Draft EIR, p. 4.11-34.)

3. **Emergency Access (Threshold 4.11-5):** The Project would not result in inadequate emergency access and thus the impact would be less than significant and mitigation is not required.

The proposed Project would include the closure of two grade crossings to the public: Poarch Road in Riverside and 6th Street in downtown Perris. The existing grade crossings at Poarch Road are planned to be closed to the public with access by emergency vehicles only (with a locked gate). The closure of the Poarch Road crossing would redirect public access to the small number of residences northeast of the crossing via Watkins Drive. However, these residences are accessible via Gernert Road. As Poarch Road will remain accessible to emergency vehicles only, the Project would not result in a change in emergency access to this neighborhood. Closure of the 6th Street crossing in downtown Perris would also not create inadequate emergency access as alternate routes (4th and 7th Streets being the nearest) around the closure could be readily used by emergency personnel. In addition, the northern end of Commercial Street would be closed to the public (with locked gates) where it intersects with D Street and Perris Boulevard,

which would allow access to emergency vehicles only. As Commercial Street will remain accessible to emergency vehicles, the Project would not result in a change in emergency access. Local fire stations and other emergency responders would be notified of these permanent closures to allow for adjustments in their emergency routes and to ensure that adequate emergency access is maintained. Further, new signals and gates would be installed at 15 grade crossings by the Project to promote safe traffic flow. The operation of the gates at the crossings for the passing of a train could potentially delay emergency vehicles for approximately 30 seconds during the presence of a train crossing. However, given that the train crossings would occur only twelve times each day, and would block the crossing for a total of six minutes during a 24-hour period, the probability of an emergency vehicle experiencing this delay is slight, and this measure will not significantly impact emergency access. (Draft EIR, p. 4.11-34.)

4. Alternative Transportation (Threshold 4.11-6): The Project would not conflict with adopted policies, plans, or programs supporting alternative transportation and thus no impact would occur here. The implementation of the PVL commuter rail service would serve as an alternative transportation option, help alleviate existing and future congestion in the I-215 corridor, provide bus connections to several RTA bus routes at all stations, implement improvements at several grade crossings, and provide park-and-ride facilities, all of which would be aligned with the policies of the Cities of Riverside and Perris to encourage increased use of public transportation and multi-modal transportation as means of reducing roadway congestion, to ensure adequate connections among all alternative modes, and to reconstruct existing grade separations as necessary for the smooth flow of traffic to name a few. Moreover, the PVL Project was contemplated as one of the 2008 Regional Transportation Planning projects for Riverside County. (See RTP (2008).) As such, the Project would reinforce, rather than conflict with, adopted policies, plans, or programs supporting alternative transportation. (Draft EIR, pp. 4.11-34 to 40.)

L. Utilities And Service Systems

1. Wastewater (Threshold 4.12-1): The Project would not exceed wastewater treatment requirements and thus impacts would be less than significant. The Project's only restroom facilities would be located on the trains themselves and at the Layover Facilities. The toilets and other wastewater collected on the trains would be discharged into the sanitary sewer connection at the Layover Facility and treated at the PVRWRF. In addition, the Layover Facility would provide restroom facilities for approximately 70 crew members. The volume of waste generated by the trains and Layover Facility would not exceed wastewater treatment capacities established by SARWQCB. Additionally, during construction of the PVL, construction personnel would use rented portable restrooms and sinks, which would be transported to a wastewater treatment facility for proper treatment. Impacts would therefore be less than significant. (Draft EIR, p. 4.12-7.)

2. New or Expanded Wastewater Treatment Facilities (Threshold 4.12-2): The Project would not require or result in the construction or the expansion of wastewater treatment facilities and thus the impact would be less than significant. The Project is expected to require water for landscaping at each of the station sites and at the Layover Facility. The Layover Facility will require water for maintenance of landscaped areas and the crew restroom facilities. The quantity of water necessary for the stations is very low since the landscaping will be drought

tolerant. The Project would not require the construction of new water treatment facilities. Wastewater will be generated at the Layover Facility, from the restrooms on the trains, and from the crew facilities. The amount of wastewater that will be generated by the Project is very limited and no new or expanded treatment facilities are necessary to accommodate this wastewater. (Draft EIR, p. 4.12-7.)

3. New or Expanded Stormwater Facilities (Threshold 4.12-3): The use of stormwater detention facilities, BMPs associated with the SWPPP, and the replacement or reconstruction of culverts, impacts relating to stormwater drainage would be less than significant. In accordance with the requirements of the SWRCB, which administers the State's construction stormwater program, the proposed Project, which will disturb more than one acre of soil, must obtain coverage under the General Permit for Discharges of Stormwater Associated with Construction Activity (CGP). This CGP requires the preparation and implementation of a SWPPP to reduce or eliminate soil erosion. The SWPPP will identify BMPs to minimize erosion and sediment loss. Parking lots will be constructed at each of the four proposed station sites. During construction of proposed parking lots, run-off water may contain sediments that may cause environmental effects to the stormwater drainage system. The parking lots at the proposed stations will consist of an underground drainage system, which will connect to the local stormwater drainage system. Parking lots at the Hunter Park Station option, March Field/Moreno Valley Station, and South Perris Station will each have an underground detention facility for stormwater associated with the drainage system, as a means to slow the influx of stormwater into the local stormwater drainage system. A stormwater detention basin will also be constructed at the Layover Facility to facilitate this same purpose. Within the PVL corridor, there are 53 culverts of which approximately 30 would be replaced or reconstructed as part of the Project. These would be replacements or extensions of existing culverts and therefore there would be no change in the current stormwater drainage patterns. (Draft EIR, pp. 4.12-7 to 8.)

4. Water Supplies (Threshold 4.12-4): The Project would use water to comply with Fugitive Dust Rule 403 during construction. Additionally, the Project would use limited amounts of water for the Layover Facility and use limited amounts of recycled water for irrigation for landscaping and maintenance. The limited amount of water needed would make any potential impact less than significant. During construction of the PVL corridor, water trucks will supply water to the Project. The use of water trucks is required during construction to comply with Fugitive Dust Rule 403. This water will be supplied by local sources. When fully operational, the proposed Project would require limited water supplies for landscape irrigation, an office for approximately 70 employees at the Layover Facility, and maintenance requirements. The proposed stations and Layover Facility would be landscaped using drought tolerant and low water demand plants. The irrigation systems at each of the proposed stations and Layover Facility would use recycled water from the local water providers. The Layover Facility will connect to an existing EMWD waterline for potable water near Case Road, which is adjacent to the site. (Draft EIR, p. 4.12-8.)

5. Capacity of Wastewater Facilities (Threshold 4.12-5): The Project would not involve the generation of enough waste to exceed wastewater treatment capacities and thus impacts would be less than significant. During construction of the PVL, construction personnel would use rented portable restrooms and sinks, which would be transported to a wastewater treatment facility for proper treatment. The toilets and other wastewater collected on the trains

would be discharged into the wastewater sewer system at the Layover Facility and treated at the PVRWRF. In addition, the Layover Facility would provide restroom facilities for approximately 70 crew members. The volume of waste generated by the trains and Layover Facility would not exceed wastewater treatment capacities. (Draft EIR, pp. 4.12-8 to 9.)

6. Landfills (Threshold 4.12-6): The Project would generate a limited amount of solid waste and would not rely on landfills to dispose of such waste and thus impacts would be less than significant. The Project will rehabilitate the existing rail, create a new by-pass track, and build new stations and a Layover Facility. This work will generate limited solid waste because the rail and ties that will be removed will be reused within the overall rail system and not disposed of in a landfill. The remaining work will be new construction which will generate used concrete forms and other waste. Limited amounts of solid waste would be generated by employees at the Layover Facility, train passengers and personnel, and maintenance personnel for the PVL. Although limited amounts of solid waste are anticipated during operation of the PVL, recycling programs developed by the cities of Riverside and Perris would be implemented at the proposed stations, and Layover Facility. (Draft EIR, p. 4.12-9.)

7. Solid Waste (Threshold 4.12-7): The Project would comply with federal, state, and local statutes and regulations related to solid waste, which includes recycling programs developed by the cities of Riverside and Perris, and thus impacts would be less than significant. During construction, small quantities of non-recyclable solid waste, in the form of construction waste and other debris will be generated by the Project. This material would be recycled and reused to the full extent practicable. Any remaining material would be disposed of at an approved Class III landfill in compliance with applicable rules and regulations. This includes the California Integrated Waste Management Act requirements for municipalities to divert 50% of their solid waste to recycling facilities by 2000. During the operation and maintenance of the PVL, very small quantities of solid waste (miscellaneous litter and debris from the trains), proposed stations, and Layover Facility would be disposed at a Class III landfill in compliance with applicable rules and regulations. (Draft EIR, p. 4.12-9.)

M. Minerals, Population & Housing, Public Services, and Recreation Resources

As set forth in Section 6.0 the EIR and the Notice of Preparation/Initial Study prepared for the Project, the Project will not result in any potentially significant impacts under any of the thresholds of significance applicable to Minerals, Population & Housing, Public Services, or Recreational resources. Accordingly, and as permitted State CEQA Guidelines section 15128, Section 6.0 of the EIR provides a "statement briefly indicating the reasons that [these resource areas] were therefore not discussed in detail in the EIR." Nonetheless, the Notice of Preparation/Initial Study, the EIR, and other evidence in the administrative record as a whole provide substantial evidence supporting the Commission's finding as to these resource areas.

SECTION 3

FINDINGS REGARDING ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS THAN SIGNIFICANT

The Commission hereby finds that the following environmental impacts identified in the EIR are potentially significant but can be mitigated to a less than significant level through the

imposition of feasible mitigation measures set forth in the Mitigation Monitoring and Reporting Program. The potentially significant impacts and the Mitigation Measures that will reduce those impacts to a less than significant level are as follows:

A. Aesthetics

1. **Light and Glare (Threshold 4.1-4):** The proposed Project would result in construction activities along the Project alignment that would generate light and glare.

Finding: The Mitigation Measure outlined below would reduce to a less than significant level the Project's generation of light and glare during construction. The Mitigation Measure reflects a change or alteration that the Commission has required, or incorporated into, the Project which would avoid or substantially lessen the potentially significant impact of generating light and glare during construction as identified in the EIR. (State CEQA Guidelines § 15091(a)(1).)

Mitigation Measure: Implementation of Mitigation Measure AS-1 in the Mitigation Monitoring and Reporting Program would reduce this impact to a less than significant level. According to Mitigation Measure AS-1, in order to limit light spill over into residential areas during construction, light attenuating barriers or directed lighting will be used.

AS-1: To minimize light spill over into residential areas during construction, light attenuating barriers or directed lighting shall be used.

Supporting Explanation: Portions of the Project would require the addition of lighting that would comply with local laws. For example, development that occurs within 45 miles of the Palomar Observatory would implicate Riverside County Ordinance 655. The proposed Citrus, Connection, bridges, towers, and landscape walls do not require lighting and thus no impact will ensue for this part of the Project. Construction activities for the SJBL alignment could require night work, which could mean a potential for light spillover. Mitigation Measure AS-1 would be implemented to reduce the potential impact to a less than significant level. Moreover, light sources from the commuter trains would be mobile and would not exceed the existing light sources in the area, and thus no potentially significant impact would arise as a result. (Draft EIR, pp. 4.1-19 to 4.1-21.)

The construction of the four stations would provide adequate lighting for safety purposes and would remain on during operational hours. After the last train of the day, the station and parking lights would cycle with half of the lights remaining on at a time. The lights at the layover facility would remain on throughout the night. If construction activities occur at night, the lights used would be in compliance with applicable ordinances. More specifically, lighting and glare from the three Hunter Park Station options would be similar to existing light sources and consistent with the light and glare continuity of the surrounding area, and thus the development of this station would not result in a potentially significant light or glare impact during the day or at night. The MorenoValley/March Field Station was already approved as part of the Meridian Specific Plan and the EIR indicated that this station option would not create a potentially significant impact regarding light and glare on the surrounding environs. The added light and glare from the Downtown Perris Station would be consistent with existing lighting sources and not result in a substantial increase in light and glare. This Station would also be required to

comply with City of Perris Ordinance Number 1051 due to the Station's proximity to the Palomar Observatory. The South Perris Station and Layover Facility would be required to comply with Riverside Ordinance 655 due to the proximity to the Palomar Observatory, and the light fixtures used would adhere to the City of Perris Ordinance 1051. The proposed facilities would not result in a substantial increase in light or glare and would not adversely affect day or nighttime views in the area. (Draft EIR, pp. 4.1-20 to 4.1-21.)

B. Biological Resources

1. Sensitive Species (Threshold 4.4-1): Portions of the Project would have a potentially significant impact on candidate, sensitive, or special status species. (Draft EIR, pp. 4.4-19 to 28.)

Finding: The Mitigation Measures outlined below would reduce the potentially significant impacts on candidate, sensitive, or special status species to less than significant levels. The Mitigation Measures reflect a change or alteration that the Commission has required, or incorporated into, the Project which would avoid or substantially lessen the potentially significant impact to sensitive species as identified in the EIR. (State CEQA Guidelines § 15091(a)(1).)

Mitigation Measures: Implementation of Mitigation Measures BR-1 through BR-17 in the Mitigation Monitoring and Reporting Program would reduce impacts to sensitive species to a less than significant level. These measures identify combination, avoidance (through appropriate construction scheduling), and habitat replacement as mechanisms for protecting biological resources. (Draft EIR, pp. 4.4-26 to 4.4-28.)

- **BR-1:** The project biologist shall prepare and conduct pre-construction training for project personnel prior to any ground disturbing activities. At a minimum, the training shall include a description of the target species of concern, its habitats, the general provisions of the ESA and the MSHCP, the need to adhere to the provision of the MSHCP, the penalties associated with violating the provisions of the ESA, the general measures that are being implemented to conserve target species of concern as they relate to the project, any provisions for wildlife movement, and the access routes to and from project site boundaries within which the project activities must be accomplished.
- **BR-2:** Equipment storage, fueling and staging areas shall be located to minimize the risks of direct drainage into riparian areas or other environmentally sensitive habitats. The project specific SWPPP shall identify appropriate construction related BMPs (such as drip pans, straw wattles, and silt fence) to control anticipated pollutants (oils, grease, etc.).
- **BR-3:** Stockpiling of materials shall be limited to disturbed areas without native vegetation, areas to be impacted by project development or in non-sensitive habitats. These staging areas shall be approved by the project biologist, and shall be located more than 500 feet from environmentally sensitive areas.

- **BR-4:** “No-fueling zones” shall be established at least 10 meters (33 feet) from drainages and fire sensitive areas.
- **BR-5:** The project biologist shall monitor construction activities at a minimum of three days per week throughout the duration of the project to ensure mitigation measures are being employed to avoid incidental disturbance of habitat and any target species of concern outside the project footprint. Construction monitoring reports shall be completed describing field conditions and construction activities. The project biologist shall be empowered to halt work activity if necessary to confer with RCTC to ensure the proper implementation of species habitat and habitat protection measures.
- **BR-6:** To avoid attracting predators that may prey upon protected species, the project site shall be kept clean of trash and debris. Food related trash items shall be disposed of in sealed containers and removed from the site with regular trash removal, at least weekly. Pets of project personnel shall not be allowed on site.
- **BR-7:** If dead or injured listed species are located, initial notification must be made within three working days, in writing to the USFWS Division of Law Enforcement in Torrance California, and by telephone and in writing to the applicable jurisdiction, Carlsbad Field Office of the USFWS, and the CDFG.
- **BR-8:** Narrow Endemic Plants have the potential to occur in the areas near the San Jacinto River. If Narrow Endemic Plants are identified 90% of the population shall be preserved, as required in the MSHCP.
- **BR-9:** There is a potential to impact western spadefoot toads with the work on the San Jacinto River Bridge and Overflow Channel Bridge. A pre-construction survey for western spadefoot toads shall be conducted prior to site disturbance to determine if western spadefoot toads are present within the designated construction area. Should western spadefoot toads be identified within the construction area, the project biologist shall prepare a relocation program that shall be approved by RCA prior to implementation.
- **BR-10:** The MSHCP requires that preconstruction surveys shall be conducted within 30 days prior to ground disturbance to avoid direct take.
- **BR-11:** If nests are identified at the billboards located on the I-215 corridor, then a project biologist shall determine if the nests are active. If the biologist determines a nest to be active, appropriate buffers shall be used until the birds have fledged and the nest shall be removed with the approval of regulatory agencies.
- **BR-12:** There is a potential for impacts to southwestern willow flycatchers in the southern area of the Box Springs Reserve. To avoid potential impacts to nesting birds, culvert work proposed for this area shall be completed outside the bird breeding season (May 15th to July 17th) [Santa Ana Watershed Association (SAWA) 2004].

- **BR-13:** There is a potential for impacts to least Bell's vireo in the southern area of Box Springs Reserve. To avoid potential impacts to nesting birds, culvert work proposed for this area shall be completed outside the bird breeding season (April 10th to July 31st) (SAWA, 2004).
- **BR-14:** The project is within the SKR Fee area. RCTC shall pay \$500 per acre to the SKR development outside the existing right-of-way. This fee shall be paid at the time of the grading permit submittal. The fee will include sites for the Citrus Connection, Hunter Park Station, South Perris, and Layover Facility (approximately 65 acres).
- **BR-15:** There is a potential for impacts to California horned lark in the area of the South Perris Station option and the Layover Facility if the agricultural fields are allowed to allow. To avoid potential impacts to nesting birds, the ground preparation work shall be conducted outside of the bird nesting season (March 1st to July 31st) (County of Santa Barbara, 2009) and maintained to ensure that no birds then use the area for nesting prior to construction.
- **BR-16:** There is a potential for impacts to the coastal California gnatcatcher within the Box Springs Canyon Reserve. To avoid potential impacts to nesting birds, culvert work proposed for this area shall be completed outside the bird breeding season (February 15th to August 30th) (SAWA, 2004).
- **BR-17:** Prior to any construction impacts to jurisdictional areas, RCTC shall obtain permit approval from the USACE, CDFG and the RWQCB. The mitigation for jurisdictional area impacts will be to purchase mitigation credits for permanent impacts at a 1:1 ratio (total of 0.085 acres) from a local mitigation bank. The temporary impacts, 0.335 acres, will be mitigated by restoration/enhancement on land owned by RCTC near or adjacent to the project area.

Additionally, as mitigation, the Commission, as a Permittee under the MSHCP, will comply with the requirements outlined in the MSHCP, including the need for a 30-day Pre-Construction Burrowing Owl Survey.

Supporting Explanation (Sensitive Plant Species):

Direct Impacts: The potential for Narrow Endemic Plant Species was identified within the identified San Jacinto River during the initial preparation of the MSHCP. Both the BNSF and SJBL are highly disturbed and no sensitive plant species were identified during habitat evaluations. The existing SJBL intersects MSHCP criteria cells, 545, 635, 721, 3276, and 3378 as shown on Figure 4.4-6. Cells 545, 635, and 721 are part of Proposed Constrained Linkage 7, which is considered a wildlife corridor south of Box Springs Park and north of the freeway. However, cells 3276 and 3378 are within Proposed Constrained Linkage 19, which is located at the San Jacinto River and the San Jacinto River Overflow Channel. Proposed Constrained Linkage 19, which in addition to important consideration as a wildlife corridor is identified as having a potential for Narrow Endemic Plant Species. Because the MSHCP identifies the area as having a potential for Narrow Endemic Plant Species, a habitat evaluation is required as well as

bloom period surveys if appropriate habitat is present. See specifically **Mitigation Measure BR-8** below. (Draft EIR, pp. 4.4-19 to 28.)

Indirect Impacts: There are no indirect impacts to sensitive plant species as a result of the Project. (Draft EIR, p. 4.4-22.)

Supporting Explanation (Sensitive Wildlife Species):

Direct Impacts: The Project is outside the SKR Core Reserve areas but is inside the fee area. Even though no SKR were found during any of the biological surveys of the Project site (Revised Habitat Assessment Report (2009)), mitigation fees will nonetheless be voluntarily paid pursuant to the SKR HCP. (See Mitigation Measure BR-14.) The Western spadefoot toad has the potential to inhabit the San Jacinto River area, near the SJBL. The Project is proposing to replace the San Jacinto River Bridge and the San Jacinto River Bridge Overflow Channel. In order to replace the two bridges, there will need to be work conducted from both within the two channels as well adjacent to the channels. Therefore there is a potential significant impact to the western spadefoot toad and mitigation, specifically **Mitigation Measure BR-9**, is required to reduce the potential significant impact to less than significant with mitigation incorporated. (Draft EIR, p. 4.4-22.)

Indirect Impacts: Through the Box Springs Mountain Reserve, and MSHCP criteria cells 545, 635, and 721, the corridor will stay in the pre-Project configuration with a single rail track. Only rehabilitation work and minor culvert improvements are anticipated within this area. The culvert work proposed for the area is minor (e.g., wing walls) and related to reducing the potential for sediment erosion near the culvert outlets. This culvert work would be subject to USACE, CDFG, and the RWQCB permitting requirements, as set forth in **Mitigation Measure BR-17**. (Draft EIR, p. 4.4-22.)

There are a variety of habitat types adjacent to the ROW within the area. The habitat types include sage scrub habitat as well as riparian habitat. Based on the potential for sensitive birds to be associated with these habitats, it is assumed that the following birds will inhabit the area; coastal California gnatcatcher, southwestern willow flycatcher and the least Bell's vireo. Therefore there is a potential to indirectly impact these birds and mitigation is required to reduce the potential significant impact to less than significant, specifically **Mitigation Measures BR-12, BR-13, BR-14, BR-16, BR-17**. (*Ibid.*)

Because of the disturbed nature of the ROW and the ongoing maintenance activities of the active rail corridors, direct impacts to burrowing owls are not anticipated. However, there is available nesting habitat for the burrowing owls adjacent to the existing ROW's. Protocol surveys for burrowing owl both within the corridor and in adjacent areas determined that there are no owls present. Since there is a potential to indirectly impact burrowing owls, mitigation is required to reduce the potential significant impact to less than significant, specifically **Mitigation Measure BR-10**. (*Ibid.*)

Supporting Explanation (Raptor Habitat, Nesting, Foraging): Within the existing BNSF and PVL rail corridors regular maintenance occurs that greatly limits the growth of any vegetation, including non-native grasslands, which would be considered foraging habitat. In the

area of the Citrus Connection, the undeveloped land is very disturbed from the proposed development activities on the site. There are non-native grasslands in this area, but the Project would only impact a small swath of non-native grassland, less than an acre, with the installation of the ballast rock, ties, and rail. This impact would not be considered significant and therefore no mitigation is required. (Draft EIR, p. 4.4-23.)

Further south, along the I-215 corridor, there are a series of large billboards located within the ROW. Within many of these billboards are raptor nests. It is assumed that the raptors from these nests utilize the larger undeveloped areas located off of the existing ROW for foraging. These billboards are planned to be relocated within the ROW, a few feet closer to the edge of the ROW. There are potential impacts to these raptors and nests and therefore mitigation is required, specifically **Mitigation Measure BR-11**. (*Ibid.*)

The station locations and Layover Facility are proposed on land that is either highly disturbed (Palmyrita, Marlborough), developed (Downtown Perris), or disturbed land (Columbia, South Perris, and the Layover Facility). Since the areas are already disturbed, there is a minor impact to raptor foraging habitat, but this impact would be less than significant and therefore no mitigation is required. (*Ibid.*)

2. Riparian Habitat (Threshold 4.4-2): There would be temporary and permanent impacts to the areas of the Project where culverts would be extended or replaced. There is sensitive and riparian habitat within the corridor associated with the culverts. (Draft EIR, p. 4.4-23.)

Finding: The Mitigation Measures outlined below would reduce temporary and permanent impacts to riparian habitat to less than significant levels. The Mitigation Measures reflect a change or alteration that the Commission has required, or incorporated into, the Project which would avoid or substantially lessen the potentially significant impacts to riparian habitat identified in the EIR. (State CEQA Guidelines § 15091(a)(1).)

Mitigation Measures: Implementation of Mitigation Measures BR-1 through BR-17, set forth above and contained in the Mitigation Monitoring and Reporting Program, would reduce impacts to sensitive species to a less than significant level. These measures identify combination, avoidance (through appropriate construction scheduling), and habitat replacement as mechanisms for protecting biological resources. (Draft EIR, pp. 4.4-26 to 4.4-28.)

Supporting Explanation: There are sensitive habitats associated with the sensitive species identified previously that are adjacent to the existing SJBL. In addition to the areas of adjacent sensitive habitat, there are very small, dislocated areas of riparian habitat, or jurisdictional areas, within the corridor that are associated with the culverts that pass beneath the track bed. These culverts allow stormwater to flow from one side of the track to the other. (Draft EIR, pp. 4.4-23 to 28.)

The Project proposes to extend or replace various culverts on the SJBL ROW. Additionally, the Project is proposing to replace the existing bridges at the San Jacinto River and the San Jacinto River Overflow Channel. During the jurisdictional evaluation of the culverts and bridge locations, there was a 50-foot study area identified surrounding each of the culverts

evaluated as identified in the Jurisdictional Determination Report (see Technical Report F). Within this study area there were federally protected wetlands identified within the ROW at only one work location. At the remaining work areas there were jurisdictional impacts identified for both USACE and CDFG. Both temporary and permanent impacts would occur, as identified in Table 4.4-3 of the Draft EIR. The permanent impacts could occur in areas where new culverts would be placed and temporary impacts would be related to areas affected by construction at the ends of the culverts and at the bridge locations. However, mitigation would reduce impacts to a less than significant level. (*Ibid.*)

A combination of measures designed at education, avoidance, and habitat replacement (where necessary) will help mitigate impacts on biological resources. Habitat replacement is necessary where permanent impacts to habitat are unavoidable such as those impacts related to the culvert improvement work along the Project corridor. Potentially jurisdictional riparian habitat has developed over the years because of local drainage being focused by the culverts. Since these areas are fragmented and not connected to either larger habitat areas or part of a natural riparian system the ecological value is low. The regulatory agencies require appropriate mitigation for jurisdiction areas prior to issuing permits for the Project, and that performance standard is set forth in the Mitigation Measures required to reduce biological impacts to less than significant levels.

3. Wetlands (Threshold 4.4-3): The Project proposes to extend or replace various culverts on the SJBL Row and is also proposing to replace the existing bridges at the San Jacinto River and the San Jacinto River Overflow Channel. Federally protected wetlands were identified at one work station within a 50 foot study area, and there were both temporary and permanent impacts that would result from the work proposed for the culverts. The permanent impacts could result where the culverts are added, and temporary impacts could occur as a result of the construction at the ends of the culverts and at the bridge locations. (Draft EIR, pp. 4.4-23 to 28.)

Finding: Mitigation Measures BR-17 would reduce temporary and permanent impacts to wetlands to less than significant levels. The Mitigation Measure reflects a change or alteration that the Commission has required, or incorporated into, the Project which would avoid or substantially lessen the potentially significant impacts to wetlands identified in the EIR. (State CEQA Guidelines § 15091(a)(1).)

Mitigation Measures: Implementation of Mitigation Measure BR-17, set forth above and contained in the Mitigation Monitoring and Reporting Program, would reduce impacts to wetlands to a less than significant level. According to BR-17, RCTC would be required to secure necessary permits from USACOE, CDFG, and RWQCB, resource agencies that will collectively ensure that all impacts to wetlands are appropriately avoided and/or mitigated through habitat replacement or otherwise. The EIR also sets forth an enforceable performance standard that sets a minimum mitigation ratio for any impacts. (Draft EIR, pp. 4.4-23 to 24, 4.4-28.)

Supporting Explanation: The Project proposes to extend or replace existing culverts on the SJBL ROW and is also proposing to replace existing bridges at the San Jacinto River and the San Jacinto River Overflow Channel. A 50-foot study area surrounding each of the culverts identified federally protected wetlands at only one work location. Both permanent (0.038 acres)

and temporary (0.145 acres) impacts to USACOE jurisdictional areas would occur as a result, but impacts would be less than significant with mitigation. (Draft EIR, pp. 4.4-23 to 24.) Similarly, both temporary (0.335 acres) and permanent (0.085 acres) impacts to CDFG jurisdictional areas would occur as a result of implementation of the project, but impacts would be less than significant with mitigation. (*Ibid.*)

A combination of measures designed at education, avoidance, and habitat replacement (where necessary) will help mitigate impacts on biological resources. Habitat replacement is necessary where permanent impacts to habitat are unavoidable such as those impacts related to the culvert improvement work along the Project corridor. According to BR-17, the performance mitigation standard for impacts to jurisdictional areas would be to purchase mitigation credits at a 1:1 ratio (total of 0.085 acres) from a local mitigation bank. The temporary impacts, 0.335 acres, will be mitigated by restoration/enhancement on land owned by RCTC near or adjacent to the project area.. Potentially jurisdictional riparian habitat has developed over the years because of local drainage being focused by the culverts. Since these areas are fragmented and not connected to either larger habitat areas or part of a natural riparian system the ecological value is low. The regulatory agencies require appropriate mitigation for jurisdiction areas prior to issuing permits for the Project, and that performance standard is set forth in the Mitigation Measures required to reduce biological impacts to less than significant levels. (*Ibid.*)

C. Cultural Resources

1. **Historical Resource (Threshold 4.5-1):**

Finding: The Mitigation Measures outlined below would reduce temporary and permanent impacts to historic resources to less than significant levels. The Mitigation Measures reflect a change or alteration that the Commission has required, or incorporated into, the Project to avoid or substantially lessen the potentially significant impacts to historic resources identified in the EIR. (State CEQA Guidelines § 15091(a)(1).)

Mitigation Measures: Implementation of Mitigation Measures CR-1, CR-2 and CR-4 set forth in the Mitigation Monitoring and Reporting Program would reduce impacts to historic resources to less than significant levels.

- **CR-1:** A qualified archaeologist and Native American monitor shall monitor ground disturbing construction activities between MP 3.50 and 4.50, and between MP 5.60 and 6.50. These monitors shall have the authority to temporarily halt or divert construction equipment to examine potential resources, assess significance, and offer recommendations for the procedures deemed appropriate to either further investigate or mitigate any adverse impacts. CA-RIV-2384, CA-RIV-4497/H and AE-CB-2 sites shall be avoided during project construction through the establishment of ESA and delineated by exclusionary fencing.
- **CR-2:** Replacement of four wood box culverts (MP 1.60, 5.30, 6.11 and 18.10) and two bridges (MP 20.70 and 20.80) along the SJBL alignment shall be mitigated by detailed documentation according to Historic American Buildings Survey/Historic American Engineering Record/Historic America Landscape Survey standards.

- **CR-4:** In the event cultural or paleontological resources are encountered during construction, ground-disturbing activity will cease in the immediate area. A qualified archaeologist (cultural resources) and/or paleontologist (paleontological resources) shall be retained to examine the materials encountered, assess significance, and recommend a course of action to further investigate and/or mitigate adverse impacts to those resources that have been encountered

Supporting Explanation: No cultural resources were identified near the Citrus Connection; however, sediments within the Citrus Connection are of Holocene age and thus Mitigation Measure CR-1 would be required to reduce construction impacts to a less than significant level. (Draft EIR, pp. 4.5-10 to 15.)

Five cultural resources were identified near the SJBL alignment. The SJBL Railroad is considered eligible for listing on the CRGR Criterion 1. The first of the three contributing segments of the SJBL Railroad within the PVL corridor is located in the City of Riverside from Marlborough Avenue south of Spruce Street. The second contributing segment is located in the city of Riverside from Gernert Road south to the Box Springs Overpass, while the third contributing segment is located in the city of Perris from the "D" Street off ramp of I-215 southeast along Case Road. These three segments retain integrity of location, setting, design, and workmanship, and are therefore considered to be contributing components to the larger SJBL Railroad. These three segments contain tracks, wood box culverts, and bridges. Since the proposed PVL Project will not modify the setting and engineering of the tracks, and the double track will not be constructed at these locations, the Project will have no significant effect on this portion of the SJBL Railroad. However, four wood box culverts (MP 1.60, 5.30, 6.11, and 18.10) and two bridges (MP 20.70 and 20.80) are unique in their construction and are an integral part of the segments of the SJBL that retain integrity. Mitigation Measure CR-2 is required to reduce construction impacts to a less than significant level. (*Ibid.*)

Proposed development in the areas of CA-RIV-2384 and CA-RIV-4497/H involves upgrading the existing tracks, which would not impact the features of the site, and thus the construction, operation, and maintenance of the SJBL alignment at these locations would not have a potentially significant impact and no mitigation is required. The distance separating AE-CB-2 from the SJBL alignment (over 52 feet) means that the construction, operation, and maintenance of the SJBL alignment will not have a potentially significant impact on this site. CA-RIV-805, a prehistoric site, which according to geological sources contains Holocene and thus holds the potential for buried cultural deposits, was tested and the testing concluded that no intact buried deposits are present and that surface artifacts represent the only remnants of the site. The site is therefore not eligible for CRHR and no impacts will result. (*Ibid.*)

No historical resources were identified near to the Hunter Park Station options. Nor were any such resources identified near to the proposed Moreno Valley/March Field Station, and this Station was already the subject of the Specific Plan for the Meridian Business Center, which also determined that there were no impacts here. No historical resources were identified at the South Perris Station and the Layover Facility. However, sediments in this area are of Holocene age and thus Mitigation Measure CR-1 is required to reduce potential impacts to less than significant levels. No historical resources were identified near the vicinity of the six radio control towers

and three microwave tower sites. Nor were any such resources identified near to any of the proposed landscape walls. (*Ibid.*)

One historical resource was identified near the proposed Downtown Perris Station, which is the Perris Depot—currently listed on the NRHP under Criteria A and C. It is located east of the SJBL ROW and outside of the construction footprint for the Downtown Perris Station. The platform for the proposed Downtown Perris Station would be at-grade, and located west of the existing rail line and north of the historic Depot. Because of this designation, construction activities of the Downtown Perris Station have been planned to avoid altering, impairing, or diminishing any of the qualities for which the historic depot is valued. Therefore, the construction, operation, and maintenance of the proposed Downtown Perris Station will not adversely change the significance of this historical resource. (*Ibid.*)

2. Archeological Resources (Threshold 4.5-2): The proposed Project could have potentially significant impacts on archeological resources.

Finding: The Mitigation Measures outlined below would reduce potentially significant impacts to archeological resources to less than significant levels. The Mitigation Measures reflect a change or alteration that the Commission has required, or incorporated into, the Project to avoid or substantially lessen the potentially significant impacts to archeological resources identified in the EIR. (State CEQA Guidelines § 15091(a)(1).)

Mitigation Measures: Implementation of Mitigation Measures CR-1 and CR-4, set forth above and contained in the Mitigation Monitoring and Reporting Program, would reduce impacts to archeological resources to less than significant levels.

Supporting Explanation: No archaeological resources were identified in the vicinity of the proposed development sites within the PVL corridor. However, there is a potential for buried prehistoric cultural deposits that could be impacted by ground disturbing activities greater than four feet and thus **Mitigation Measure CR-1** is necessary to reduce impacts to a less than significant level. (Draft EIR, p. 4.5-13.)

3. Paleontological Resources (Threshold 4.5-3): Portions of the Project have the potential to significantly impact paleontological resources. (Draft EIR, pp. 4.5-13 to 16.)

Finding: The Mitigation Measures outline below would reduce potentially significant impacts to paleontological resources to less than significant levels. The Mitigation Measures reflect a change or alteration that the Commission has required, or incorporated into, the Project to avoid or substantially lessen the potentially significant impacts to paleontological resources identified in the EIR. (State CEQA Guidelines § 15091(a)(1).)

Mitigation Measures: Implementation of Mitigation Measures CR-3 and CR-4 set forth in the Mitigation Monitoring and Reporting Program, would reduce impacts to paleontological resources to less than significant levels.

- **CR-3:** Ground-disturbing activities shall be monitored by a qualified paleontologist at the Citrus Connection, South Perris Station and Layover Facility. The monitor shall also be present at locations where excavation is anticipated to be deeper than four

feet. The monitor shall have the authority to temporarily halt or divert construction equipment to allow for removal of specimens. The monitor shall be equipped to salvage any fossils unearthed during project construction, and shall be prepared to collect sediment samples that are likely to contain the remains of small fossil invertebrates and vertebrates.

To mitigate adverse impacts to any paleontological resources encountered during construction, recovered specimens shall be identified, prepared for permanent reservation, and curated at the San Bernardino County Natural History Museum with permanent retrievable paleontological storage. A report of findings that includes an itemized inventory of specimens shall accompany the recovered specimens for curation and storage.

Supporting Explanation: There are no unique geologic features near the PVL corridor. However, portions of the Project are sensitive for paleontological resources and there Mitigation Measure CR-3 will be required to reduce impacts to a level of insignificance. The Citrus Connection contains Holocene-age young alluvial fans, which are not significant for paleontological resources. The SJBL alignment traverses types of sediments that comprise old and very old alluvial deposits, which have been known to yield paleontological resources. The Marlborough Avenue option for the Hunter Station consists of old alluvial fan deposits, which have the potential to produce paleontological resources, although extensive grading and disturbance to native sediments make uncovering such resources unlikely, and thus there is no potential for a significant impact here. Construction activities at the Columbia Avenue and Palmyrita Avenue options include old alluvial fan deposits that may yield paleontological resources and thus Mitigation Measure C-3 is necessary. The Moreno Valley/March Field Station, the Downtown Perris Station, and the South Perris Station and Layover Facility are also mapped as old and very old alluvial fans and thus Mitigation Measure C-3 is necessary here as well. (Draft EIR, pp. 4.5-13 to 16.)

4. Human Remains (Threshold 4.5-4): Human remains are not anticipate to be uncovered during site preparation or construction. However, in the event that human remains are unearthed, potentially significant impacts could occur. (Draft EIR, pp. 4.4-15 to 16.)

Finding: The Mitigation Measures outlined below would reduce potentially significant impacts to human remains to less than significant levels. The Mitigation Measures reflect a change or alteration that the Commission has required, or incorporated into, the Project to avoid or substantially lessen the potentially significant impacts to human remains identified in the EIR. (State CEQA Guidelines § 15091(a)(1).)

Mitigation Measure: Implementation of Mitigation Measure CR-5 set forth in the Mitigation Monitoring and Reporting Program would reduce impacts to human remains to less than significant levels.

- **CR-5:** In the event that unanticipated discovery of human remains occurs during project construction, the procedures outlined in §15064.5(e) of the State CEQA Guidelines shall be strictly followed. These procedures specify that upon discovery, no further excavation or disturbance of the site or any nearby area reasonably

suspected to overlie adjacent human remains can occur. The county coroner must be contacted to determine if the remains are Native American. If the remains are determined to be Native American, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC shall identify the Most Likely Descendent (MLD). The MLD shall make recommendations for the appropriate treatment and disposition of the remains and any associated grave goods in accordance with PRC §5097.98.

Supporting Explanation: The Project is not expected to disturb any human remains and thus no impacts are anticipated, but if human remains are uncovered, then Mitigation Measure CR-5 will be followed. (Draft EIR, pp. 4.4-15 to 16.)

D. Hazardous And Hazardous Materials

1. Hazardous Materials Sites (Threshold 4.7-4): Portions of the Project area may involve soil that could have a potentially significant impact related to the existence of hazardous materials.

Finding: Mitigation Measures outlined below would reduce potentially significant impacts involving soil that may contain hazardous materials to less than significant levels. The Mitigation Measures reflect a change or alteration that the Commission has required, or incorporated into, the Project to avoid or substantially lessen the potentially significant impacts associated with soil that may contain hazardous materials identified in the EIR. (State CEQA Guidelines § 15091(a)(1).)

Mitigation Measures: Implementation of Mitigation Measures HHM-1 and, if necessary, HHM-2 set forth in the Mitigation Monitoring and Reporting Program would reduce impacts associated with soil that may contain hazardous materials to less than significant levels. (Draft EIR, p. 4.7-14.)

- **HHM-1:** Soil contamination is suspected at the following locations:
 - 6400 Fischer Road, Riverside – diesel AST release
 - 13260 Highway 215, Riverside – gasoline UST release
 - 2 South D Street, Perris – gasoline UST release
 - 24 D Street, Perris – gasoline UST release
 - 101 and 102 South D Street, Perris – gasoline UST release and waste oil release
 - 210 West San Jacinto Avenue, Perris – gasoline and diesel UST release

Prior to construction, soil characterization shall occur and includes sampling and analysis, and drilling shall be coordinated with and under the guidance of the Riverside County Department of Environmental Health. RCTC shall contract with a

qualified environmental consultant to determine if the soil has been sampled, characterized and disposed of properly according to state and federal regulations.

- **HHM-2:** If the Palmyrita Avenue site is selected for the Hunter Park Station, but is not properly remediated prior to acquisition, RCTC shall require the responsible party to remove and remediate hazardous conditions and materials pursuant to the requirements of the local, state, and federal regulations. If, prior to acquisition, the current property owner does not complete proper remediation, the Commission shall perform the remediation in accordance with a Health and Safety Plan, and in accordance with the required protocols for the removal and disposal of hazardous materials. Because of the potential for soil contamination, sampling and disposal plans shall be implemented prior to Pre-Construction according to a site-specific hazardous materials investigation work plan.

Supporting Explanation: The HMCS has identified locations of potential environmental concern within and adjacent to the PVL corridor, which are set forth in Figure 4.7-1 of the EIR and discussed below. (Draft EIR, p. 4.7-14.)

The Citrus Connection and selected Hunter Park Station options at Palmyrita and Marlborough were historically used for agricultural purposes. Therefore, it is possible that increased amounts of pesticides and/or herbicides are present at these sites. Soil excavation activities are proposed to take place at this site prior to the construction phase of the Project and, as such, there may be hazards related to the soil for construction workers and the environment. Mitigation Measure HM-2 will be implemented, to the extent necessary, if the Palmyrita Avenue site is selected for the Hunter Park Station to reduce potentially significant impacts to a less than significant level. (*Ibid.*)

According to the EDR contained in the HMCS, approximately 75 gallons of diesel were released onto the railroad tracks during an automobile accident in 2001, to the south of Fair Isle Drive. It is possible that residual diesel is currently present on the railroad tracks. Since track rehabilitation is proposed for this segment, soil would not be disturbed or excavated, and therefore, the health and safety of the construction workers would not be affected. The health and safety of the general public and railroad workers would not be affected during the operation and maintenance of the PVL. Therefore, there would be no impacts from the release by the implementation of the Project. (*Ibid.*)

A number of properties adjacent to the PVL corridor were identified as locations subject to unauthorized releases of substances from USTs and ASTs. The EDR records indicate that the releases may have impacted soil and groundwater. These releases may have an adverse effect to workers during excavation and dewatering activities in the construction phase. The following sites may have negative effects to the health and safety of construction workers during construction activities of the Project, due to the proposed disturbance or excavation of soil within the PVL corridor: 6400 Fischer Road, Riverside (diesel AST release); 13260 Highway 215, Riverside (gasoline UST release); 2 South D Street, Perris (gasoline UST release); 24 D Street, Perris (gasoline UST release); 101 and 102 South D Street, Perris (gasoline UST release and waste oil release); 210 West San Jacinto Avenue, Perris (gasoline and diesel UST release). (*Ibid.*)

The potential for soil contamination at the sites discussed herein requires implementation of Mitigation Measure HHM-1, which requires soil sampling to allow for soil characterization to ensure it is properly handled to mitigate impacts to a level of insignificance. (*Ibid.*)

2. Emergency Evacuation Plan (Threshold 4.7-7): The Project will require temporary re-routing of emergency response routes to avoid street closures.

Finding: The Mitigation Measure outlined below would reduce potentially significant impacts from the temporary re-routing of emergency response routes to less than significant levels. The Mitigation Measures reflect a change or alteration that the Commission has required, or incorporated into, the Project to avoid or substantially lessen the potentially significant impacts associated with temporary re-routing of emergency response identified in the EIR. (State CEQA Guidelines § 15091(a)(1).)

Mitigation Measure: Implementation of Mitigation Measure HHM-3 set forth in the Mitigation Monitoring and Reporting Program would reduce impacts associated with the temporary re-routing of emergency response routes to less than significant levels.

- **HHM-3:** Prior to construction, RCTC shall prepare a traffic management plan. The traffic management plan shall be prepared in consultation with local jurisdictions to determine detour routes, length and timing of any closures, temporary access routes, signage, coordination with police and fire departments regarding changes in emergency access routes. An additional component of the plan shall be coordinating with local emergency response agencies to identify emergency evacuation routes in the event of a wildland fire near PVL facilities. This plan is intended to cover the requirements of Mitigation Measure HHM-4 and TP-6.

Supporting Explanation: During construction activities, the proposed Project will require temporary re-routing of emergency response routes to avoid street closures. However, prior to construction, local emergency services for the Project so that alternative travel routes can be identified prior to the road closure. Routine operation and maintenance of the PVL corridor would not interfere with emergency response or evacuation plans and Mitigation Measure HHM-3 will be implemented to ensure impacts are less than significant. (Draft EIR, p. 4.7-17.)

3. Wildland Fires (Threshold 4.7-8): The proposed Project may have potentially significant impacts with regard to incidents involving wildland fires.

Finding: The Mitigation Measure outlined below would reduce potentially impacts with regard to incidents of wildland fires to less than significant levels. The Mitigation Measure reflects a change or alteration that the Commission has required, or incorporated into, the Project to avoid or substantially lessen the potentially significant impacts associated with incidents involving wildland fires identified in the EIR. (State CEQA Guidelines § 15091(a)(1).)

Mitigation Measures: Implementation of Mitigation Measure HHM-4 set forth in the Mitigation Monitoring and Reporting Program would reduce impacts associated with incidents involving wildland fires to less than significant levels.

- **HHM-4:** See Mitigation Measure HHM-3, above.

Supporting Explanation: A section of the PVL corridor, east of Mt. Vernon Avenue to the I-215/SR-60 Interchange is shown to be in a wildland area that may contain substantial forest fire risks and hazards. This area of Box Springs Mountain Reserve has been incorporated into a Wildfire Management Plan, and is under State of California responsibility for fire protection. Evacuation plans caused to be put into effect by a wildland fire may be affected during construction activities because the proposed Project will temporarily close streets or grade crossings. However, routine operation and maintenance of the Project would not interfere with daily operations at the grade crossings and streets associated with these crossings. Mitigation Measure HHM-4 will be implemented, which involves the preparation of a traffic management plan and coordination with local jurisdictions that will reduce potential impacts to emergency response or evacuation routes for wildland fires to a less than significant level. (Draft EIR, pp. 4.7-17 to 18.)

E. Noise And Vibration

1. Noise Generation (Threshold 4.10-1): The proposed Project would generate noise levels that would be potentially significant.

Finding: The Mitigation Measures outlined below would reduce potentially significant noise impacts to less than significant levels. The Mitigation Measures reflect a change or alteration that the Commission has required, or incorporated into, the Project to avoid or substantially lessen the potentially significant impacts associated with noise generation identified in the EIR. (State CEQA Guidelines § 15091(a)(1).)

Mitigation Measures: Implementation of Mitigation Measures NV-1 and NV-2 set forth in the Mitigation Monitoring and Reporting Program would reduce impacts associated with noise generation to less than significant levels.

- **NV-1:** Noise barriers shall be constructed at the following locations (based on 30% Design Drawings):
 - NB 1: 10' high and 530' long between 264+00 and 269+00
 - NB 2: 13' high and 560' long between Sta. 269+00 and Sta. 275+00
 - NB 3: 9' high and 680' long between Sta. 283+00 and Sta. 289+00
 - NB 4: 12' high and 600' long between Sta. 289+00 and Sta. 295+00
 - NB 5: 8' high and 500' long between Sta. 298+00 and Sta. 303+00
 - NB 6: 8' high and 800' long between Sta. 303+00 and Sta. 311+00
 - NB 7: 10' high and 700' long between Sta. 322+00 and Sta. 330+00
 - NB 8: 11' high and 320' long between Sta. 331+00 and Sta. 334+00
 - NB 9: 13' high and 1,100' long between Sta. 324+00 and Sta. 333+00
 - NB 10: 13' high and 210' long between Sta. 333+00 and Sta. 335+00
 - NB 11: 9' high and 300' long between Sta. 336+00 and Sta. 339+00
 - NB 12: 11' high and 300' long between Sta. 339+00 and Sta. 342+00
 - NB 13: 10' high and 400' long between Sta. 342+00 and Sta. 346+00
- **NV-2:** Based on the topography and engineering constraints at seven residential locations and St. Georges Episcopal Church (eight properties total), the use of noise

barriers will not provide adequate noise reduction. Improving the sound insulation of these properties by replacing windows facing the tracks with new sound-rated windows, as well as caulking and sealing gaps in the building envelope, eliminating operable windows and installing specially designed solid-core doors, will reduce noise to below the FTA impact criteria, and to less than significant levels. Sound insulation for eight properties shall be provided at the following locations:

- Northeast corner of the grade crossing at West Blaine Street (619 West Blaine Street)
- Northeast corner of the grade crossing at Mount Vernon Avenue (116 East Campus View Drive)
- Southwest corner of the grade crossing at Mount Vernon Avenue (first home on Mount Vernon Avenue)
- Northeast corner of the grade crossing at Citrus Street (1027 Citrus Street)
- Northeast corner of the grade crossing at Spruce Street (first two homes on Kentwood Drive)
- Southeast corner of the grade crossing at Spruce Street (first home on Glenhill Drive)
- St. Georges Episcopal Church

Supporting Explanation: Tables 4.10-p, 4.10-10, and 4.10-11 show the results from Noise and Vibration Technical Report C of the EIR for the Project, and identify the proposed mitigation and the number of decibels that the mitigation would reduce noise by. Utilizing FTA noise impact criteria, the results of the noise study indicate that both moderate and severe noise impacts would occur at several locations along the proposed PVL corridor. For the 2012 operational year, moderate impacts were predicted at 83 separate Category 2 locations along the alignment. Of these 83 impact locations, 18 were predicted to be severe. The predicted noise impacts were located in the UCR area. Noise predictions at Category 3 locations revealed moderate impacts at three locations which included St. George's Episcopal Church, Crest Community Baptist Church, and Highland Elementary School. As a result of the noise prediction analysis, Mitigation Measures NV-1 and NV-2 were identified and if implemented would eliminate anticipated noise impacts at noise sensitive properties to a less than significant level. (Draft EIR, pp. 4.10-27 to 32, 38-42.)

Trains: Under the FTA methodology, noise impacts are projected at several Category 2 land uses (residences and buildings where people normally sleep) located along the SJBL in Riverside, north of the UCR campus. The majority of the predicted impacts would be a result of the train horns being sounded by trains scheduled to pass through areas with sensitive land uses prior to 7 AM, the demarcation between nighttime and daytime in the calculation of Ldn. Noise from grade crossing warning devices would only affect homes nearby the intersection and would be minimal in comparison to the sounding of train horns. Noise impacts are projected at a total of 83 residential locations, all of which would be located in the UCR area. Impacts at 18 of the total 83 residential locations would be characterized as severe. The FTA severe impact designation is analogous to the CEQA potentially significant impact. Tables 4.10-9 and 4.10-10 present the findings of the noise analysis and its characterization for Category 2 land uses, along the length of the SJBL. (*Ibid.*)

Noise impacts are also predicted for three Category 3 buildings. In the UCR area of Riverside, these impact locations would include the school gymnasium of the Highland Elementary School, St George's Episcopal Church, and Crest Community Baptist Church. None of these impacts would be severe. No impacts on Category 3 buildings were predicted in Perris. Table 4.10-11 presents the land use Category 3 noise impact predictions. (*Ibid.*)

Stations and Parking Lots: Noise due to the operation of a train station is primarily associated with automobile traffic entering and exiting the station drop-off and parking areas. The noise analysis considered the parking lots at each of the four proposed opening year stations. The proposed station parking lots would range from approximately 440 to 880 cars. However, all noise sensitive receptors are located beyond the FTA screening distances (as shown in Appendix C of Noise and Vibration Technical Report C) for all proposed stations and parking lots. This is significant since screening distances are conservatively based on the lowest FTA threshold of impact as indicated in Chapter 4 of the FTA Guidance Manual. As a result sensitive receptors located beyond this distance would not experience noise disturbance from station or parking lot operations (see section 4.2 of the FTA Guidance Manual). Noise from station emergency generators would also not result in any impact from stations as they are not considered to be a normal operating component of the Project and would only be used in the event of an emergency (e.g, a power outage). (*Ibid.*)

Layover Facility: Trains in the vicinity of the Layover Facility in South Perris would be traveling at low rates of speed and therefore will not be significant sources of noise. In addition, the proposed Layover Facility (for overnight storage and light, routine maintenance of the trains) is located substantially further away from noise sensitive resources than 1,000 feet, the FTA noise screening distance for noise sensitive land uses with respect to noise from a Layover Facility. As a result, noise impacts related to the Layover Facility will not be significant. (*Ibid.*)

2. Groundborne Vibration and Noise (Threshold 4.10-2): The proposed Project could result in potentially significant groundborne vibration.

Finding: The Mitigation Measures outlined below would reduce potentially significant groundborne vibration and noise impacts to less than significant levels. The Mitigation Measures reflect a change or alteration that the Commission has required, or incorporated into, the Project to avoid or substantially lessen the potentially significant impacts associated with groundborne vibration and noise identified in the EIR. (State CEQA Guidelines § 15091(a)(1).)

Mitigation Measures: Implementation of Mitigation Measures NV-3 and NV-4 set forth in the Mitigation Monitoring and Reporting Program would reduce impacts associated with groundborne vibration and noise to less than significant levels.

- **NV-3: Ballast Mats:** A ballast mat consists of a rubber (such as shredded rubber tires), cork or other type of resilient elastomeric pad that is placed under the normal ballast, ties, and rail. The ballast mat shall be placed on a concrete or asphalt layer to be most effective. Ballast mats can provide 5 to 12 dB attenuation at frequencies above 25 to 30Hz.

- **NV-4: Resiliently Supported Ties (Under-Tie Pads):** This treatment consists of resilient rubber pads placed underneath concrete ties. A resiliently supported tie system consists of concrete ties supported by rubber pads. The rails are fastened directly to the concrete ties using standard rail clips.

Note: Implementation by RCTC of either one of the above described mitigation measures (NV-3 or NV-4) between Sta. 263+00 and 275+00 will eliminate the 2 VdB impact predicted in the UCR area of Riverside from train operations from the proposed Project (affecting a total of 14 homes extending approximately 1,200 feet along the eastern side of the proposed PVL alignment just south of Spruce Street and north of Hyatt Elementary School). (See Draft EIR, Section 4.10.5).

Supporting Explanation: Details of the vibration predictions are presented in the EIR in Tables 4.10-12 (residential) and 4.10-13 (residential) and 4.10-14 (institutional). (Draft EIR, pp. 4.10-32 to 35, 38-42.)

Rail Operations: Utilizing FTA vibration criteria, the results of the PVL vibration study indicate that future SCRRA/Metrolink rail vibration levels generated under the 2012 operational year would be generally in ranges below the FTA vibration impact thresholds. However, vibration impacts would occur along one residential section of the PVL corridor. Affected homes are located in the UCR area just south of Spruce Street and north of the Highland Elementary School along the eastern side of the proposed PVL alignment. A total of 14 homes extending approximately 1,200 feet along the proposed alignment would be affected. The distances between the PVL alignment and existing homes in this section range from 80 to 90 feet. Train operations from the proposed PVL Project will result in vibration impacts in the UCR area of Riverside. Mitigation measures to reduce vibration include the installation of ballast mats or resiliently supported ties (under-tie pads), as set forth in Mitigation measures NV-3 and NV-4, and will reduce impacts to a less than significant level. (*Ibid.*)

Stations, Parking Lots, & the Layover Facility: Trains in the vicinity of stations and the Layover Facility would be traveling at low rates of speed and therefore will not result in any potentially significant vibration impacts at nearby sensitive receptors. In addition, automobile parking areas would be utilized by rubber-tired vehicles. Rubber-tired vehicles do not generate vibration impacts because of the nature of tire-pavement interaction with respect to vibration impacts. Accordingly, no impacts are expected. (*Ibid.*)

3. Permanent Noise Increase (Threshold 4.10-3): Impacts related to an increase in ambient noise levels would arise from wheel squeal at certain locations of the Project. (Draft EIR, p. 4.10-36.)

Finding: The Mitigation Measures outlined below would reduce potentially significant noise impacts to less than significant levels. The Mitigation Measures reflect a change or alteration that the Commission has required, or incorporated into, the Project to avoid or substantially lessen the potentially significant impacts associated with noise generation identified in the EIR. (State CEQA Guidelines § 15091(a)(1).)

Mitigation Measures: Implementation of Mitigation Measures NV-1 and NV-2 set forth in the Mitigation Monitoring and Reporting Program would reduce impacts associated with noise generation to less than significant levels. (Draft EIR, pp. 4.10-36 to 4.10-37.)

- **NV-1:** Noise barriers shall be constructed at the following locations (based on 30% Design Drawings):
 - NB 1: 10' high and 530' long between 264+00 and 269+00
 - NB 2: 13' high and 560' long between Sta. 269+00 and Sta. 275+00
 - NB 3: 9' high and 680' long between Sta. 283+00 and Sta. 289+00
 - NB 4: 12' high and 600' long between Sta. 289+00 and Sta. 295+00
 - NB 5: 8' high and 500' long between Sta. 298+00 and Sta. 303+00
 - NB 6: 8' high and 800' long between Sta. 303+00 and Sta. 311+00
 - NB 7: 10' high and 700' long between Sta. 322+00 and Sta. 330+00
 - NB 8: 11' high and 320' long between Sta. 331+00 and Sta. 334+00
 - NB 9: 13' high and 1,100' long between Sta. 324+00 and Sta. 333+00
 - NB 10: 13' high and 210' long between Sta. 333+00 and Sta. 335+00
 - NB 11: 9' high and 300' long between Sta. 336+00 and Sta. 339+00
 - NB 12: 11' high and 300' long between Sta. 339+00 and Sta. 342+00
 - NB 13: 10' high and 400' long between Sta. 342+00 and Sta. 346+00

- **NV-2:** Based on the topography and engineering constraints at seven residential locations and St. Georges Episcopal Church (eight properties total), the use of noise barriers will not provide adequate noise reduction. Improving the sound insulation of these properties by replacing windows facing the tracks with new sound-rated windows, as well as caulking and sealing gaps in the building envelope, eliminating operable windows and installing specially designed solid-core doors, will reduce noise to below the FTA impact criteria, and to less than significant levels. Sound insulation for eight properties shall be provided at the following locations:
 - Northeast corner of the grade crossing at West Blaine Street (619 West Blaine Street)
 - Northeast corner of the grade crossing at Mount Vernon Avenue (116 East Campus View Drive)
 - Southwest corner of the grade crossing at Mount Vernon Avenue (first home on Mount Vernon Avenue)
 - Northeast corner of the grade crossing at Citrus Street (1027 Citrus Street)
 - Northeast corner of the grade crossing at Spruce Street (first two homes on Kentwood Drive)
 - Southeast corner of the grade crossing at Spruce Street (first home on Glenhill Drive)
 - St. Georges Episcopal Church

Supporting Explanation: As shown in the noise impact tables, Table 4.10-9 and Table 4.10-11, in areas near downtown Riverside, there would be no noise impacts as the dominant existing noise level source at sensitive areas near the PVL would be from the existing rail activity along the BNSF alignment. However, in the UCR campus area along the existing SJBL

alignment, there are several sensitive properties at which both moderate and severe noise impacts are predicted to occur. Permanent noise impacts associated with increased passage of trains would be mitigated through the implementation of Mitigation Measures NV-1 and NV-2. (Draft EIR, pp. 4.10-36 to 37.)

In addition to noise from train horns, locomotives and crossing bells, wheel squeal on tight radius curves (<10 times the SCRRA/MetroLink locomotive wheel base or 900 feet) can contribute to community noise levels. Table 4.10-15 of the EIR lists all short radius curves along the proposed PVL alignment. As wheel squeal noise can be significant, wayside applicators will be installed as part of Project implementation in all areas of the corridor with short radius curves. Wayside applicators apply a friction control material to the top of the rail and the gage face to reduce the metal to metal friction that causes wheel squeal. According to the Transit Cooperative Research Program – “Wheel/Rail Noise Control Manual” (Transportation Research Board, 1997) a report which was sponsored by the FTA, the use of a petroleum lubricant would reduce squeal while the use of a water lubricant would eliminate squeal. These steps taken to reduce wheel squeal from the commuter rail operations would also reduce the existing wheel squeal from BNSF freight trains, which do and would continue to operate along the SJBL. (*Ibid.*)

The only location at which the construction of new PVL rail would result in a short radius curve would be the “Citrus Connection” (P-1A). The Citrus Connection curve is also the longest curve along the entire extent of the PVL alignment. This length along with the required slower train speeds along the curve would increase the wheel squeal noise exposure time. Therefore, as requested by the FTA, an analysis of wheel squeal noise was conducted at this location. The analysis of the noise contribution from wheel squeal was conservatively performed for nearby sensitive residences. The resulting analysis indicated that the wheel squeal noise component would result in impacts to residences in the area of Transit Avenue. Predicted Project noise levels would surpass the FTA noise impact criteria by 1 dB. However, as mentioned above, it is important to note that as part of the PVL Project, the Commission will include wayside applicators on all short radius curves. These devices would therefore successfully reduce the significance of wheel squeal noise on all segments of the PVL alignment, including the “Citrus Connection” area and thus ensure no impacts result at residences along Transit Avenue. (*Ibid.*)

F. Traffic And Transportation

1. Increase Traffic (Threshold 4.11-1): The proposed Project is expected to generate increase traffic in terms of added congestion at Cactus Avenue at Old 215 (for the Moreno Valley/March Field Station), SR-74 (4th Street) at D Street (for the Downtown Perris Station), and Bonnie Drive at southbound I-215 ramps (for South Perris Station) and this increased traffic would have a potentially significant impact.

Finding: The Mitigation Measures outlined below would reduce potentially significant traffic impacts to less than significant levels. The Mitigation Measures reflect a change or alteration that the Commission has required, or incorporated into, the Project to avoid or substantially lessen the potentially significant traffic impacts identified in the EIR. (State CEQA Guidelines § 15091(a)(1).)

Mitigation Measures: Implementation of Mitigation Measures TT-1 through TT-3 set forth in the Mitigation Monitoring and Reporting Program would reduce impacts associated with the generation of new vehicle trips to less than significant levels.

- Cactus Avenue at Old 215 (for Moreno Valley/March Field Station):
 - Reduce north/southbound Old 215's maximum traffic signal green time to 15 seconds during the PM (5-6 PM) analysis hour. This would reduce delays for westbound Cactus Avenue's through movement from 249 to 116 seconds and improve the overall intersection LOS from LOS F with 146 seconds of delay to LOS E with 72 seconds of delay, while maintaining LOS C for Old 215.
- SR-74 (4th Street) at D Street (for Downtown Perris Station):
 - Reduce the maximum green time for the east/west SR-74 left-turn phase to 14 seconds during the PM (5-6PM) analysis hour. The levels of service for north and southbound D Street's through/left-turn movements and the overall intersection would be improved beyond future levels of service without the project during the PM analysis hour with this mitigation measure.
- Bonnie Drive at southbound I-215 ramps (for South Perris Station):
 - Install a new traffic signal. This would improve eastbound Bonnie Drive's right-turn movement from LOS F to LOS B during the PM (5-6PM) analysis hour and left-turn movement from LOS F to LOS C during the AM (6-7 AM) and PM analysis hours.
- RCTC shall design the above-proposed improvements, and execute agreements with the affected jurisdictions to provide funding for the installation of the signals or to install the signals in conjunction with the development of the project. With these mitigation measures in place, the significant impacts of the proposed project at the three above-mentioned intersections will be eliminated (out of the six locations where significant impacts are expected). At the remaining three locations where significant impacts are expected (San Jacinto and Redlands Avenues, SR-74 at northbound I-215 Off-Ramp, and SR-74 at Sherman Road), traffic signals are planned to be installed by other projects (unrelated to the PVL) as part of the future conditions without the project. Therefore, no mitigation measures will need to be implemented by the proposed PVL project at these intersections. However, in the event that the signalization of these three locations by other projects (unrelated to the PVL) does not occur prior to the 2012 opening year of the PVL, the installation of traffic signals at these additional locations will be incorporated as PVL project features.

Supporting Explanation:

2012 Future Conditions without the Project. The analysis of the 2012 future traffic conditions without the proposed Project serves as the baseline against which opening year impacts of the Project are compared. The future conditions without the Project include the traffic

volume increases expected due to an overall growth in traffic through and within the study area, and major approved land developments and roadway system changes scheduled to be occupied or implemented by the 2012 opening year for the PVL. (Draft EIR, pp. 4.11-12 to 16.) A generally applied background growth rate of two percent per year, resulting in an overall growth of approximately eight percent by 2012, was assumed for Hunter Park and Moreno Valley/March Field station option areas per the guidelines of the cities of Riverside and Moreno Valley. (*Ibid.*) For Downtown and South Perris station options, which are within the city of Perris, an annual background growth rate of three percent (approximately 13 percent over four years) was used, per City guidelines. (*Ibid.*)

Hunter Park Stations: Movements at the study intersections would continue to operate at acceptable levels of service, with the exception of Iowa Avenue's northbound through movement at Center Street, which would worsen from LOS E (existing) to F (future without the PVL Project) during the PM analysis hour, resulting in the overall intersection LOS to deteriorate from LOS D to E. (*Ibid.*)

Moreno Valley/March Field Station: Movements at the intersection of Alessandro Boulevard and Old 215 would continue to operate at acceptable levels. Several movements at the remaining three intersections, however, would worsen, including (*ibid.*):

- At Alessandro Boulevard and Mission Grove Parkway, westbound Alessandro and southbound Mission Grove Parkway's left-turn movements would incur additional delay within LOS E during the PM analysis hour.
- At the intersection of Cactus Avenue and southbound I-215 ramps, westbound Cactus Avenue's left-turn movement and the overall intersection would deteriorate from LOS C (existing) to F (future without the PVL Project) during the PM analysis hour.
- Westbound Cactus Avenue's through movement would worsen from LOS E to F at Old 215, and the overall intersection LOS would deteriorate from LOS D to F during the PM analysis hour.

Downtown Perris Station: The levels of service for movements would remain within acceptable limits during the AM analysis hour. However, several movements would deteriorate to poor levels of service during the PM analysis hour, including (*ibid.*):

- At Nuevo Road and Perris Boulevard, eastbound Nuevo Road's left-turn movement would deteriorate from LOS C (existing) to F (future without the PVL Project); southbound Perris Boulevard's left-turn movement would deteriorate from LOS C to E. The overall intersection LOS would deteriorate from LOS C to E.
- At SR-74 and D Street, eastbound SR-74's through/right-turn movements would deteriorate from LOS C to E. Northbound D Street's through/left-turn movements would worsen from LOS E to F, and southbound left-turn movement would deteriorate from LOS D to F. The overall intersection operations would also deteriorate from LOS C to F.

- At the intersection of SR-74 and Perris Boulevard, Perris Boulevard's eastbound left-turn movement would deteriorate from LOS C to F.
- At San Jacinto and D Street, San Jacinto Avenue's eastbound left-turn and D Street's southbound through movements would deteriorate from LOS D to F, and the overall intersection level of service would deteriorate from LOS C to E.
- At San Jacinto and Redlands Avenues, San Jacinto Avenue's westbound through/left-turn movements would deteriorate from LOS B to F. Northbound Redlands Avenue's through/left-turn and right-turn movements would deteriorate from LOS D and B to LOS F, respectively. Southbound Redlands Avenue's left-turn movement would deteriorate from LOS B to F.

South Perris Station: Most movements would continue to operate within acceptable levels of service. However, the movements that currently operate at LOS F would worsen by incurring significance increases in delay (i.e., delay increases of more than two seconds), and southbound Sherman Road at SR74 would deteriorate from LOS C to E during the PM analysis hour. (*Ibid.*)

2012 Future Conditions with the Project: Table 4.11-2 of the EIR lists the boardings and alighting passengers and Table 4.11-4 lists the auto trips by station. (Draft EIR, pp. 4.11-16 to 20.)

The assignment of vehicle trips generated by the PVL Project during the AM and PM analysis hours is presented in Traffic Technical Report D. Overall, the increases in traffic would be less than significant in relation to the existing load and capacity of the roadways at most locations (less than five percent increase). However, traffic increases would result in significant impacts in terms of added congestion at a few intersections as explained in the LOS discussion in Section 3.F.2 (below) of the Findings. (Draft EIR, p. 4.11-20.)

Grade Crossing Closures: In addition to new trips that would be generated by the Project, an increase in traffic volumes along a few roadways would also be experienced due to the closure to the public of two existing grade crossings (Poarch Road in Riverside and 6th Street in Perris). The closure of the Poarch Road crossing to the public will not significantly affect the traffic volumes in the area, but may increase traffic volumes on Gernert Road since this will be used as the primary means of access to the adjacent residential neighborhood. While this proposed change would present an inconvenience to some residents, the impact would not be significant due to the availability of alternative circulation options. Poarch Road will be accessible to emergency vehicles only. (*Ibid.*)

The closure of 6th Street would result in the diversion of east and westbound traffic (up to 35 vph per direction during the AM and PM analysis hours) to 7th Street, the closest grade crossing to remain open. The changes in traffic volumes due to this diversion would be less than significant, and are reflected in the 2012 analyses with the Project. It should be noted that in downtown Perris, as part of the Perris Multimodal Transit Facility Project (not a part of the PVL Project), grade crossings at 2nd and 5th Streets were closed in 2008. The impacts of these closures on travel patterns are already incorporated into the existing traffic network and analyses as the closures were in effect at the time the traffic data collection program was conducted. In

addition, 5th Street has been temporarily closed by the City of Perris and will be formally vacated for this Project. (*Ibid.*)

An additional set of vehicle movements that will be disallowed would occur at the northern end of Commercial Street where it terminates at its intersection with D Street and Perris Boulevard. Concerns have been expressed that vehicular turns onto and off of Commercial Street to and from D Street and across the PVL alignment could present a potential safety issue at the tracks as the turning movements involve an acute angle and can present the motorist with limited sight distance. In terms of traffic volumes, a count of vehicle movements taken in mid-November 2010 indicated that less than five vehicles travel through this intersection in any one hour during the day, and most hours show no vehicles at all using it. Thus, there would be little inconvenience to the current low volumes traveling along it, and motorists can access Commercial Street via South Perris Boulevard less than 1/4 mile south of D Street. Although this impact is less than significant, the City of Perris has nonetheless agreed to install a locked gate at the northern end of Commercial Street at D Street, which would allow access for emergency vehicles but be kept closed for all other vehicles. (*Ibid.*)

Supplemental Baseline Analysis: The RCTC provided a supplemental analysis, which utilizes a baseline of 2008 conditions. Although it is currently 2011, and no longer 2008, this supplemental analysis was primarily undertaken for informational purposes. The analysis confirms, however, that the ultimate performance of all roadways and intersections affected by the PVL project using 2008 conditions would be equal to or better than the ultimate performance of those roadways and intersections using the 2012 conditions. Accordingly, this analysis does not provide any new information of substantial importance that might otherwise require recirculation. (See State CEQA Guidelines, § 15088.5.) To the contrary, it merely clarifies and amplifies the analysis and conclusions already provided in the Draft EIR. (Final EIR at 0.2-3 to 0.2-10.)

The “Baseline” Conditions for purposes of this supplemental analysis are those conditions that existed in the Project study area as of 2008, when the NOP was published. The first traffic scenario evaluated in this EIR is the “Baseline” Conditions (2008) + Project. The Baseline Conditions (2008) + Project scenario assumes that the Project would be built instantaneously and that operations would begin in 2008. The next traffic scenario evaluated in this EIR is the No Build Conditions (2012) + Project. The No Build Conditions (2012) scenario assumes the Project is constructed and is operating without any improvements that would have been constructed between the “Baseline” Conditions (2008) and 2012. Thirdly, the EIR evaluates the Build Conditions (2012) + Project conditions. The Build Conditions (2012) + Project scenario adds predicted project impacts to the predicted 2012 conditions without the project. (Final EIR at 0.2-3 to 0.2-10.)

Because the Project introduces commuter rail service onto the existing San Jacinto Branch Line, traffic impacts are limited to the four new stations to be constructed (Hunter Park, Moreno Valley/March Field, Downtown Perris, and South Perris). The changes to traffic conditions were evaluated at all proposed stations, and the resultant air quality implications at affected local streets/intersections are based on the changes in traffic impacts for each scenario. The following analyses present each scenario and summarize the traffic and air quality changes associated with each. This is a qualitative analysis focusing on the various changes that would

be realized with each scenario (“Baseline + Project” and “No Build + Project”) and is presented below. (*Ibid.*)

For each proposed PVL station, traffic impacts under the Baseline, Baseline+Project, and No Build+Project analysis scenarios are described below. The proposed mitigation and an evaluation of the mitigation and the significance of the impacts with mitigation are also presented. (*Ibid.*)

Hunter Park Station

Baseline Scenario

Movements at the study intersections operate at LOS D or better during both the AM and PM analysis hours, with the exception of Iowa Avenue at Center Street, where the northbound Iowa Avenue through movement operates at LOS E during the PM analysis hour. (*Ibid.*)

Baseline + Project Scenario

No significant impacts would occur at the study intersections with implementation of the project for any of the three alternative station locations. (*Ibid.*)

No Build + Project Scenario

No impacts would occur at the study intersections in the vicinity of the Hunter Park Station for any of the three alternative station locations compared to 2012 conditions without the Project. (*Ibid.*)

Comparison of Baseline + Project Scenario to the No Build + Project Scenario

The PVL project would not result in any significant impacts under the Baseline+Project or the No Build Conditions+Project scenarios. (*Ibid.*)

Moreno Valley/March Field Station

Baseline Scenario

The intersection operations are at LOS D or better during both analysis hours with the following exceptions:

- At Alessandro Boulevard and Mission Grove Parkway, westbound Alessandro Boulevard and southbound Mission Grove Parkway left-turn movements operate at LOS E during the PM analysis hour.
- Westbound Cactus Avenue’s through movement at Old 215 operates at LOS E during the PM analysis hour. (*Ibid.*)

Baseline + Project Scenario

One significant impact would be expected at one study intersection with implementation of the Project:

- Cactus Avenue’s eastbound through movement at southbound I-215 ramps would worsen from Baseline LOS D conditions to Baseline+Project LOS E during the PM analysis hour.

This impact would not actually occur and deterioration in levels of service would not actually be realized as a result of the PVL project because of the substantial improvements that have been implemented by the Cactus Avenue Extension/Railroad Bridge Widening project at this location since 2008. These improvements include the widening of east and westbound Cactus Avenue from one to two through lanes, addition of eastbound right-turn storage, and prohibition of southbound through and left-turn movements, which would result in increased capacity. The increased intersection capacity and improved levels of service resulting from the improvements fully mitigate the impacts that would have otherwise resulted from the 2008+Project scenario. (*Ibid.*)

No Build + Project Scenario

A significant impact would be expected at one study intersection with implementation of the Project:

- The westbound Cactus Avenue through movement at Old 215 would experience a significant impact over 2012 conditions without the Project by incurring just above two seconds of delay within LOS F during the PM analysis hour. However, Mitigation Measure TT-1 in the DEIR (and in the Findings document below) would mitigate this impact to less than significant levels by reducing north/southbound Old 215's maximum green time to 15 seconds during the PM analysis hour.

Cactus Avenue's eastbound through movement at southbound I-215 ramps would operate at LOS C during the PM analysis hour. This is not an impact, and is cited here for informational purposes only. (*Ibid.*)

Comparison of Baseline + Project Scenario to the No Build + Project Scenario

The Baseline Condition+Project suggests an impact at a different intersection (at Cactus Avenue and I-215 Ramps) compared to No Build Conditions+Project (at Cactus Avenue at Old 215). However, this impact at the intersection of Cactus Avenue and I-215 Ramps would not actually occur, as improvements by other project initiatives (such as the Cactus Avenue Extension/Railroad Bridge Widening project, which included the widening of Cactus Avenue, and the addition of turn lanes) would mitigate the impacts that would have otherwise resulted from the PVL project and the impact at Cactus Avenue at Old 215 in the No Build Conditions+Project scenario would be mitigated by Mitigation Measure TT-1. Therefore, the PVL project would result in less than significant impacts. (*Ibid.*)

Downtown Perris Station

Baseline Scenario

Movements at the study intersections operate at LOS D or better during both the AM and PM analysis hours, with the exception of the D Street northbound shared through/left-turn movements at SR-74, which operates at LOS E during the PM, and the southbound C Street shared through/left-turn movements at SR-74, which operates at LOS F, during both the AM and PM analysis hour. (*Ibid.*)

Baseline + Project Scenario

Significant impacts would be expected at three study intersections with implementation of the Project:

- At SR-74 and D Street, the northbound D Street through/ left-turn movement would incur approximately four seconds of additional delay within LOS E during the PM analysis hour. Mitigation Measure TT-2 identified in the DEIR (and in the Findings document below) would mitigate this impact to less than significant levels by reducing the maximum green time for the east/westbound SR-74 left-turn phase to 14 seconds during the PM analysis hour.
- At San Jacinto and Redlands Avenues, northbound Redlands Avenue would deteriorate from Baseline LOS D to Baseline+Project LOS E during the PM analysis hour.

A traffic signal is planned to be installed at this location by a private developer for the Venue at Perris project (a project that is unrelated to the PVL project) as a condition of approval required by the City of Perris upon the completion of the SR-74 and I-215 Interchange Improvement project in early 2012, prior to the opening of the PVL. This signal would mitigate the impacts that would otherwise result from the PVL project; however, in the event that those improvements are not implemented by the time that the PVL project commences construction, the PVL project will install those improvements.

- At SR-74 and C Street, the northbound C Street approach would deteriorate from Baseline LOS B to Baseline+Project LOS F during the PM, and southbound C Street's shared through/ left-turn movement would incur approximately 13 and 200 seconds of delay within LOS F during the AM and PM analysis hours, respectively.

This impact would not actually occur and deterioration in levels of service due to the PVL project would not actually be realized because this intersection has been signalized and the conditions that existed in 2008 no longer exist today at this intersection. The existing traffic signal operation alleviates delays on the southbound C Street approach, allowing the intersection to accommodate the traffic volume increment added by the PVL project. (*Ibid.*)

No Build + Project Scenario

Significant impacts would be expected at two study intersections compared to 2012 conditions without the Project during the PM analysis hour:

- At SR-74 and D Street, both north and southbound D Street through/left-turn movements would incur approximately ten and 20 seconds of additional delay within LOS F, respectively. Mitigation Measure TT-2 would mitigate this impact to less than significant levels by reducing the maximum green time for the east/westbound SR-74 left-turn phase to 14 seconds during the PM analysis hour.
- At San Jacinto and Redlands Avenues, westbound San Jacinto Avenue's through/left-turn movements and northbound Redlands Avenue would incur four to eight seconds of additional delay within LOS F.

A traffic signal is planned to be installed at this location by a private developer for the Venue at Perris project (not part of the PVL project) as a condition of approval by the City of Perris upon the completion of the SR-74 and I-215 Interchange Improvement project, prior to the

opening of the PVL. This signal would mitigate the impacts that would otherwise result from the PVL project. However, if those improvements are not implemented by the time that the PVL project commences construction, then the PVL project will install those improvements. (*Ibid.*)

At SR-74 and C Street, the north and southbound C Street approaches would operate within LOS D during the AM and PM analysis hours. This is not an impact, as the intersection approaches operate within an acceptable LOS, and is cited here for informational purposes.

Comparison of Baseline + Project Scenario to the No Build + Project Scenario

The Baseline Conditions+Project suggests an additional impact (at SR-74 and C Street) compared to No Build Conditions+Project. However, this impact would not actually occur, since Baseline conditions have changed since 2008 with the signalization of this intersection, which mitigates the impacts that would have otherwise resulted from the PVL project. Therefore, the PVL project would result in less than significant impacts. (*Ibid.*)

South Perris Station

Baseline Scenario

Movements at the three study intersections operate at LOS C or better during both analysis hours with the following exceptions:

- The Bonnie Drive eastbound right-turn movement at southbound I-215 ramps operates at LOS F during the PM analysis hour.
- The Sherman Road northbound left-turn movement at SR-74 operates at LOS F during both the AM and PM analysis hours, and southbound left/right-turn movement operates at LOS F during the PM analysis hour. (*Ibid.*)

Baseline + Project Scenario

Significant impacts would be expected at two study intersections with implementation of the Project:

- Eastbound Bonnie Drive's left-turn movement at southbound I-215 ramps would deteriorate from Baseline LOS C to Baseline+Project LOS F during the AM and PM analysis hours, and the right-turn movement would worsen within LOS F by incurring approximately 164 seconds of additional delay during the PM analysis hour. Mitigation Measure TT-3 identified in the DEIR (and in the Findings document below) would mitigate this impact to less than significant levels by requiring the installation of a new traffic signal at this intersection.
- The Northbound Sherman Road left-turn movement onto SR-74 would incur approximately 35 and 75 seconds of additional delay within LOS F during the respective AM and PM analysis hours. Southbound Sherman Road would worsen within LOS F by incurring eight seconds of additional delay during the PM analysis hour.

A traffic signal is planned to be installed by the SR-74/I-215 Interchange Improvement project at this location prior to the opening of the PVL. This signal would mitigate the

impacts that would otherwise result from the PVL project. However, in the event that those improvements are not implemented by the time that the PVL project commences construction, the PVL project will install those improvements. (*Ibid.*)

No Build + Project Scenario

Significant impacts would be expected at all three study intersections compared to 2012 conditions without the Project:

- The Eastbound Bonnie Drive left-turn movement at southbound I-215 ramps would deteriorate from LOS D to F during the AM and PM analysis hours, and the right-turn movement would worsen within LOS F by incurring approximately 240 seconds of additional delay during the PM analysis hour. Mitigation Measure TT-3 would mitigate this impact to less than significant levels by requiring the installation of a new traffic signal at this intersection.
- Northbound Sherman Road's left-turn movement onto SR-74 would incur approximately 110 and 290 seconds of additional delay within LOS F during the respective AM and PM analysis hours. Southbound Sherman Road would deteriorate from LOS E to F during the AM, and worsen within LOS F by incurring 160 seconds of additional delay during the PM analysis hours.

A traffic signal planned to be installed by the SR-74/I-215 Interchange Improvement project at this location prior to the opening of the PVL. This signal would mitigate the impacts that would otherwise result from the PVL project. However, in the event that those improvements are not implemented by the time that the PVL project commences construction, the PVL project will install those improvements.

- SR-74 at northbound I-215 off-ramp would deteriorate from LOS D to E during the AM and PM analysis hours.

Improvements by the SR-74/I-215 Interchange Improvement Project at this location will be implemented prior to the opening of the PVL. These improvements would mitigate the impacts that would otherwise result from the PVL project. However, in the event that those improvements are not implemented by the time that the PVL project commences construction, the PVL project will install those improvements. (*Ibid.*)

Comparison of Baseline + Project Scenario to the No Build + Project Scenario

The No Build Conditions+Project would result in one additional impact (at SR-74 and northbound I-215) compared to the Baseline Conditions+Project. However, improvements by other project initiatives would mitigate the impacts that would have otherwise resulted from the PVL project this impact. Therefore, the PVL project would result in less than significant impacts. (*Ibid.*)

2. Exceed Level of Service (Threshold 4.11-2): The proposed Project will result in the deterioration of LOS at certain roadways and intersections.

Finding: The Mitigation Measures outlined below would reduce potentially significant level of service impacts to less than significant levels. The Mitigation Measures reflect a change or alteration that the Commission has required, or incorporated into, the Project to avoid or substantially lessen the potentially significant exceedances of level of service identified in the EIR. (State CEQA Guidelines § 15091(a)(1).)

Mitigation Measures: Implementation of Mitigation Measures TT-1 through TT-4 set forth in the Mitigation Monitoring and Reporting Program would reduce level of service impacts to less than significant levels.

- **TT-1:** Cactus Avenue at Old 215 (for Moreno Valley/March Field Station). Reduce north/southbound Old 215's maximum traffic signal green time to 15 seconds during the PM analysis hour. This would reduce delays for westbound Cactus Avenue's through movement from 244 to 119 seconds and improve the overall intersection LOS from LOS F with 152 seconds of delay to LOS E with 76 seconds of delay, while maintaining LOS C for Old 215.
- **TT-2:** SR-74 at D Street (for Downtown Perris Station). Reduce the maximum green time for the east/west SR-74 left-turn phase to 14 seconds during the PM analysis hour (5-6 PM). The levels of service for north and southbound D Street's through/left-turn movements and the overall intersection will be improved beyond future levels of service without the project during the PM analysis hour with this mitigation measure.
- **TT-3:** Bonnie Drive at southbound I-215 ramps (for South Perris Station). Install a new traffic signal. This will improve eastbound Bonnie Drive's right-turn movement from LOS F to LOS B during the PM analysis hour and left-turn movement from LOS F to LOS C during the AM and PM analysis hours.

Note: RCTC shall design the above-proposed improvements (TT-1, TT-2, TT-3), and execute agreements with the affected jurisdictions to provide funding for the installation of the signals or to install the signals in conjunction with the development of the project. With these mitigation measures in place, the significant impacts of the proposed project at the five above-mentioned intersections will be eliminated (out of the eight locations where significant impacts are expected). At the remaining three locations where significant impacts are expected (San Jacinto and Redlands Avenues, SR-74 at northbound I-215 Off-Ramp, and SR-74 at Sherman Road), traffic signals are planned to be installed by other project initiatives as part of the future condition without the project. Therefore, no mitigation measures will need to be implemented by the proposed PVL project at these intersections. However, in the event that the signalization of these three locations by other project initiatives does not occur prior to the opening year of the PVL, the installation of traffic signals at these additional locations will be incorporated as PVL project features.

- **TT-4:** RCTC shall develop a traffic management plan in consultation with local jurisdictions to minimize impacts to existing traffic levels of service. At a minimum, the traffic management plan shall address: detours; coordination with other

construction projects (if applicable); length and timing of any street closures; coordination with police and fire departments regarding changes in emergency access routes; temporary access routes and signage if any commercial properties are affected; and contact information for RCTC and its contractors.

Supporting Explanation:

Roadways and Intersections: The roadways within the PVL study areas that currently exceed the LOS standards would continue to do so under the future conditions, and operating below these standards would not in itself be considered an impact. However, deterioration in LOS caused by the Project would be considered a significant impact. The LOS analyses for the 2012 Future Conditions with the Project indicated that the majority of the study intersections would continue to operate at the same levels of service as the 2012 conditions without the PVL; however, significant traffic impacts would be expected at a number of intersections as a result of the increase in traffic volumes (due to new vehicular trips generated by the Project) as shown in Table 4.11-5 through Table 4.11-8 of the EIR. Specifically, Westbound Cactus Avenue would experience a significant impact during the PM period (see Table 4.11-6), but Mitigation Measure TT-1 would reduce the impact to a less than significant level. (Draft EIR, p. 4.11-21 to 37.) The intersection of SR-74 and D Street would incur a significant impact, but the implementation of Mitigation Measure TT-2 would reduce impacts to a less than significant level. (*Ibid.*) Also, the intersection of San Jacinto and Redlands Avenues would incur a significant impact; but, given that Caltrans will install a new operating traffic signal at this location prior to the 2012 opening year, the impacts of the Project on this intersection would be reduced to a less than significant level. (Table 4.11-9.) Eastbound Bonnie Drive's left-turn movement at southbound I-215 ramps would deteriorate, but Mitigation Measure TT-3 would reduce impacts to a less than significant level. SR-74 at the northbound I-215 off-ramp would also deteriorate; but, given that Caltrans will install a new operating traffic signal at this location prior to the 2012 opening year, the impacts of the Project on this intersection would be reduced to a less than significant level. (*Ibid.*) Additionally, the intersection of SR-74 and Sherman Road would deteriorate; but, given that Caltrans will install a new operating traffic signal at this location prior to the 2012 opening year, the impacts of the Project on this intersection would be reduced to less than significant levels. (*Ibid.*)

Grade Crossings: In addition to impacts at key intersections that would experience increases in traffic volumes as a result of Project-generated trips, the PVL could also result in impacts at grade crossings by creating additional delays to vehicles that would be stopped during periods of train movements. However, these additional delays would not be considered significant considering that the Project would operate with twelve trains per day and only one train during the peak traffic hours in 2012, and that the wait time of vehicular traffic (30 seconds for typical operations) would not be any more disruptive to traffic operations than a single red phase of a typical traffic signal cycle. The Project would make improvements at several existing grade crossings including the installation of new signals at several of them. These signals would be placed to improve safety and meet jurisdictional requirements, and would remain inactive (i.e. display a steady green signal for vehicular traffic) unless a train is detected. Therefore, no significant delays would be expected due to the installation of these new signals. (Draft EIR, p. 4.11-30.)

Construction-Related Impacts: The construction activities for the proposed PVL would result in an increase of auto and truck trips generated by construction crews, and the delivery/removal of materials to and from the construction sites. It should be noted that the delivery of construction materials and equipment, such as the rail, rail ties, ballast, and specialized track equipment, would be accomplished using the existing rail, as opposed to being delivered by truck. The volume of construction traffic would be modest given that no significant excavation would occur, and most construction-related materials deliveries would occur during non-peak hours so as to limit congestion along adjacent roads. In addition, traffic diversions would occur during partial and complete roadway and grade crossing closures. As a result, the construction activities could potentially create short-term significant traffic impacts although, due to their temporary nature, such impacts may be tolerated and the thresholds of significance during construction periods may be redefined by reviewing agencies pursuant to the traffic management plan required pursuant to the implementation of Mitigation Measure TT-4. Accordingly, the Commission will develop a traffic management plan in consultation with local jurisdictions that will contain measures proven to improve traffic levels of service and mitigate significant impacts to acceptable levels. RCTC will be responsible for the development and enforcement of this measure. (Draft EIR, pp. 4.11-32.)

Also, cut/fill estimates were examined to identify the volume of earth moved off the Project site by trucks and thus determine the estimate truck volume. The estimate yields 30 empty trucks in and 30 filled trucks out. Based on a single shift, this would indicate an average of 4 trucks in and 4 trucks out each hour, which is a very low volume of trucks and is not likely to generate any significant traffic impact. (Draft EIR, p. 4.11-32.)

SECTION 4

FINDINGS REGARDING CUMULATIVE ENVIRONMENTAL IMPACTS

Pursuant to section 15130(a) of the State CEQA Guidelines, cumulative impacts of a project shall be discussed when they are “cumulatively considerable,” as defined in section 15065(a)(3) of the State CEQA Guidelines. Cumulatively considerable “means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.” (State CEQA Guidelines § 15065(a)(3).)

Section 5.3 of the EIR assesses cumulative impacts for each applicable environmental issue, and does so to a degree that reflects each impact’s severity and likelihood of occurrence. With implementation of the Mitigation Measures set forth in the Mitigation Monitoring and Reporting Program for the Project, all of the Project’s cumulative impacts discussed in this Section 4 can be fully mitigated to a less than significant level.

A. Aesthetics

Finding: The Project would not result in a cumulatively considerable impact on aesthetics.

Supporting Explanation: Implementation of the proposed Project in conjunction with related projects within the area, would cumulatively add to the loss of vacant land and the conversion of undeveloped areas for the station sites. The station sites are relatively small in size and, when viewed in the context of the twenty-one mile rail corridor, constitute de minimus reductions in vacant land. There is lighting proposed at the four station sites along the rail corridor. During service hours the lighting is provided for security at the parking areas and boarding platforms. After hours the lighting will cycle in the parking areas so that half the lights are off at any one time. This allows for energy savings. The lighting will be an increase over existing levels, but the stations are located in areas of exiting ambient light resulting from existing commercial building, adjacent street and freeway interchange lighting, and lighting from existing industrial facilities. This small increase in ambient night lighting would not be in areas of sensitive receptors and therefore would not cumulatively contribute to a significant impact in aesthetics in relation to the identified projects. (Draft EIR, pp. 5-4 to 5.)

B. Agricultural Resources

Finding: The Project would not have a cumulative considerable impact on agricultural resources.

Supporting Explanation: The location of the proposed Stations are currently designated for development in the corresponding planning documents and thus, even if the Project does not proceed, agricultural lands will be developed regardless and thus the Project does not have a cumulatively significant impact on the loss of agricultural lands. (Draft EIR, p. 5-5.)

C. Air Quality

Finding: The Project would comply with state and regional air quality requirements, and implement BMPs (as set forth in Section 3 above and as further discussed in the Draft EIR on page 4.3-26), and cumulative impacts would be less than significant. Moreover, the Project would not induce or exacerbate any potential impacts introduced by other transit and traffic projects planned for the region. Thus, the Project does not have a cumulatively considerable impact on air quality.

Supporting Explanation: Overall, the potential for air quality impacts to be cumulatively considerable is reduced because the Project would comply with state and regional air quality requirements, which requires projects to mitigate their individual impacts to less than significant levels based on their forecasted construction schedule and levels of activity. It is assumed that concurrent projects are following the same construction BMPs or are included in the RTIP (in which the impacts of their emissions would be already accounted for in the regional burden) and thus their impacts would not be significant. Construction of the proposed Downtown Perris Station option could occur simultaneously with the construction of other proposed downtown revitalization projects, which could result in cumulative construction impacts. One of these, the Perris Multimodal Transit Facility is currently in the process of being built so there would be no potential for any cumulative impacts since it would be completed before the PVL Project. The extent of the potential impacts with other projects would depend on the location, magnitude, and duration of construction activities for each of the projects. CEQA analysis conducted for this proposed Project indicates the use of several pollution control

measures to aid in reducing emissions. However, the Project would avoid exceeding SCAQMD criteria thereby would reduce any potential for cumulative construction period impacts. It is assumed and likely that other construction projects in Perris would also be conducted with similar mitigation and control measures in place. Development projects, such as the Meridian Business Park in Moreno Valley (formerly known as March Business Center), would also be required to impose mitigation measures to address fugitive dust or exceedances of other criteria pollutants during construction. Since construction of each element of these master planned developments would also have to include mitigation measures, the overall potential for cumulative air quality impacts would be reduced. However, the Meridian Business Park would be built over the next 20 to 25 years and is unlikely to interfere with the PVL construction schedule, which would be implemented over the next two years. As such, the overall potential for cumulative impacts would be reduced. (Draft EIR, pp. 4.3-27 to 28.)

Moreover, the PVL would reduce some trip-making that now occurs via automobile, resulting in a corresponding drop in Vehicle Miles Traveled (VMT) and a concomitant improvement in air quality. The analysis of MSAT emissions indicates negligible direct emissions, and the cumulative contribution of the operations of SCRRA/Metrolink engines along the PVL would also not result in cumulative emissions impact. The proposed rail service would result in a significant decrease in CO and GHG emissions, offsetting to a very limited degree the additional VMT and GHG directly and indirectly produced within the region. Air quality impacts from construction activities are not significant. With respect to cumulative air quality impacts from construction activities along the corridor, including adjacent unrelated development projects, impacts are also not significant due to the time and distance in those projects and the expected construction of the PVL. Although the total air quality improvement is small compared to the generation of pollutants throughout the region, the introduction of commuter rail service provides an ongoing opportunity for vehicle trip reduction and air quality improvement. (Draft EIR, p. 5-4.)

As concerns the public health, higher temperatures are expected to increase the frequency, duration, and intensity of conditions conducive to air pollution formation. For example, days with weather conducive to ozone formation are projected to increase from 25 to 35 percent under the lower warming range to 75 to 85 percent under the medium warming range. In addition, if global background ozone levels increase as predicted in some scenarios, it may become impossible to meet local air quality standards. GHG emissions from the Project are almost entirely attributable to the consumption of energy, particularly fossil fuels, and the proposed Project has incorporated Project design features and programs to reduce the amount of energy used, as described above. The proposed Project also provides close proximity to a variety of alternative mass transit options that would reduce vehicular trips and their corresponding generation of GHGs. In addition to increased air pollution, under the higher warming scenario, there could be up to 100 more days per year with temperatures above 90° F in Los Angeles. Because of similar climate patterns and its proximity to Riverside County, it can be assumed that the number of high heat days in Los Angeles would be similar to Riverside County. This is a large increase over historical patterns and approximately twice the increase projected if temperatures remain within or below the lower warming range. Rising temperatures will increase the risk of death from dehydration, heat stroke/exhaustion, heart attack, stroke, and respiratory distress caused by extreme heat. (Draft EIR, p. 5-5.)

There is also a potential for construction of the PVL to overlap construction of the PVL to overlap construction of the I-215 widening and other development projects detailed above. If concurrent cumulative construction occurs, there may be the potential for construction-related impacts. However, each project is bound to comply with SCAQMD construction air quality requirements; would be generally contained and localized in nature; and would also need to provide for appropriate maintenance and protection of traffic, under the direction and authority of the approving city. Further, construction-related impacts are, by nature, localized and limited in duration; therefore, either alone or in combination these projects, in compliance with applicable regulations, would not result in cumulative construction-related impacts. (Daft EIR, p. 5-11.)

Construction of the commuter rail elements would include BMP measures required to assure that activities do not exceed SCAQMD quarterly impact thresholds. Measures to control fugitive dust would be used to avoid violation of the SCAQMD PM 10 criterion, and the proposed sequencing of construction activities would avoid violation of the NO X criterion. By compliance with these mitigation measures, the proposed project would avoid exceeding SCAQMD criteria and reduce the potential for cumulative construction period impacts. Further, traffic management plans are required, so that the overall potential for cumulative traffic impacts would be reduced. Therefore, no cumulative impacts associated with construction activities would occur. (Daft EIR, p. 5-11.)

Consequently, the PVL will not result a cumulatively considerable impact for GHG emissions.

D. Greenhouse Gas Emissions

Finding: Implementation of the proposed Project in conjunction with related projects within the area would not result in a cumulatively considerable addition to the regional air pollution and thus impacts from the Project will be less than significant.

Supporting Explanation: Construction activities associated with the proposed Project could result in temporary construction related cumulative contributions. However, all cumulative projects would be subject to required best management practices for construction, such that construction emissions would not be cumulatively significant. On an operational level, the Project will contribute to regional air emission through commuter train use, although this would be less than the corresponding personal vehicle usage. Therefore no cumulative air quality impacts would occur as the Project would occur as the Project is consistent with the Regional Air Quality Strategy (RAQS) for the region which is based on General Plan land uses, and is anticipated within the General Plans within the corridor. (Draft EIR, pp. 5-5 to 6.)

The production of energy is one of the major generators of greenhouse gases (GHGs). Therefore, energy usage by the proposed Project is a consideration in addressing Project impacts to climate change. The proposed Project is in compliance with required energy efficiency programs, and also proposes several design features that will reduce GHG emissions that could result in risks associated with climate change. The proposed Project is required to conform to Title 24, which is the California Building Code that governs all aspects of building construction. Standards mandating energy efficiency measures in new construction are included in Part 6 of the code. The Energy Efficiency Standards require mandatory measures to be installed in new

construction. These standards are designed to: (1) respond to California's energy crisis to reduce energy bills, increase energy delivery system reliability, and contribute to an improved economic condition for the state; (2) respond to the Assembly Bill (AB) 970 (Statutes of 2000) urgency legislation to adopt and implement updated and cost-effective building energy efficiency standards; (3) respond to the Senate Bill (SB) 5X (Statutes of 2001) urgency legislation to adopt energy efficiency building standards for outdoor lighting; and (4) emphasize energy efficiency measures that save energy at peak periods and seasons, improve the quality of installation of energy efficiency measures, incorporate recent publicly funded building science research, and collaborate with California utilities to incorporate results of appropriate market incentive programs for specific technologies. Accordingly, this analysis shows that pursuant to Appendix F of the State CEQA Guidelines (Energy Conservation) the proposed Project will not result in the wasteful or inefficient use of energy. (*Ibid.*)

E. Biological Resources

Finding: The Project would not result in a cumulatively considerable impact on biological resources and thus impacts would be less than significant.

Supporting Explanation: Implementation of the proposed Project, within and existing rail corridor, will not cumulatively add to the loss of vegetation communities, and common plant and wildlife species. Also, the Project would be consistent with all the policies and guidelines of the Western Riverside MSHCP. The MSHCP is a long-range conservation effort with which all future projects must be consistent. Since the proposed Project is consistent with the MSHCP, no cumulative impact to biological resources is identified. Other projects in the area would also be required to be consistent with the MSHCP and as such cumulative impacts are less than significant. (Draft EIR, pp. 5-6 to 7.)

Additionally, and as discussed above with regard to the Stephens' Kangaroo Rat Habitat Conservation Plan, the Project is located outside of the HCP's core reserves but inside the fee area. Even though no SKR were found during any of the surveys of the Project site (See Revised Habitat Assessment Report (2009)), the Project will nonetheless voluntarily pay SKR mitigation fees pursuant to the SKR HCP. Thus, there is no cumulatively considerable impact to SKR.

F. Cultural Resources

Finding: The proposed Project will not have a cumulatively considerable impact on cultural resources.

Supporting Explanation: With more development in the County, there is an increased possibility of encountering historical, archaeological, and/or paleontological resources. However, the implementation of Mitigation Measures CR1- CR4 would be implemented for the Project. Through recordation and curation of resources to provide the public and historians the opportunity to review these resources, the proposed Project and other development in the area would not result in a cumulatively significant impact. (Draft EIR, p. 5-6.)

G. Geology And Soils

Finding: The PVL Project, in conjunction with past, present, and reasonably foreseeable future projects, would not contribute to a cumulatively considerable impact to geology and/or soils, as all impacts are site specific.

Supporting Explanation: Although Project-level impacts may be considered significant and/or potentially significant for this or other projects, these impacts would be mitigated on a Project specific basis to below a level of significance. Therefore, the PVL Project would not contribute to a cumulative impact to geology or soils. (Draft EIR, p. 5-7.)

H. Hazards And Hazardous Materials

Finding: Implementation of the proposed Project in conjunction with other development in the area would not result in a cumulatively considerable impact for hazardous materials since all future developments in the area would be subject to the same local, regional, state, and federal regulations.

Supporting Explanation: Applicable regulations require individual site evaluation and clean up, and therefore would not contribute cumulatively. As with the proposed Project, environmental review would be required for future projects and compliance with County of Riverside Department of Environmental Health regulations would be necessary. Therefore, the proposed Project would result in a less than significant cumulative impact. (Draft EIR, p. 5-7.)

I. Hydrology and Water Quality

Finding: The proposed Project, in conjunction with past, present, and reasonably foreseeable future projects will not result in a cumulatively considerable impact to hydrology or water quality.

Supporting Explanation: The EPA requires projects indicate a “no-rise” in flood elevations resulting from the Project development (whether one or all on the list) within the flood hazard zone, thus no impacts to hydrology. Additionally all projects in RWQCB Region 8 are required to meet the current stormwater permit requirements. These permit requirements include BMP provisions that ensure no cumulative water quality impacts. (Draft EIR, pp. 5-7 to 8.)

Under the higher warming scenario discussed under the GHG section, above, it is anticipated for sea level to rise 4 to 30 inches in southern California by 2100. In general, sea level elevation change of this magnitude would inundate coastal areas with salt water, accelerate coastal erosion, threaten vital levees and inland water systems, and disrupt wetlands and natural habitats. (*Ibid.*)

Changes in climate would increase the risk of flooding and erosion from sea level rise or changes in precipitation, creating different drainage needs. The proposed Project is not at risk of flooding as a result of sea level rise; however, localized flooding does occur along the San Jacinto River and could increase in the future because of a change in precipitation. (*Ibid.*)

Changes in precipitation will alter the sources of water that currently serve southern California. A network of man-made reservoirs and aqueducts capture and transport water throughout the state from northern California rivers and the Colorado River to southern California. The current distribution system relies on the Sierra Nevada mountain snowpack to supply water during the dry spring and summer months. Rising temperatures, potentially compounded by decreases in precipitation, could severely reduce spring snowpack, increasing the risk of summer water shortages. (*Ibid.*)

If GHG emissions continue unabated, more precipitation will fall as rain instead of snow, and the snow that does fall will melt earlier, reducing the Sierra Nevada spring snowpack by as much as 70 to 90 percent. Under the lower warming scenario, snowpack losses are expected to be only half as large as those expected if temperatures were to rise to the higher warming range. How much snowpack will be lost depends in part on future precipitation patterns, the projections for which remain uncertain. However, even under the wetter climate projections, the loss of snowpack would pose challenges to water supply managers, hamper hydropower generation, and nearly eliminate all skiing and other snow-related recreational activities. The state's water supplies are also at risk from rising sea levels. An influx of saltwater would degrade California's estuaries, wetlands, and groundwater aquifers. Saltwater intrusion caused by rising sea levels is a major threat to the quality and reliability of water within the southern edge of the Sacramento/San Joaquin River Delta- a major state fresh water supply. (*Ibid.*) Ultimately, however, and as discussed previously, the project will not result in any cumulatively considerable GHG impacts. Thus, any impacts are less than significant.

J. Land Use and Planning

Finding: The Project will not generate cumulative considerable impacts with respect to land use and zoning.

Supporting Explanation: Riverside County has adopted the RCIP General Plan to coordinate various aspects of the long-range planning process. As a part of this effort three plans have been created, including the MSHCP, the CETAP, and a Riverside County General Plan. The General Plan is designed to direct future land use decisions throughout Riverside County. It would combine the MSHCP and the CETAP recommendations along with land use, safety, noise, housing, and air quality guidelines. The plan advocates the extension of the Riverside rail service corridor along the SJBL. (Draft EIR, pp. 5-8 to 9.)

The overall growth of Riverside County and individual communities is driven by market forces, employment, the cost of housing, and availability of land. The location, types and amounts of development are directed and shaped by local jurisdictions through their land use powers. The PVL is contemplated in the land use elements of the Perris and Riverside General Plans, as well as the County's General Plan; as such, the introduction of commuter rail service may have an influence on the types and timing of development, allowing local jurisdictions to develop more transit-oriented development as part of specific area plans. The PVL will accommodate existing transportation demand that exists within the I-215/SJBL alignment, and so, from a cumulative impact perspective, the proposed commuter rail service would not generate any new development. Further, the UCR Long Range Development Plan, Perris

Downtown Improvements, March Lifecare Village, various planned business parks and retail centers, and transit and traffic improvements would not be affected by the PVL. (*Ibid.*)

K. Noise

Finding: Construction and operational noise impacts will not be cumulatively considerable and thus the Project's cumulative noise impacts are less than significant.

Supporting Explanation: Implementation of the PVL Project, in conjunction with cumulative projects identified would incrementally increase noise levels in the region. During construction of the PVL Project and cumulative projects, no cumulative construction noise impact would occur because construction activities would not be concurrent and in proximity to the PVL Project. Therefore, construction noise from the PVL Project and cumulative projects would not accumulate to result in a significant cumulative construction impact. During operation of the PVL Project the permanent increase in ambient noise is not considered substantial because it is less than 3.0 dBA. (Draft EIR, p. 5-9.)

L. Utilities And Service Systems

Finding: Development of the Project, in conjunction with other past, present, or reasonably foreseeable future projects will not result in a cumulatively considerable impact to utilities and service systems.

Supporting Explanation: As part of the engineering design for the Project, capacity for utilities and service systems is analyzed in conjunction with the service provider to ensure adequate capacity for both this Project as well as other projects related to the capacity of the overall systems. (Draft EIR, p. 5-9.)

M. Transportation And Traffic

Finding: The Project would not result in a cumulatively considerable impact on traffic when considered in connection with other transportation projects planned for the region and thus the cumulative impact would be less than significant.

Supporting Explanation: Other transportation projects are expected to be complete by 2012, with the effect of accommodating anticipated development and addressing select traffic flow problems that currently exist. The traffic analyses conducted for the PVL included these projects and concluded that no unmitigable significant adverse impacts to traffic and parking would result from the PVL. Consequently, the introduction of the PVL would neither improve nor deteriorate the effectiveness of these other transportation projects. Further, the Project could create a cumulative benefit through small improvements to regional traffic flow. The diversion of vehicle trips to PVL ridership would result in a measurable reduction in VMT. This improved traffic flow, however, may not be represented as a net improvement to LOS along the regional arteries. Overall, the PVL may result in beneficial cumulative impacts, including improved mobility and access for residents, workers and visitors, support of economic and community development in the region. (Draft EIR, p. 5-11.)

SECTION 5
FINDINGS REGARDING
SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

In accordance with State CEQA Guidelines §15126.2(c), an EIR must identify any significant irreversible environmental changes that would be caused by the proposed Project. For example, the use of nonrenewable resources, particularly mineral resources or land, either for construction or operations, may comprise an irreversible and irretrievable commitment of resources, though the significance could vary, given the circumstances of the Project under review. Commitments of resources could be current, as well as future, the latter potentially associated with growth-inducing impacts, below. Construction and operation of the PVL would contribute to the depletion of resources, including renewable and non-renewable resources. Resources such as timber used in the construction of stations and other buildings, are generally considered renewable resources, and would be replenished over the lifetime of the Project. Renewable resources would not be considered irreversibly or irretrievably committed. Non-renewable resources, however, such as diesel fuel, petroleum products, steel, concrete, copper, and other materials are typically considered to be in finite supply, and would not be replenished over the lifetime of the Project. (Draft EIR, pp. 5-1 to 2.)

As the PVL would be developed within an existing rail corridor, the commitment of land resources to the use has already been made historically, and the PVL would not require the commitment of similar resources elsewhere. Further, some existing track would be rehabilitated and reused, thus accounting for a reduction in the amount of steel from the amount typically required of a similar rail project. At the same time, by introducing new track and a revised line configuration, the PVL would ensure the continued usefulness of the historic commitments of existing rails, sidings and the warehousing properties they serve to which resources are already historically committed. (*Ibid.*)

The general demand for some of the resources listed above will increase whether or not the PVL is developed. The PVL Project would use less than the typical amount of steel required for a similar sized rail project. (*Ibid.*)

Further, as the PVL is introduced to the region as a new mode of transportation, there would be a corresponding reduction in the number of automobile trips made in the region. Although the PVL would rely on petroleum resources to operate, it would result in a comparable or greater reduction in petroleum resources than would otherwise be utilized in the operation of automobiles driven without the PVL Project. (*Ibid.*)

Other demands for energy, as associated with the PVL, would be related to the basic operations of stations and facilities, and to the greater extent, the electrical draw for parking lot lighting. While these energy demands in the form of electricity generated from natural gas, would constitute a commitment of nonrenewable resources, the PVL would not contribute to a significant increase in the rate of natural gas depletion. Moreover, the energy needs of the PVL would be met by the available market energy, and so it is reasonable to conclude that energy not utilized for the PVL would be available for use by others. (*Ibid.*)

The commitments of non-renewable resources to the construction and operation of the PVL would not be considered significant. Similar non-renewable resources demand would otherwise occur without the PVL and in some cases would comprise a net decrease in the use of nonrenewable resources. It is inherent to the public service nature of the PVL, that such commitment of resources would constitute investments directed toward the benefit of the public, as well as the prevention of environmental impacts that could otherwise be associated with automobile pollution and additional highway construction and expansion. (*Ibid.*)

SECTION 6

FINDINGS REGARDING GROWTH-INDUCING IMPACTS

State CEQA Guidelines §15126.2(d) requires a discussion of the potential growth-inducing impacts of a project. This discussion addresses how implementation of the Project would foster economic or population growth, or the construction of additional housing, either directly or indirectly upon the surrounding environment. (Draft EIR, p. 5-2.)

The PVL constitutes the introduction of new infrastructure and services aimed at providing a new mode of access between existing origin and destination points along the I-215/SJBL corridor. It would not introduce new access to an area that was previously vacant or undeveloped, or remove access barriers. The PVL is contemplated as a new mode of transportation to serve populations already present in Riverside County, and accommodates the projected future population anticipated by regional and city plans. (*Ibid.*)

Although the Project is intended to reduce congestion on highways, this benefit does not rise to the level of removing an access barrier to growth. Accordingly, the Project does not directly induce growth through the provision of housing or expansion of water infrastructure, and neither does it indirectly induce growth by removing an access barrier. To the contrary, the Project is merely intended to partially address existing and anticipated growth that would occur even without the Project. As such, the Project has a less than significant impact on growth. (*Ibid.*)

SECTION 7

RESOLUTION REGARDING ALTERNATIVES

A. Background

Section 15126.6 of the State CEQA Guidelines requires EIRs to consider and discuss alternatives to the proposed actions. Subsection (a) states:

- (a) An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public

participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

Subsection 15126.6(b) states the purpose of the alternatives analysis:

- (b) Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

In Subsection 15126.6(c), the State CEQA Guidelines describe the selection process for a range of reasonable alternatives:

- (c) The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic Project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.

The range of alternatives required is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed Project. Alternatives are limited to ones that would avoid or substantially lessen any of the significant effects of the Project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the Project.

However, when significant impacts can be mitigated by the adoption of mitigation measures, the lead agency has no obligation to consider the feasibility of alternatives with respect to that impact in its findings, even if the alternative would mitigate the impact to a greater degree than the proposed project. (Pub. Resources Code, § 21002; Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692, 730-731; Laurel Heights Improvement Association v. Regents of the University of California (1988) 47 Cal.3d 376, 400-403; Laurel

Hills Homeowners Association v. City Council (1978) 83 Cal.App.3d 515, 521.) The Commission has adopted mitigation measures to avoid all potentially significant environmental impacts identified in the EIR. Accordingly, the Project will not result in any significant and unavoidable environmental impacts. Nonetheless, a full analysis of potentially feasible alternatives is provided below.

The proposed Project seeks to achieve the following key goals and objectives:

Goal 1 – Improve the Transportation System with Alternative Travel Choices:

Objectives

- To establish and expand the regional transit network within and beyond the study corridor.
- To improve the attractiveness of public transit as a commuter alternative to the automobile, by making it available, reliable and convenient to use.
- To reduce highway congestion in the corridor.
- To promote a seamless regional transit system.

Goal 2 – Promote Community/Transit Oriented Development:

Objectives

- To strengthen the older urban communities as centers of economic opportunity.
- To broaden the range and availability of public transportation alternatives between the various urban areas along the corridor for a variety of trip purposes.
- To encourage transit-friendly communities, at higher densities.
- To foster transit-oriented development around transit stations.
- To provide improved mobility opportunities to the transit dependent.

Goal 3 – Minimize Adverse Environmental Impacts:

Objectives

- To help reduce residential, commercial, and industrial “sprawl” development.
- To conform to the State Implementation Plan as required by the Clean Air Act Amendments of 1990.
- To minimize impacts to the natural and human-made environment.
- To reduce the need for new right-of-way resources thereby reducing land use impacts to the study corridor.

Goal 4 – Invest and Deploy Resources Effectively and Efficiently:

Objectives

- To invest resources efficiently.
- To improve the productivity and cost effectiveness of transit services in the corridor.
- To enhance and build upon the existing public transportation system within the corridor.
- To select investments that build upon underused and abandoned transportation resources.

(Draft EIR, p. 3-2 to 3-3.)

There are two types of alternatives evaluated in the EIR. First is the alternative that was considered but was rejected from further consideration. Reasons for elimination included failure