IP-6

San Bernardino Valley
Audubon Society

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Re: Comments on the Mid County Parkway Recirculated Draft Environmental Impact Report/Supplemental Environmental Impact Statement and Revised Draft Section 4(f) Evaluation

Dear Mr. Gross,

These comments are submitted on behalf of the Center for Biological Diversity, San Bernardino Valley Audubon Society, and Sierra Club (collectively Conservation Groups) on the Mid County Parkway (MCP or Project) Recirculated Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement and Revised Draft Section 4(f) Evaluation (DEIR/DEIS). The MCP proposes to develop a six lane roadway between I-215 and SR-79 adjacent to the San Jacinto Wildlife Area and Lake Perris State Recreation Area, which are home to numerous rare, sensitive, threatened and endangered species. It would establish an automobile transit infrastructure that will encourage massive increases in the emissions of air pollution and greenhouse gases, and encourage 20th century sprawl during a time when California is moving towards 21st century transportation infrastructure to address our long term sustainability and climate change stabilization goals.

Unfortunately, the MCP and DEIR/DEIS demonstrate a fundamental disregard for meeting California's 21st century transportation goals. In particular, the DEIR/DEIS demonstrates a shockingly narrow range of alternatives that all promote a six lane roadway and IP-6-1

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rationalize that approach through an improperly narrow purpose and need for the Project. The DEIR/DEIS further fabricates an inflated future growth and baseline in order to justify the Project and mask its numerous impacts. When the DEIR/DEIS does provide analysis, it is so incomplete and misleading that it forces the public and decision makers on a wild goose chase through varying appendices that cryptically cross-reference each other to provide the analysis and justification that the DEIR/DEIS purports to achieve. These faults, among others that relate to the 2008 Draft Mid County Parkway EIR/EIS and Section 4(f) Evaluation, doom the environmental review. (Shute Mihaly & Weinberger 2009, CBD 2009). IP-6-1

The Center for Biological Diversity is a non-profit environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center for Biological Diversity has over 500,000 members and e-activists throughout California and the western United States, including residents of western Riverside County. The Center has worked for many years to protect imperiled plants and wildlife, open space, air and water quality, and overall quality of life for people in the Inland Empire.

The San Bernardino Valley Audubon Society (SBVAS) is a local chapter of the National Audubon Society, a 501(c)3 corporation. The SBVAS chapter area covers almost all of Riverside and San Bernardino Counties and includes the project area. We have about 2,000 members, about half of whom live in Riverside County. Part of our chapter's mission is to preserve habitat in our area, not just for birds, but for other wildlife, and to maintain the quality of life in the Inland Empire.

The Sierra Club is a national nonprofit organization of over 732,000 members dedicated to exploring, enjoying, and protecting the wild places of the earth; to practicing and promoting the responsible use of the earth's ecosystems and resources; to educating and enlisting humanity to protect and restore the quality of the natural and human environment; and to using all lawful means to carry out these objectives. Over 193,500 Sierra Club members reside in California. The San Gorgonio Chapter of the Sierra Club focuses on issues within the inland empire, including western Riverside County.

I. THE EIR FAILS TO PROVIDE AN ADEQUATE DESCRIPTION OF THE PROJECT AND ITS IMPACTS

The DEIR/DEIS for the Project fails to provide the public with a thorough, properly defined, and finite description of the Project and its environmental impacts. CEQA requires that an EIR analyze the whole of the Project including associated project components and impacts, and impacts that are further distant in the future. (*See* CEQA Guidelines, §§ 15126 (impact from all phases of the project), 15358(a) (direct and indirect impacts).) These requirements help ensure that the public and decision makers are reviewing and deciding on the Project know the full scope of the project and its impacts. Environmental review that fails to provide these requirements undermines the fundamental requirement of public disclosure in CEQA and NEPA. An accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR. (*County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185 (an IP-6-2

enigmatic or unstable project description impedes public input); *See also San Joaquin Raptor/Wildlife Reserve Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 730.) NEPA similarly requires an accurate and consistent project description in order to fulfill its purpose of facilitating informed decision-making. (43 U.S.C. § 4332(2)(C).) Unfortunately, the EIR contains an incomplete project description and analysis that fails to provide the public and decision makers with the necessary information in order to analyze impacts and mitigation measures. IP-6-2

The Project description omits integral components of both the project's physical characteristics as well as planning level changes that are necessary to implement the MCP. The MCP would require transportation circulation system modifications, including realigning interchanges, widening certain roads, upgrades to connecting freeways and interchanges, closing other roads, and creating cul-de-sacs. However, the DEIR/DEIS' text fails to adequately identify and describe the massive changes in the circulation system; instead, when these projects are mentioned they are inadequately described or buried in technical reports. Like the MCP itself, construction and operation of these roadway modifications will undoubtedly have impacts to existing residential, commercial and industrial land uses, transportation (existing roadways and access), agricultural lands, open space and wildlife habitat, and air quality and greenhouse gases. There are numerous integral components of the Project that receive little or no description in the DEIR/DEIS, thereby understating the full extent of the Project and its impacts. It is unclear whether the impacts from these parts of the Project have been analyzed at all; even if they have, limiting the project description to the MCP mainline itself distorts the full extent of the real project. IP-6-3

Interrelated projects that are necessary to implement the Project or are components of the transportation system upgrades that would service the Project are not adequately described, and their relationship to the Project is not properly disclosed or analyzed. For example, the I-215/Cajalco Rd Interchange Project that would service the east-west traffic generated by the Project or the widening of Redlands or Perris Boulevard that would service the north-south traffic generated by the Project are not fully disclosed and analyzed. (DEIR/DEIS at 2-6, 2-7, 2-58). Similarly the changes to I-215, such as the addition of several new lanes and interchanges are not properly disclosed and analyze and prevent the public and decision makers from properly evaluating the Project and its impacts. (DEIR/DEIS at 2-6, 2-7). IP-6-4

The DEIR/DEIS also recognizes that one of the Project's purposes is to serve multimodal transit, including the Perris Valley Line (PVL) Commuter Rail Extension, the Ramona Station at Cajalco Rd and I-215, and the Perris Multimodal Facility. (DEIR at 2-30). The DEIR/DEIS mentions that the routing of the Project through the city of Perris will offer an opportunity to create a linkage between the Project and two planned transit projects; however, there are three different alternative routes through Perris, and the DEIR/DEIS fails to give adequate information regarding whether anyone of these would be better or worse for tying in to the planned transit projects. This lack of information regarding a critical component of the Project compromises the public's and decision-makers' ability to analyze which alternatives will best meet the objective of connecting with multimodal transit. IP-6-5

The DEIR/DEIS' project description also does not even clearly articulate the design standard for the Project itself. The design standards appear to be arbitrary and based on judgment rather than on standard traffic engineering analysis practices or on definitive, quantifiable criteria to meet specific level of service objectives. (*See* DEIR/DEIS § 3.6). Indeed, the design standards fail to achieve a reasonable level of service for the Project itself, frustrating both a reasonable description of the project and the purpose and need. IP-6-5a

The DEIR/DEIS also finds impacts relating to inconsistencies with numerous goals and policies of several elements of the General Plans for the County of Riverside and the cities of Perris and San Jacinto and explains that the MCP may result inappropriate amendments to these General Plans. (*See* DEIR/DEIS § 3.1). The document stops short, however, of identifying each of the general plan amendments that would be necessary to implement the proposed Project. The revised DEIR/DEIS must identify the applicable general plan amendments and analyze impacts associated with each amendment. Specifically, some of the amendments may result in environmental impacts, while other amendments may result in internal inconsistencies within each jurisdiction's general plan. The environmental impacts and planning issues that may arise from amending the general plans are indirect impacts of the MCP. As such, they must be identified, analyzed and resolved now; they cannot wait until after approval of the MCP. IP-6-6

II. THE PROJECT OBJECTIVES, PURPOSE AND NEED VIOLATE CEQA AND NEPA

The DEIR/DEIS in its current state fails to meet the legal requirements under the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) with respect to disclosure of project purpose, need, and alternative analysis because the project need is inadequately supported, its purpose and objectives are improperly narrow and limiting, and the alternatives presented do not reflect a reasonable range of alternatives. IP-6-7

A. THE STATEMENT OF THE MCP'S PURPOSE AND OBJECTIVES IS IMPROPERLY NARROW, REFLECTS SEGMENTATION OF A LARGER PROJECT, AND IS BASED ON SPECULATIVE NEED ANALYSES

Both CEQA and NEPA require public disclosure of any covered project's purpose and need, and an EIR or EIS must sufficiently describe a proposed project to allow for full public disclosure and participation. CEQA requires EIRs to completely and accurately describe the project's (1) precise location and boundaries, (2) purpose and objectives, (3) technical, economic, and environmental characteristics, and (4) the intended uses of the EIR itself. (14 Cal. Code Regs. § 15124). NEPA similarly requires every EIS to clearly specify the "purpose and need" of a proposed federal action, along with alternatives to the proposed action. (40 C.F.R. § 1502.12). The DEIR/DEIS in its current state fails to meet these legal requirements because the project need analysis is inadequately supported and its purpose and objectives are improperly narrow and limiting. IP-6-8

1. IMPROPERLY NARROW SCOPE OF PROJECT PURPOSE/OBJECTIVES AND PROJECT DESCRIPTION

The improperly limited scope of the MCP's purpose and objectives reflected in the DEIR/DEIS fails to meet the legal requirements under CEQA and NEPA, and generates a limited alternatives analysis. This limited scope of the project purpose affects the environmental review process in a number of ways, including restricting the project description.

CEQA has been interpreted and enforced by courts as requiring a project description to include all relevant aspects of a project, including reasonably foreseeable future activities that are part of the project. (*Laurel Heights Improvement Assn. v. Regents of the University of California* (*Laurel Heights I*) (1988) 47 Cal.3d 376.) This has the effect that responsibility for a project cannot be avoided by limiting the title or description of the project. (*Rural Land Owners Association v. Lodi City Council* (3d Dist. 1983) 143 Cal.App.3d 1013, 1025.) IP-6-9a

A narrowly defined project purpose also results in restricting the range of reasonable alternatives, which is a cornerstone of the environmental review processes under CEQA and NEPA. When developing a reasonable range of alternatives in an alternatives analysis, under CEQA, only alternatives "that the lead agency determines could feasibly attain most of the basic objectives of the project" must be considered. (14 Cal. Code Reg. § 15126.6(f)).

In the case of the MCP, this problem manifests in the form of the DEIR/DEIS' description of the project's purpose/objective as building a six-lane freeway with very specific criteria, effectively precluding any evaluation of non-freeway project alternatives. While the general project purpose, "to provide a transportation facility that would effectively and efficiently accommodate regional west-east movement of people, goods, and services between and through Perris and San Jacinto" would allow for some variation of project alternatives, the further narrowing of the definition of the project purpose unduly limits the purpose and need description of the project. Specifically, seven criteria are provided for the purpose and need of the project (1) provide capacity for 2040, (2) serve regional movement of people and goods, (3) provide roadway geometrics to meet State Highway design standards, (4) provide a limited-access facility, (5) accommodate STAA trucks, (6) provide a facility that is compatible with a future multimodal transportation system, and (7) provide an effective and efficient connection between and through San Jacinto and Perris. (DEIR/DEIS at 1-12 – 1-13; Appendix J part 2, 139). IP-6-9b

In particular, there is no discussion supporting the need for the MCP's purpose to include accommodation of Surface Transportation Assistance Act National Network ("STAA") trucks, trucks that are larger than those permitted on the federal Interstate system and the non-Interstate Federal-aid primary System. Including this design requirement in the project purpose impermissibly narrows the scope of the alternatives to include only roadways substantial enough to accommodate these particularly large trucks.

2. THE PROJECT DESCRIPTION IMPROPERLY SEGMENTS A LARGER ANALYSIS AND HAS NO LOGICAL TERMINI OR INDEPENDENT UTILITY

In its project description and environmental impacts analysis, a DEIR/DEIS cannot engage in impermissible segmentation. NEPA regulations require analysis of "connected actions," actions that "[a]utomatically trigger other actions which may require environmental impact statements[;] [c]annot or will not proceed unless other actions are taken previously or simultaneously[;] [or] [a]re interdependent parts of a larger action and depend on the larger action for their justification." (40 C.F.R. § 1508.25 (a)(1); *see also* 40 C.F.R. § 1502.4(a) (NEPA requires that proposals "which are related to each other closely enough to be, in effect, a single course of action shall be evaluated in a single impact statement.").

Like NEPA, CEQA prohibits lead agencies from improperly "segmenting" the project into its component parts and subsequently distorting or underestimating the project's effects. (*See City of Santee v. County of San Diego* (1989) 214 Cal. App. 3d 1438, 1452 (CEQA requires the project description to include all phases of a proposed action and precludes segmentation); *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal. 3d 376, 393-399 (1988).) In *Laurel Heights*, 47 Cal. 3d at 396, the California Supreme Court stated that: 'an EIR must include an analysis of the environmental effects of future expansion or other action if: (1) it is a reasonably foreseeable consequence of the initial project; and (2) the future expansion or action will be significant in that it will likely change the scope or nature of the initial project or its environmental effects.'"

The test that has developed to determine whether an agency has engaged in impermissible segmentation of the environmental review of a road construction project under NEPA was articulated by the 3rd circuit court in *Daly v Volpe* (514 F.2d 1106 1109-1110 (9th Cir. 1975)), and this rule was adopted by the California court for application in the CEQA context in *Del Mar Terrace Conservancy, Inc., v City Council* (10 Cal. App. 4th 712 732-733). The basic requirements of this *Volpe* test are that a proposed road construction project be of substantial length, have logical termini, and have independent utility, such that it is reasonable to review the project separately instead of in conjunction with other, closely related projects. (*Del Mar Terrace Conservancy, Inc., v. City Council*, 10 Cal. App.4th 712, 732-733, citing *Daly v. Volpe*.)

The MCP is not bounded by logical termini and does not have independent utility. In support of the contention that the MCP has logical termini and independent utility, the DEIR/DEIS simply states "[t]he MCP project provides logical termini since it connects to two major north-south transportation facilities (I-215 and SR-79), (and) has independent utility since the project is usable and a reasonable expenditure even if no additional transportation improvements in the area are made." (DEIR/DEIS at 1-13; 1-37). I-125 north of Perris and SR-79 north of San Jacinto are not rational end points for a transportation improvement or review of environmental impacts, because the cities of Perris and San Jacinto do not, in themselves, justify such a large and substantial freeway. The utility of the MCP will be as a connector for traffic that continues along, I-125, SR-79, Cajalco Road, or other roadways. However, improperly IP-6-10

segmenting the Project means that the expansion of those roadways will not be considered in the cumulative context.

As envisioned in the original Community and Environmental Transportation Acceptability Process (CETAP) the original freeway design would have connected "Hemet to Corona/Lake Elsinore Corridor." San Jacinto and Perris were not identified as a logical termini for the movement of vehicles or individuals east-west, but are a remnant of the eastern half of the original Mid County Parkway design. They are not independent logical termini without addressing the movement further west from I-215 to I-15. Neither does the Project have independent utility unless it further permits traffic to move westbound to I-15 via the Cajalco Road expansion.

Moreover, the DEIR/DEIS does not sufficiently address the impacts from the "connected action" of improving the Cajalco Road. There is "credible and substantial evidence" that the Cajalco Road expansion is a reasonably foreseeable project that will likely change the scope and nature of the MCP's environmental effects. Despite the claim that "no improvements between I-15 and I-215 are planned, designed, or intended to be implemented as part of the MCP project... (and) [t]he distinct transportation needs between I-15 and I-215 will be addressed by the Riverside County Transportation Department's General Plan roadway improvements for Cajalco Road," any common-sense review of these two projects makes clear the proximate interrelation between these roadway improvements. (*Id.* at 1-10). IP-6-10

The Project is a segment of the CETAP "Hemet to Corona/Lake Elsinore Corridor," that was developed during the Riverside County Integrated Project (RCIP) intended to address the planning, environmental, and transportation issues arising out of anticipated population growth in the county, and which originally included the Cajalco Road portion. (DEIR/DEIS 1-4-5). Responding to public concerns, RCTC and FHWA decided to limit the scope of the MCP project by cutting the proposed project in half, and ending the MCP at Interstate 215, but the plans to expand Cajalco Road remain.

According to the DEIR/DEIS, "[t]he County of Riverside is currently in the planning stages to widen Cajalco Road from two lanes to four lanes between Harvill Avenue and Temescal Road." (DEIR/DEIS at 1-36). Harvil Avenue and Temescal Road are the roads adjacent to I-215 and I-15 respectively, and therefore this improvement will effectively extend the transportation corridor from the MCP to connect with I-15. Further reflecting to close connection between these two actions, the MCP was originally named the Cajalco Ramona Corridor. (DEIR/DEIS at 2-1). The Cajalco Road improvements will essentially pick up where the MCP leaves off, and vehicle traffic from one to the other is clearly foreseeable.

Analyzing these improvements as separate project has numerous effects on the analysis of environmental impacts and alternatives. As one example, claims that the CWA 404(b) no action alternative is unreasonably expensive are based on the overall projected project cost, which under the current description of the MCP, only includes the Ramona Expressway portion of the larger CETAP transportation corridor. If the cost of these two interrelated projects were

considered together, the comparative cost of the CWA 404(b) no action alternative would be much lower, and claims of unreasonable expense would be further put into question. IP-6-10

3. THE DEIR/DEIS RELIES UPON A HYPOTHETICAL AND INFLATED NEED AND JUSTIFICATION OF UNREALISTIC FUTURE GROWTH

The DEIR/DEIS relies upon an improper and unrealistic projection of future growth and project need that would be served by the Project. The DEIR/DEIS justifies its need determination on projections of future conditions in 2035 that predict a growth of over 60% by 2035 and 80% growth in employment. (DEIR/DEIS 1-13). The DEIR/DEIS compares current LOS to projected LOS in 2040 to justify claimed need. According to the DEIR/DEIS, the "Ramona Expressway currently operates at an overall LOS C with a maximum of 27,500 average daily traffic (ADT) in 2010, [and]... [b]y 2040, it is anticipated, even with planned improvements in the Riverside County General Plan Circulation Elements, Ramona Expressway would operate at an unacceptable LOS F." (DEIR/DEIS 1-14). No citations for these claims are provided in this section of the DEIR/DEIS. Moreover, the basis and legitimacy of these projections are questionable, as discussed in other sections of these comments including the traffic section.

The DEIR/DEIS bases its need determination on growth forecasts from the 2012 RTP Integrated Growth Forecast performed by the Southern California Association of Governments (SCAG). (DEIR/DEIS at 1-13.). The DEIR/DEIS provides a URL for the 2012 RTP Integrated Growth Forecast at the SCAG website, but the forecast presented there is a simple excel spreadsheet with the conclusions of the forecast in numerical terms, but without any discussion of methodology. (*See* SCAG 2012.) There is some discussion of methodology elsewhere in the website, but a clear description of how these figures were established is not readily available to the public or decision makers, and should be included in the DEIR/DEIS. The spreadsheets for the 2008 growth forecasts are cryptic and technical in nature and are not readily understood by members of the public, thereby frustrating any attempts at meaningful review and comment. (*See* SCAG 2009). IP-6-11

Moreover, despite reference to newer growth forecasts, the DEIR/DEIS relies on projections from the outdated 2008 RTP Integrated Growth Forecast for its claims of 60% growth in population and 80% growth in employment.. (*See* DEIR/DEIS 1-13 – 14). There is no explanation of the use of this outdated forecast as the basis for the DEIR/DEIS need analysis, nor is there any discussion of the differences or similarities between these two different growth forecasts.

More importantly, an overall prediction of 60% growth and 80% employment growth by SCAG cannot be universally applied to the areas served by the Project. The cities of San Jacinto, Hemet, and Perris are not analogous to job sectors in Los Angeles or Orange counties, or the City of Riverside. The DEIR/DEIS' faulty projections could just as easily be applied to a new freeway connector between Indio and Palm Springs, even though the areas are equally as unlikely to experience the same sort of job growth as more developed economies. The DEIR/DEIS must clearly demonstrate a growth demand for that particular area before blindly extrapolating region wide data to a small rural portion of Riverside County. Similarly the

DEIR/DEIS fails to account for the development of the Sustainable Communities Strategy, which will encourage growth and transportation next to existing urban areas and public transportation areas. The DEIR/DEIS' blind reliance on single person automobile travel in rural areas doesn't accurately project the shift of demographics away from single family development separated from public transit options. IP-6-11

III. THE DEIR/DEIS FAILS TO ANALYZE A REASONABLE RANGE OF ALTERNATIVES AS REQUIRED BY NEPA AND CEQA

One of the most foundational and essential aspects of the environmental review required by NEPA and CEQA is the requirement that lead agencies analyze reasonable alternatives to a proposed action to assess whether less environmentally damaging options exists. (40 C.F.R. § 1502.2; 14 Cal. Code Regs. § 15126(d)). The DEIR/DEIS for the MCP does not adequately comply with these legal requirements because the build alternatives presented are substantially the same and do not allow for meaningful evaluation by the public and reasoned action by decision makers. IP-6-12

NEPA requires lead agencies to "rigorously explore and objectively evaluate *all* reasonable alternatives" to a proposed project. (40 C.F.R. § 1502.14(a), emphasis added). The alternatives analysis is commonly called the heart of the EIS environmental review process. (*See* 40 C.F.R. 1502.14).

CEQA also requires an alternative analysis in which the lead agencies must evaluate the alternatives' "comparative merits" in a manner which "foster[s] meaningful public participation and informed decision-making." (14 Cal Code Regs. § 15126.6 (a)). Furthermore, the lead agency must "publicly disclose its reasoning for selecting" its chosen alternatives, and "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 come degree the attainment of the project objectives, or would be more costly." (14 Cal. Code Reg. § 15126.6 (a)-(b)).

A. EFFECT OF NARROWLY DEFINED PROJECT PURPOSE

The alternatives analysis in the MCP DEIR/DEIS is deficient under these legal standards. In the MCP's alternative analysis, the improperly limited scope of the project purpose "to provide a *freeway* that will effectively and efficiently accommodate regional west-east movement of people and goods between and through Perris and San Jacinto." (DEIR/DEIS 2-1, emphasis added). This definition of purpose, to provide a freeway, expressly limits the project definition to preclude non-freeway alternatives to achieve the projected transportation needs of western Riverside County. IP-6-13

Alternative means to address transportation needs, such as expanding the transit oasis concept or expanding public transit, are therefore precluded from fulfilling the project's defined purpose, and consequentially cannot be considered reasonable alternatives. Even road expansions

that accommodate greater transportation needs, but that are not consistent with the list of standards articulated in the MCP's purpose discussion, are rejected as not meeting the project's purpose. For example, No Build Alternative 1B, which would involve completing an expansion to the Ramona Expressway to six lanes, is deemed not to meet the project's purpose. As to be expected, this results in an alternatives analysis consisting of very limited variation. IP-6-13

B. ATTENUATED DEVELOPMENT OF ALTERNATIVES

Alternatives considered and withdrawn from further study include many so-called alternatives that relate to portions of the previously envisioned project that extended from I-215 west to I-15. However, these are not alternatives to the current project, but are instead alternatives to a former project that is no longer being considered. Also included in this brief section of the DEIR/DEIS are mentions to earlier planning processes, including HCLE Corridor studies conducted for the CETAP, that considered other transit options such as expanded bus and commuter rail services, eventually resulting in a project-level environmental review for the Cajalco Ramona Corridor, later renamed the MCP. (DEIR/DEIS at 2-70). Through various studies and reviews, the alternatives were eventually limited to eight options, none of which included non-highway options. (DEIR/DEIS at 2-70). Once the limits of this MCP project were adjusted to cut the project from 32 miles to 16 miles, the alternatives were further limited to the three build alternatives presented in the current DEIR/DEIS. IP-6-14

This long, convoluted process resulted in the current parameters of this project and build alternatives, which are too attenuated from the original environmental review process to allow for meaningful review and participation from the public. Essentially, the development of alternatives for the current MCP piggy-backs on (and truncates) an earlier development of alternatives for a project with significant differences in description and scope, and therefore does not fully reflect a reasonable range of alternatives for the current project. The result is a set of alternatives that is imprudently limited based on past considerations related to a suite of projects with sufficiently different descriptions to warrant the development of a new, independent set of alternatives.

C. THE ALTERNATIVES ANALYZED ARE IMPROPERLY NARROW AND DO NOT A REASONABLE RANGE OF ALTERNATIVES AS REQUIRED BY CEQA AND NEPA

The DEIR/DEIS presents a range of alternatives "intended to meet the requirements for alternatives analysis under CEQA, NEPA, Section 404 of the federal Clean Water Act (CWA), and Section 4(f) of the Department of Transportation Act." (DEIR/DEIS at 2- 6.) Unfortunately, the alternatives presented in the DEIR/DEIS are improperly limited are essentially the same, resulting in a DEIR/DEIS that does not facilitate a legitimate analysis of the available alternatives to the proposed project and their relative environmental impacts. IP-6-15

This similarity among the so-called alternatives presented is reflected by the content of the alternatives analysis. The analysis essentially assesses the alternatives and their overall impacts together as if describing one proposed option for the project, with the occasional

mention of slight differences among the alternatives relating to the connection to I-215. Unfortunately, the section of the DEIR/DEIS devoted to alternatives merely recites in more general terms, the project specifications contained elsewhere in the DEIR/DEIS. Furthermore, the few "alternatives" that are included are, for the majority of the MCP's length, nearly identical. The resulting build alternatives all envision a "six-lane controlled access freeway," all with substantially the same orientation and system interchanges. (DEIR/DEIS at 2-8, 2-12).

Further reflecting the striking similarity among the alternatives included in the DEIR/DEIS, even one of the three "no build alternatives," Alternative 1B, which includes implementation of the Ramona Expressway consistent with the Riverside County General Plan Circulation Element, envisions a "six-lane roadway along the Ramona Expressway between I-215 and SR-79. (DEIR/DEIS at 2-59).

The actual discussion comparing the differences among the alternatives is limited to relatively few pages, and while some differences are highlighted by this comparison, on balance, this section highlights the degree of similarity shared by all build alternatives for this project more than it analyzes their differences. (DEIR/DEIS at 2-58 – 2-66). For example, access (the location of local interchanges), design variations, floodplain impacts, and air quality impacts are all identical among the build alternatives according to the comparison provided. (DEIR/DEIS at 2-62 – 2-66). Impacts to many other resources, such as threatened and endangered species, plant communities, Section 4(f) resources, cultural resources, and land use, are substantially the same. IP-6-15

The DEIR/DEIS fails to analyze any real alternatives to a 6 lane roadway through along the same project route. Alternatives such as public transit (rail or bus service), alternatives routes along SR-74, or combinations of smaller road expansions are not considered or analyzed. Even alternatives that properly avoid jurisdictional waters are dismissed in contravention of CEQA even without a showing that they are economically infeasible. (*See Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal.App.4th 587, 600 (internal citation omitted); *Center for Biological Diversity v. County of San Bernardino* (2010) 185 Cal.App.4th 866, 884 (rejecting economic feasibility analysis of enclosing composting facility based on costs of development for only one other enclosed facility and conclusory statement that private financing would not be available).) The DEIR/DEIS's attempt to put forward a suite of 6-lane roadways along the same route hardly qualifies as a reasonable range of alternatives and demonstrates a predetermined project that fails to provide the public and decision makers with a necessary choices and information as required by CEQA and NEPA.

D. PROBLEMS WITH DISCLOSURES RELATED TO THE DEVELOPMENT OF CWA SECTION 404 ANALYSIS

In April 2010, the various agencies involved in the NEPA process agreed to coordinate on the development of project alternatives pursuant to the 2006 NEPA/CWA Section 404 Memorandum of Understanding (MOU), which requires coordination at a number of points in the process, including requirements for agencies to issue agreement/disagreement or concurrence/non-concurrence on Purpose and Need, Alternatives, and the selection of the Least Environmentally Damaging and Practicable Alternative. (DEIR/DEIS at 2-7). IP-6-16a

The DEIR/DEIS states that in January 2011, Caltrans received letters from the USACE, the EPA, and the USFWS providing their final agreement on the modified set of alternatives to be evaluated in the Recirculated Draft EIR/Supplemental Draft EIS, and refers the reader to Appendix J for copies of these letters. (DEIR/DEIS at 2-7). Appendix J is presented in two parts, and contains, in addition to the relevant letters referred to in this section of the DEIR/DEIS, volumes of earlier letters and other documents with questionable relevance. To find the letters referenced, the reader must search through more than 400 pages of documents. Furthermore, the letters contained in this appendix are not OCR scanned to allow for computerized searches, and no table of contents or index for this appendix is provided. (*See* DEIR/DEIS Appendix J). This unreasonably difficult and inconvenient organization and presentation of important information is contrary to NEPA and CEQA's policies of clear, meaningful, and useful disclosure. (Cal. Pub. Res. Code § 21003; 40 C.F.R. 1500.2(d) (NEPA policy to "encourage and facilitate public involvement"; 40 C.F.R. 1500.4(f)). IP-6-16a

The decision to reject the Section 404 no action alternative is not supported by the facts presented in the DEIR/DEIS. The Section 404 no action alternative analysis is based on the false assumption that "no feasible alignment exists within the project study area that would completely avoid the waters of the United States." (DEIR/DEIS at 2-60). To avoid the jurisdictional waters of the United States, additional bridge structures and modifications to already designed bridges would be required, costing an additional $365 million, which, according to the DEIR/DEIS represents an approximately 20% increase in cost. On this basis, the DEIR/DEIS concludes that the Section 404 no build alternative is unreasonably expensive. (DEIR/DEIS at 2-60). This conclusory claim of unreasonable expense is flawed because, as mentioned above, the project segmentation provides a misleading figure for the cost of the project, and what makes an alternative unreasonably expensive is not clearly defined. IP-6-16b

IV. DEIR/DEIS RELIES UPON AN IMPROPER BASELINE

It is well established that the purpose of an EIR is to provide public agency decision-makers and members of the public with an informational document that explains potentially significant environmental impacts and feasible mitigation measures. (Cal. Pub. Res. Code § 21002.1; Guidelines § 15121; *Carmel Valley View, Ltd. v. Board of Supervisors* (1976) 58 Cal.App.3d 817, 821-822.) In order to be useful, however, the EIR must accurately identify what significant impacts exist. "[T]he significance of a project's impacts can be ascertained only if the agency first establishes the physical conditions against which those impacts are to be measured." Michael H. Remy et al., *Guide to CEQA California Environmental Quality Act*, 198 (11th ed., Solano Press 2007). The idea is to compare "what will happen if the project is built with what will happen if the site is left alone." (*Woodward Park Homeowners Assn, Inc. v. City of Fresno* (2007) 58 Cal.Rptr.3d 102, 119 (*Woodward Park*).)

The rule for what constitutes an environmental baseline is set forth in Guidelines section 15125(a), which provides that:

An EIR must include a description of the physical environmental conditions in the

> vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a Lead Agency determines whether an impact is significant.

(Guidelines § 15125(a).) Even when an EIR relies upon an adopted plan, the EIR must still analyze the existing physical conditions as they exist at the time the Notice of Preparation is published. (Guidelines § 15125(a).)

Applying this rule to projects involving the development of raw land or expansion of existing facilities, it follows that significant impacts are determined by comparing the status of the land with the project against the status of the land as it is. An environmental impact report is inadequate as an informational document if it fails to analyze consistently and coherently the impacts of a project relative to leaving the land in its existing undeveloped physical condition. (*Woodward Park,* 58 Cal.Rptr.3d at 122.) Comparing a proposed project to the build out of an existing plan leads to an EIR never presenting a clear or complete description of the project's impacts. (*Id.* at 121-122.) "CEQA nowhere calls for evaluation of [environmental] impacts of a proposed project on an existing general plan; it concerns itself with the impacts of the project on the environment, defined as the existing physical conditions in the affected area." (*Environmental Planning and Information Council v. County of El Dorado* (1982) 131 Cal.App.3d 350, 354.)

The DEIR/DEIS for the MCP is fundamentally flawed because it relies upon a comparison of inflated future "No build" projections in determining whether many impacts are significant. This improperly masks the massive increase in air pollution and traffic that would result from a comparison with the existing conditions on the ground. The DEIR/DEIS is not permitted to choose an arbitrary date in the future in order to fish for a transportation calculation that improperly masks the significant increase in emissions which would result from the construction of a new six to eight lane freeway. The DEIR/DEIS must determine significance in relation to an analysis of the physical conditions in the project area as they exist at the time of the notice of preparation. (Guidelines § 15125(a) & (e).) The DEIR/DEIS's improper baseline dooms the environmental review throughout the document.

IP-6-17

In creating the improperly inflated baseline, the DEIR/DEIS fails to adequately address the induced traffic that would result from the Project. The effects of induced travel on traffic increases throughout the United States particularly impact southern California. Southern California, including San Bernardino and Riverside counties, has continually attempted to build its way out of highway congestion. San Bernardino and Riverside County were estimated to have induced travel increases between 14-62%. (Noland 2000 at 26). Other studies from California have supported the concept that an increase in available lanes will induce additional miles traveled by vehicles. (*See e.g.* Hansen 1997). These factors were not addressed within the DEIR/DEIS, and should be properly analyzed. The project will result in both types of induced traffic resulting in a significant increase in traffic related to the project and should be fully addressed.

It is also unclear to what degree the DEIR/DEIS's inflated baseline relies upon the MCP itself. The DEIR/DEIS must fully disclose to what degree the traffic forecasts anticipate the construction of additional traffic infrastructure including the MCP. The DEIR/DEIS cannot create a self fulfilling prophecy that employs a baseline that actually incorporates the project itself to mask project impacts. IP-6-17

V. WETLANDS AND OTHER WATERS, HYDROLOGY AND FLOODPLAINS, AND WATER QUALITY AND STORM WATER RUNOFF

The analysis and disclosure of the MCP's impacts to wetlands and other waters, hydrology and floodplains, and water quality and storm water runoff is inadequate to satisfy the legal requirements of NEPA and CEQA. With respect to wetlands and other waters, the DEIR/DEIS falls short because less impactful alternatives are impermissibly omitted. Concerning hydrology and floodplains, inadequate detail is provided and complete analysis is deferred to a later date. Lastly, impacts to water quality and storm water runoff somewhat speculative future measures are relied upon, and potential impacts to groundwater are inadequately disclosed. IP-6-18

A. WETLANDS AND OTHER WATERS

The DEIR/DEIS attempts to describe the MCP in relation to the complex regulatory background for wetlands and other waters issues, including a Memorandum of Understanding between Caltrans, FHWA, USACE, USEPA, and USFWS establishing cooperative compliance with NEPA, the Clean Water Act (CWA) (33 U.S.C. § 1344), and the Executive Order for the Protection of Wetlands (E.O. 11990).

In order to comply with the requirements to assess alternatives that do not impact jurisdictional waters, the DEIR/DEIS also provides a cross reference to Appendix M of the DEIR/DEIS which performs the required CWA 404(b) alternatives analysis. A cross reference is also provided to Appendix P, the Conceptual Mitigation Plan to demonstrate required mitigation under CWA and NEPA. IP-6-19

Under the CWA Section 404(b) requirements, no activities that result in the discharge of dredge or fill material are allowed if there is a practicable alternative that would have a less adverse impact. (40 C.F.R. 230.10(a)). Practicable is defined in the CWA regulations as "available and capable of being done after taking into consideration cost, existing technology, and logistics in light of the overall project purposes." (40 C.F.R. 230). Additionally, CWA 404(b) Guidelines provide that "[I]f an alternative is unreasonably expensive to the applicant, the alternative is not 'practicable.'" (DEIR/DEIS Appendix M, at 11 (Citing Guidelines Preamble, "Economic Factors," 45 Federal Register 85343 (December 24, 1980)).

As with the DEIR/DEIS, the CWA 404(b) alternatives analysis suffers from an improperly limited project purpose that precludes non-freeway alternatives. (DEIR/DEIS Appendix M, at 9). The impracticability of satisfying the supposed future transportation need

through further expansion of SR-74, which already connects the Perris and San Jacinto areas, is not adequately demonstrated.

Further, even accepting the project description of the MCP as an expansion of the Ramona Expressway, the conclusion that the Section 404 No Action Alternative is impracticable because the required 20% increase in cost makes the alternative "unreasonably expensive" is unconvincing. (DEIR/DEIS Appendix M at 22). Although the guidelines do not provide a precise definition of how expensive an alternative must be to be "unreasonably expensive" and therefore impracticable, additional EPA guidance explains, "[t]he determination of what constitutes an unreasonable expense should generally consider whether the projected cost is substantially greater than the costs normally associated with the particular type of project." (Memorandum to the Field, "Appropriate Level of Analysis Required for Evaluating Compliance with the Section 404(b)(1) Guidelines Alternatives Requirements," *available at* http://water.epa.gov/lawsregs/guidance/wetlands/flexible.cfm ("EPA 2012").)

The fact that the Section 404(b) No Action Alternative would result in a 20% cost increase does not, in itself, constitute an unreasonable expense justifying a finding of impracticability. Moreover, this cost increase is not fully explained in the DEIR/DEIS, and conflicting information is presented in Appendix M concerning this cost increase. (*See* DEIR/DEIS Appendix M at 26, citing the cost of the Section 404 No Action Alternative as $2.48 billion, apparently less than other design variations). This internal contradiction results in a DEIR/DEIS that is not "meaningful and useful to decision-makers and to the public." (Cal. Pub. Res. Code § 21003). The DEIR/DEIS must present a finding that there are not practicable alternatives to the MCP as proposed to comply with Section 404(b), and in its current state, has failed to do so. IP-6-19

The DEIR/DEIS also cannot ignore CEQA's requirements that regarding adoption of economically feasible alternatives. Under CEQA, "[e]conomic unfeasibility is not measured by increased cost or lost profit, but upon whether the effect of the proposed mitigation is such that the project is rendered impractical." (*Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal.App.4th 587, 600 (internal citation omitted).) Even where an EIR includes some actual discussion of economic infeasibility, it must still be sufficient "to allow informed decision-making." (*Center for Biological Diversity v. County of San Bernardino* (2010) 185 Cal.App.4th 866, 884 (rejecting economic feasibility analysis of enclosing composting facility based on costs of development for only one other enclosed facility and conclusory statement that private financing would not be available).)

Additionally, the MCP must be consistent with E.O. 11990. E.O. 11990 requires that federal agencies "shall avoid undertaking or providing assistance for new construction located in wetlands unless the head of the agency finds (1) that there is no practicable alternative to such construction, and (2) that the proposed action includes all practicable measures to minimize harm to wetlands which may result from such use." (Exec. Order No. 11,990, 42 Fed. Reg. 26961, §2(a) (May 24, 1977)). There are no explicit findings by the lead agency that there is no practicable alternative to the construction nor that the proposed project includes all practicable measures to minimize harm are presented in the DEIR/DEIS. While the obligation of the lead IP-6-20

agency to comply with E.O. 11990 is recognized, consistency with its mandates are not adequately analyzed in the DEIR/DEIS. The DEIR/DEIS refers to Appendix M which supposedly "presents the full range and scope of all reasonable and practicable alternatives," (DEIR/DEIS Appendix M at 1), and Appendix P for mitigation measures contained in a conceptual mitigation plan, but neither of these appendices adequately address consistency with E.O. 11990. The DEIR/DEIS never makes a finding that there is no practicable alternative to the construction of the MCP in relation to this executive order. IP-6-20

B. HYDROLOGY AND FLOODPLAINS

The MCP must comply with the Executive Order of Floodplain Management (E.O. 11988), which prohibits executive agencies from conducting, supporting, or allowing activities in floodplains if there is a practicable alternative, and if there is no practicable alternative, take measures to avoid potential harm, and explain the need for the action within the floodplain. (E.O. 11,988, 42 Fed. Reg. 26951, §2(a) (May 24, 1977)); 23 C.F.R. 650 Subpart A.

Of great concern, the hydrology and floodplains analysis in the DEIR/DEIS relies heavily on substantial future actions that are not yet adequately defined to allow for full public disclosure and comment, which improperly defers analysis and mitigation. This section makes several references to the current 35% design level that precludes a complete analysis of the hydrology and floodplain impacts from bridges constructed as part of the MCP. (*See* e.g. DEIR/DEIS at 2.9-26, "Final Location Hydraulic Studies will be prepared during final design"). This incompleteness of design makes full disclosure of hydrology and floodplain impacts impossible, and without more specificity, the public is denied the meaningful opportunity for project review and comment. IP-6-21

The DEIR/DEIS concedes that significant portions of the MCP Build Alternatives will be situated within floodplains (*See* DEIR/DEIS Fig. 3.9.2). Specifically, the MCP will cross floodplains in three locations, the Perris Valley Storm Drain, the San Jacinto River at the San Jacinto River Bridge, and the San Jacinto River at the SR-79 interchange. Because of this, if there are any practicable alternatives that avoid floodplains, these alternatives must be implemented. Again, this analysis is hampered by imprudently narrow definitions of project purpose and alternative practicability. IP-6-22

C. WATER QUALITY AND STORMWATER RUNOFF

The MCP will result in an increase in impervious area, resulting in an increase of the volume of runoff to receiving waters. According to the DEIR/DEIS "Design Pollution Prevention and Permanent Treatment BMPs would completely mitigate these impacts resulting in no adverse impacts to water quality... anticipated to result from implementation of the proposed project." (DEIR/DEIS at 3.10-28). These BMPs include biofiltration swales, infiltration devices, and detention devices. IP-6-23

One of the primary legal requirements applicable to this water quality and storm water runoff analysis is the CWA's prohibition on activities if there is a less environmentally damaging

practicable alternative. A Least Environmentally Damaging Practicable Alternative (LEDPA) determination, as required by CWA 404(b)(1) is not made in this section of the DEIR/DEIS, and instead the reader is referred to the Wetlands and Other Waters Section, which refers to Appendix M, which contains the required analysis. As discussed above, the analysis presented in Appendix M is based on the unsupported premise that the Section 404 No Action Alternative is unreasonably expensive and, therefore, impracticable. By excluding the Section 404 No Build Alternative and Alternative 4 Modified claiming that the expense of these alternatives make them impracticable, the DEIR/DEIS improperly dismisses these alternatives which should be considered LEDPAs. Using theses imprudently limited analyses, the DEIR/DEIR arrives at the conclusion that Alternative 9 Modified is the LEDPA. (DEIR/DEIS Appendix M at 44). The DEIR/DEIS continues to limit the scope of what is considered to be practicable, using an additional "unreasonably expensive" argument against selecting Alternative 9 Modified SJN DV as the LEDPA, citing "the extra cost of $40 million for the longer bridge" as "unreasonably expensive and not practicable." (DEIR/DEIS Appendix M at 45). IP-6-23

Further, the excessive cross-referencing in these water quality sections precludes proper disclosure by the public and decision makers, and this organization is contrary to CEQA's requirement that EIRs be "organized and written in a manner that will be meaningful and useful to decision-makers and to the public." (Cal. Pub. Res. Code § 21003). IP-6-24

Additionally, Section 402(p) of the CWA requires permits for Municipal Separate Storm Sewer Systems (MS4s), and Caltrans is subject to this permitting requirement. The DEIR/DEIS relies on Caltrans' compliance with their existing MS4 permit, but this permit is currently being revised/renewed and the new permit will come into effect on July 1, 2013. (*See* California State Water Resources Control Board 2012). Because the details of this permit are not yet established, and the effect of this new permit is not disclosed by the DEIR/DEIS the full impacts and mitigation measures are not properly disclosed. IP-6-25

In addition the federal requirements, the MCP must also comply with state laws and regulations protecting waters. Similar to the CWA, discharges to waterways are prohibited under the Porter-Cologne Water Quality Control Act unless permitted by Waste Discharge Requirements (WDRs).

Impacts to groundwater hydrology are not adequately disclosed. The MCP is located in the Perris-North, Lakeview/Hemet-North, and San Jacinto-Upper Pressure Management Zones of the San Jacinto River Basin. Because the MCP includes several infiltration basins, designed to collect stormwater runoff and allow it to infiltrate into the groundwater, the MCP clearly has potential impacts to groundwater. However, the DEIR/DEIS, uses the fact that the MCP will make extensive use of infiltration basins as support for the contention that there would be *no* impacts to groundwater. The DEIR/DEIS claims, "[b]ecause the project includes infiltration basins, runoff from the new impervious surface areas would infiltrate to the groundwater. Therefore, the increase in impervious surface areas would not have a substantial impact on groundwater levels." (DEIR/DEIS 3.10-34). This line of reasoning, that because the MCP *will* result in infiltration to groundwater there *will not* be substantial impacts to groundwater, is clearly erroneous and cannot be supported by substantial evidence. This unsupported and IP-6-26

conclusory statement results in an incomplete analysis of the potential impacts from the MCP to groundwater. IP-6-26

VI. THE DEIR/DEIS FAILS TO ADEQUATELY ANALYZE IMPACTS TO BIOLOGICAL RESOURCES

A Natural Environment Study (NES) and Supplement to tbe Natural Environment Study (NES Supplement) were prepared for the MCP project as part of the DEIR/DEIS process. Although the Center appreciates the survey information provided in the NES and NES Supplement, the analysis of impacts in these studies leaves much to be desired as far as the actual on-the-ground land management issues and impacts from the alternatives discussed in the DEIR/DEIS. IP-6-27

Unfortunately, the DEIR/DEIS, falls short of providing full disclosure of the biological resources impacts of the proposed MCP. Relatively little information included in the NES and NES Supplement was incorporated into the DEIR/DEIS, and as a result, the only way to become fully aware of the analysis conducted to assess the project's biological resources impacts is to review both the DEIR/DEIS along with the NES and NES Supplement.[1] The NES and NES Supplement concluded that the MCP Build Alternatives would result in direct and indirect impacts on biological resources.

A. FAILURE TO ADEQUATELY DEMONSTRATE INCONSISTENCIES BETWEEN MCP PROJECT AND IMPACTED HABITAT CONSERVATION PLANS

All MCP Build Alternatives are inconsistent the Western Riverside County MSHCP (MSHCP) and the Stephens' kangaroo rat Habitat Conservation Plan (SKRHCP). These habitat conservation plans were put into place to offset detrimental effects to rare species resulting from other developments and activities, and each has its own set of requirements for activities such as the MCP project. Both NEPA and CEQA require an analysis of potential conflicts between proposed actions and federal, state, regional, and local land use plans and policies. (40 C.F.R. § 1502.16(c); 14 Cal. Code Regs. Appendix G). IP-6-28

In its current state, the DEIR/DEIS fails to adequately disclose and analyze compliance with these HCPs, and these deficiencies must be corrected. A complete analysis of compliance with these HCPs should be completed at this stage of the environmental review process, and this deferral of analysis restricts the public's opportunity for full and meaningful participation, contrary to CEQA's early disclosure policy goal. (Cal. Pub. Res. Code § 21003.1). A DEIR/DEIS that adequately analyzes the MCP project's compliance with these HCPs must be recirculated for public review and comment. (14 Cal Code Regs. §15088.5).

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1 The NES and NES Supplement were not made available as an appendix to the DEIR/DEIS, and were only made available after requests for access from the public. This hurdle to complete disclosure regarding the scientific foundations for the conclusions presented in the DEIR/DEIS impaired the public's ability for full and meaningful participation during the limited comment period contrary to CEQA's requirement for information disclosure "as soon as possible" and NEPA's requirement for high quality, accurate scientific information. (Cal. Pub. Res. Code § 21003.1(b); 40 C.F.R. § 1500.1(b)).

1. INADEQUATE DISCLOSURE OF INCONSISTENCIES WITH THE WESTERN RIVERSIDE COUNTY MSHCP

The DEIR/DEIS fails to adequately disclose the MCP's conflicts with the MSHCP. Because all MCP Build Alternatives in the DEIR/DEIS will affect 195 acres of MSHCP Criteria Area, according to the DEIR/DEIS, RCTC and Caltrans must implement specific conditions outlined in sections 13.7 and 13.8 of the MSHCP Implementing Agreement, as well as to abide by the Section 10(a)(1) permit conditions. Unfortunately, the DEIR/DEIS does not completely reflect the obligations of RCTC and Caltrans as outlined in Sections 13.7 and 13.8 of the MSHCP Implementing Agreement. Although the DEIR/DEIS only lists one set of obligations, these sections of the MSHCP Implementing Agreement contain three enumerated sets of obligations. (MSHCP Implementing Agreement at 13.7 ("WRCRCA")). IP-6-29

Similarly, several of Caltrans' obligations are omitted from the abridged description of the requirements of the MSHCP Implementing Agreement in this section of the DEIR/DEIS, most notably, the requirements to "contribute to the assembly of Additional Reserve Lands," assisting CDFW in monitoring these reserve lands, entering into a "conservation banking agreement," and to "[c]arry out all other applicable requirements of the MSHCP, this Agreement, and the Permits." (WRCRCA at 13.8). IP-6-30

Without clearly and completely disclosing their commitments under these agreements, RCTC and Caltrans cannot fully analyze, and the public cannot effectively review, their consistency with these agreements. The DEIR/DEIS must demonstrate consistency with the requirements of the MSHCP to maintain compliance with the Section 10(a)(1) incidental take permit conditions of the ESA.

The DEIR/DEIS also does not provide sufficient information for the public and decision makers to determine the project's consistency with the MSHCP as a mitigation, avoidance, and minimization measure to address various significant impacts. First, the DEIR/DEIS does not adequately support the contention that the MCP is a covered activity under the MSHCP. Second, even if the conclusion that the MCP is a covered activity were adequately supported by the DEIR/DEIS, consistency with the requirements of the MSHCP is not adequately assured because many measures necessary to comply with the MSHCP are imprudently deferred and inadequately described in the DEIR/DEIS. IP-6-31

a. CONSISTENCY WITH MSHCP REQUIREMENTS IS NOT DEMONSTRATED AND NECESSARY ANALYSIS IS IMPROPERLY DEFERRED

The MCP's consistency with the requirements of the MSHCP is inadequately described by the DEIR/DEIS. Moreover, there is a persistent trend of improper deferral of analysis with respect to the MCP's consistency with the MSHCP. From future project designs and specifications to Determinations of Biologically Equivalent or Superior Preservation (DBESP) and Consistency Analyses, much of the substance of the claimed consistency with the MSHCP is IP-6-32

not adequately included in the DEIR/DEIS and deferred until a later time after approval of the Project. Consistency with the MSHCP as an inadequate mitigation, minimization, and avoidance measure is not supported by substantial evidence. (*See* Cal. Pub. Res. Code § 21168.5; 40 C.F.R. § 1500.2(b)). IP-6-32

The development of project designs and specifications necessary to demonstrate consistency with the MSHCP should be included in the DEIR/DEIS at this stage of the environmental review process, but are improperly deferred to a later date. (Cal. Pub. Res. Code § 21003.1(b)). For example, to address the MCP's significant impacts to existing and proposed conservation areas, the DEIR/DEIS provides for the future development of designs and specifications, information that is not included for public review in the DEIR/DEIS, to achieve consistency with the MSHCP's Urban/Wildlands Interface Guidelines in Section 6.1.4 of the MSHCP. The DEIR/DEIS states "prior to and during construction, RCTC will require the design contractor and the Construction Contractor to comply with guidelines from the MSHCP," but does not explain with adequate specificity the means that will be employed to actually achieve compliance with MSHCP guidelines. (DEIR/DEIS at 3.17-56). This sort of conclusory statement claiming future compliance lacks the substantial evidence required for determinations made under CEQA. (Cal. Pub. Res. Code § 21168.5). IP-6-33

Another area in which the DEIR/DEIS does not demonstrate compliance with the MSHCP is the Urban/Wildlands Interface Guidelines in MSHCP Section 6.1.4. This section addresses indirect effects of projects in proximity to MSHCP Conservation Areas, and provides guidelines to minimize edge effects of such developments. (MSHCP at 6.1.4). The MCP's claimed consistency with the MSHCP's guidelines to limit impacts from drainage and toxics management contained in the DEIR/DEIS is uncertain and improperly deferred. The DEIR/DEIS claims the MCP Build Alternatives "would include measures to reduce the discharge of untreated surface runoff," but only provides vague examples of "[p]roposed Treatment BMPs." (DEIR/DEIS at 3.17-35). This explanation concludes with the unsupported claim that "[t]he MCP project will comply with all NPDES requirements." (DEIR/DEIS 3.17-35). The same inadequate analysis is applied to the MCP's consistency with the MSHCP's requirements regarding toxics. IP-6-34

Similarly, the DEIR/DEIS claims consistency with the MSHCP's Urban/Wildlands Interface Guidelines on noise and light by relying on design features that will be finalized at a later date. (DEIR/DEIS at 3.17-36-37). According to Mitigation Measure MC-4, Design and Construction Management Measures, design and construction management specifications to address noise and light impacts will be developed through future coordination among the RCTC Project Engineer, the Contract Biologist, the Design Coordinator, and the Project Biologist, and will be included in the final design for the MCP. (DEIR/DEIS at 3.17-55). These design measures and specifications do not contain adequate performance standards to make these future design specifications proper as a mitigation measure. IP-6-35

Yet another important area in which the DEIR/DEIS does not adequately demonstrate consistency with the MSHCP is regarding wildlife corridors and habitat fragmentation. To demonstrate consistency with the MSHCP, the wildlife crossings described in the DEIR/DEIS IP-6-36

must conform to the requirements of the MSHCP's Siting and Design Criteria and the Guidelines for Construction of Wildlife Crossings provided in Sections 7.5.1 and 7.5.2 of the MSHCP. Despite claiming habitat movement impacts would not be "significantly new or different... than already experienced along the existing Ramona Expressway, because the Ramona Expressway currently creates edge effects and in an impediment to the wildlife movement in this already fragmented habitat," the DEIR/DEIS does in fact recognize the MCP project will have impacts on habitat fragmentation. (DEIR/DEIS at 3.17-22-3.17-23). To minimize these impacts, the MCP project includes a fenced in right-of-way with a variety of wildlife crossings, however, the adequacy of these measures is not supported by substantial evidence within the DEIR/DEIS.

Section 7.5.1 of the MSHCP provides guidelines for facilities within the criteria area and public/quasi-public lands. These guidelines are,

- Planned roads will be located in the least environmentally sensitive location Feasible, including disturbed and developed areas or areas that have been previously altered. Alignments will follow existing roads, easements, right-of-ways, and disturbed areas, as appropriate to minimize habitat fragmentation. IP-6-36
- Planned roads will avoid, to the greatest extent Feasible, impacts to Covered Species and wetlands. If wetlands avoidance is not possible, then any impacts to wetlands will require issuance of and mitigation in accordance with a federal 404 and /or state 1600 permit.
- Design of planned roads will consider wildlife movement requirements, as further outlined below under Guidelines for Construction of Wildlife Corridors.
- Narrow Endemic Plant Species will be avoided; if avoidance is not Feasible, then mitigation as described in the Narrow Endemics Plant Policy will be implemented.
- Any construction, maintenance and operation activities that involve clearing of natural vegetation will be conducted outside the active breeding season (March 1 through June 30).
- Prior to design and construction of transportation facilities, biological surveys will be conducted within the study area for the facility including vegetation mapping and species surveys and/or wetland delineations. The appropriate biological surveys to be conducted will be based on field conditions and recommendations of the project manager in consultation with a qualified biologist. The results of the biological resources investigations will be mapped and documented. The documentation will include preliminary conclusions and recommendations regarding potential effects of facility construction on MSHCP Conservation Area resources and methods to avoid and minimize impacts to MSHCP Conservation Area resources in conjunction with project siting, design, construction and operation. The project biologist will work with

facility designers during the design and construction phase to ensure implementation of feasible recommendations.

(MSHCP at 7.5.1.)

The feasibility analyses urged by the MSHCP guidelines concerning less environmentally damaging siting, impacts to covered species and wetlands, and avoidance of narrow endemic plants are not contained within the DEIR/DEIS, and therefore consistency with the provisions of Section 7.5.1 is not established and that inconsistency is not disclosed. Further, the surveys, investigation, documentation, conclusions, and recommendations mandated by Section 7.5.1 are not adequately reflected in the DEIR/DEIS. IP-6-36

The DEIR/DEIS is also inadequate in demonstrating consistency with Section 7.5.2 of the MSHCP, which provides the specific guidelines for wildlife crossings mandated for "roads that have the potential to result in impediments to wildlife movement." (MSHCP at 7.5.2). In regards to impacts to the movement of large mammalian wildlife, Section 7.5.2 of the MSHCP requires siting of wildlife passages to be "well researched in order to make the most beneficial use of ridges, valleys, normal movement routes, or other natural (or manufactured) funneling mechanisms." (MSHCP 7.5.2) This Section goes on to recognize the impediments to wildlife crossings posed by human interference, requiring "careful management of human uses in critical crossing areas." (MSHCP at 7.5.2) In order to protect small mammals and reptiles from road kill incidents, the MSHCP requires that "[b]arriers to small terrestrial wildlife movement will be encouraged along new and modified roadways, so that they are guided toward appropriate undercrossings, culverts, and viaducts." (MSHCP at 7.5.2). In fact, the MSHCP specifically provides a guideline to "construct 3-foot walls with an 18-inch lip projecting into the adjacent open space which direct small wildlife toward culverts, undercrossings, and overcrossings" for roadways near wildlife corridors. (MSHCP at 7.5.2). IP-6-37

Yet, the DEIR/DEIS concedes that, despite fencing the right-of-way, smaller animal species, including rodents and reptiles, would be susceptible to road kill, resulting in a probable reduction in population size of small mammals and reptiles in proximity to the MCP Built Alternatives. (DEIR/DEIS at 3.17-23). This impact is especially troubling considering the MCP project runs directly adjacent to a Core Reserve area for the endangered Stephens' kangaroo rat. In order to achieve consistency with the MSHCP and to protect this important biological resource, barriers must be provided that will be effective in limiting the potential for road kill impacts to small animal species.

In its specific initial guidelines for wildlife movement design consideration within the MSHCP Criteria Area, Section 7.5.2 of the MSHCP lays out a number of design guidelines including, but not limited to, crossings for large mammals at least every 1.5 kilometers, small and medium mammal crossings at least every 300 meters, various procedures to limit human interference, and a number of additional design specifications to ensure effectiveness of these wildlife crossings. (MSHCP at 7.5.2).

The DEIR/DEIS does not adequately disclose whether the MCP Build Alternatives' complies with the specific design guidelines for wildlife crossings provided by the MSHCP.

Despite referencing numerous wildlife crossings and referring the reader figures provided in an appendix, the DEIR/DEIS does not outline its compliance with the various design requirements provided in the guidelines in Section 7.5.2 of the MSHCP. For example, there is no explicit demonstration of consistency with the minimum spacing requirements for various types of crossings. Additionally, the MCP Build Alternatives do not include sufficient numbers of wildlife crossings to comply with the guidelines provides by the MSHCP in Section 7.5.2. In Attachment E of Appendix I supplemental Chapter 2 Attachments, only one specifically designated wildlife crossing is presented. Finally, there is no indication that the required one-way wildlife doors, Texas gates or cattle gates, or jump-out and one-way gates will be included in the MCP project design. These required design features, or alternatively clear disclosure of the MCP's inconsistency with these requirements, must be included in the documentation provided during the DEIR/DEIS process in a way that allows for a full public review. (Cal. Pub. Res. Code § 21003.1). IP-6-37

These poorly defined project specifications and designs that will supposedly ensure consistency with the MSHCP guidelines cannot be reviewed and commented upon by the public due to the lack of substantive description in the DEIR/DEIS. (Cal. Pub. Res. Code § 21003). This sort of unsupported, indefinite, and conclusory discussion of future compliance with environmental requirements is contrary to the purpose and spirit and substance of both NEPA and CEQA.

A further example of deferred analysis and reliance on uncertain future measures are the DBESPs, the details of which are omitted from the DEIR/DEIS. The failure of the EIR to properly disclose and analyze the impacts to riparian/riverine features prohibits the Project's compliance with the MSHCP. The MSHCP requires a specific analysis for riparian/riverine resources. (MSHCP Section 6.1.2). The MSHCP defines riparian/riverine areas as lands which contain habitat dominated by plants which occur close to or which depend upon soil moisture from a nearby fresh water source, or areas with fresh water flow during all or a portion of the year. (MSHCP Section 6.1.2). Because the Project will impact these resources a DBESP is required. (MSHCP Section 6.1.2). A DBESP analysis requires, at a minimum, a determination of whether avoidance is feasible, minimization measures for indirect impacts, mitigation that would fully offset any impacts, and a determination that mitigation proposed is biologically equivalent or superior. (MSHCP Section 6.1.2). IP-6-38

The DBESPs are imprudently relied upon throughout the Biological Resources sections of the DEIR/DEIS as mitigation for significant impacts to a wide variety of biological resources. As a threshold issue, this reliance on DBESPs is inconsistent with the MSHCP because the DEIR/DEIS does not adequately demonstrate that "an avoidance alternative is not feasible" as required by the MSHCP before a permittee may rely on a DBESP. (MSHCP at 6.1.2). The MSHCP requires every DBESP to demonstrate that avoidance of the impacted habitat is infeasible.

Even if the DBESP process were warranted here, it is inadequately analyzed as a mitigation measure to provide for meaningful public review and comment. (Cal. Pub. Res. Code § 21003). For example, to address impacts to Riparian/Riverine Areas, the DEIR/DEIS relies IP-6-39

upon a planned DBESP pursuant to Section 6.1.3 of the MSHCP, but offers no description of this DBESP. (DEIR/DEIS at 3.17-26). DBESPs are also used as mitigation for impacts to threatened and endangered species, MSHCP narrow endemic plant species, and impacts to other special status plants and animals. This reliance on DBESPs is improper as mitigation under CEQA and NEPA because the details of these DBESPs are not adequately described to provide for meaningful public review and comment (*See* Cal. Pub. Res. Code § 21003.1; 40 C.F .R. § 1500.1 (b)). This runs contrary to the requirements of CEQA and the MSHCP regarding the proper timeframe for environmental review and disclosure of a Project's impacts. (MBA 2008; MBA 2009). The DBESP process does not allow for full public opportunity to assess and comment because the 60-day "review and response period" required for DBESPs is only for the benefit of "the Wildlife Agencies." (MSHCP at 6.1.2). Furthermore, future development of DBESPs defers analysis and mitigation of the potential impacts that could be caused by the mitigation measures themselves. (Cal. Pub. Res. Code § 21003). IP-6-39

Similar to the reliance on DBESPs, regarding the MCP's potential impacts to Public/Quasi-Public Lands, the DEIR/DEIS promises a "MSHCP Section 3.2.1 Equivalency Determination" for a 1:1 replacement of Public/Quasi-Public Lands. Section 3.2.1 of the MSHCP requires, "[i]n the event that a Permittee elects to use property currently depicted as PQP Lands on the MSHCP Plan map (*Figure 3-1*) in a way that alters the land use such that it would not contribute to Reserve Assembly the Permittee shall locate and acquire or otherwise encumber replacement acreage at a minimum ratio of 1:1 replacement taking into account direct and indirect effects of PQP Lands in one location with PQP Lands in another location. The Permittee must make findings that the replacement acreage is biologically equivalent or superior to the existing property as set forth in *Section 6.5* of the *MSHCP, Volume I.*" (MSHCP at 3.2.1). However, this analysis and determination are not adequately disclosed or analyzed in the DEIR/DEIS. IP-6-40

Finally, the DEIR/DEIS provides that RCTC will complete a Joint Project Review process including a MSHCP Consistency Analysis that will be subject to the approval of a number of state and federal agencies, including USFWS, CDFW, and the Western Riverside County Regional Conservation Authority. (DEIR/DEIS at 3.17-47). This Consistency Analysis would analyze the MCP project's consistency with Section 6.1.2, 6.1.3, 6.1.4, and 6.3.2 of the MSHCP, along with any required DBESP, and would also address minimizing edge effects through the implementation of BMPs. (DEIR/DEIS at 3.17-52). These analyses must be included in the DEIR/DEIS to comply with the disclosure requirements of CEQA. (Cal. Pub. Res. Code § 21003.1). This deferral of analysis full public participation and informed decision-making by restricting public review. Furthermore, reliance on future a MSHCP Consistency Analysis that is improper and contrary to the information disclosure purpose of CEQA and NEPA. (*See* 14 Cal. Code Regs. § 15126.4; 40 C.F .R. § 1500.1 (b)) IP-6-41

b. THE DEIR/DEIS' PROPOSED MSHCP MITIGATION MEASURES ARE INADEQUATE TO MITIGATE THE PROJECT'S IMPACTS IP-6-42

The DEIR/DEIS relies upon the MSHCP for mitigation of both direct and cumulative biological impacts related to this project. However, the EIR fails to disclose the uncertainty

regarding the implementation of mitigation measures contemplated in the MSHCP to provide for the mitigation of potentially significant impacts to biological resources relied upon in the MSHCP and DEIR/DEIS. The failure to require binding and effective mitigation, disclose the uncertainties associated with mitigation, and analyze the provision of other sources of mitigation and the environmental impacts of those mitigation measures violates CEQA.

In order to address several issues related to the cost, revenue sources, and plan benefits associated with the MSHCP, the Western Riverside County Regional Conservation Authority contracted with the RAND Corporation to provide an independent and objective analysis. (RAND 2008). Entitled "Balancing Environment and Development: Costs, Revenues, and Benefits of the Western Riverside County Multiple Species Habitat Conservation Plan" the study revealed some troubling issues related to the ability of projected revenue to acquire lands relied upon by the MSHCP for mitigation and the ability of the MSHCP to achieve the reserve strategy relied upon by the US Fish and Wildlife Service in their Biological Opinion and CEQA analysis.

First, the RAND study revealed that the operating cost "exceeds the original forecast in MSHCP planning documents by $345 million (increasing from $937 million to $1,282 million)." (RAND 2008 at xxvi). This was due primarily to the failure to integrate costs into the original estimate. (RAND 2008 at xxvi). Second, the expected revenue sources do not correlate to the strategy for acquiring land outlined in the MSHCP, and the RAND study did not conclude that "existing local revenue streams will be sufficient to finance the local share of reserve assembly and operation costs." (RAND 2008 at xxvii). Notwithstanding these revenue shortages, the RAND study further concluded that the "individual acreage goals cannot all be met using the USFWS CRD [conceptual reserve design]." (RAND 2008 at xxx). In other words, the reserve design relied upon by the US Fish and Wildlife Service and California Department of Fish and Wildlife in determining that biological impacts would be mitigated below a level of significance cannot be achieved. The DEIR/DEIS' failure to disclose, analyze, and plan for the failure of the MSHCP to mitigate impacts does not meet CEQA's information mandate on disclosure to the decision makers and the public or the substantive mandate to adopt all feasible mitigation measures for potentially significant impacts. IP-6-42

The DEIR/DEIS cannot simply rely entirely on the MSHCP because there are areas of significant environmental and public concern that the MSHCP simply does not, and was not meant to, address. This includes the potentially significant impacts from direct deaths to special status species from vehicles. The impacts of vehicular deaths to species such as the Stephen's Kangaroo Rat or burrowing owl for instance, are nowhere discussed in the DEIR/DEIS or any supporting document. This is cause for concern as the identified impacts to species such as the burrowing owls from collisions with vehicles is documented within the MSHCP, and this project will significantly increase the amount of traffic in the area. (MSHCP, Volume 2 – Threats to Species). Undoubtedly, there will be vehicular caused death as a result of the project.

Additionally, the DEIR/DEIS presents no information regarding impacts to covered species from pesticide use associated with the project. Pesticide use is currently harming many of the species covered in the MSHCP. (See generally, MSHCP at 5.2.1) That the DEIR/DEIS does not address these issues violates both the MSHCP and CEQA. IP-6-43

The DEIR/DEIS cannot simply conclude that it complies with the MSHCP, and that even if the project does comply with the MSHCP, this compliance is enough to ensure that the long-term survival of special-status species will be ensured for the project. Instead, the DEIR/DEIS needs to provide detailed analysis as to how it specifically complies with all of the MSHCP's requirements. Further, it must insure that even with MSHCP compliance, the project still will not result in significant impacts to biological resources and protected species.

2. FAILURE TO ADEQUATELY DISCLOSE AND ANALYZE CONSISTENCY WITH HABITAT CONSERVATION PLAN FOR THE STEPHENS' KANGAROO RAT (SKRHCP)

The DEIR/DEIS fails to adequately disclose the MCP project's consistency with the requirements of the SKRHCP. The SKRHCP established a regional system of seven core areas comprising public and private lands for conservation of SKR. One of these core reserves, the San Jacinto-Lake Perris Core Reserve, extends into the MCP Biological Study Area (BSA) and will be impacted by the MCP project. The DEIR/DEIS claims consistency with the SKRHCP primarily based on the claim that no Core Reserves are included in the MCP study area, and exemption from mitigation fee provisions as a public works project. (DEIR/DEIS at 3.17-47). Additionally, the DEIR/DEIS claims that the MCP project is identified as a covered activity in the SKRHCP. (DEIR/DEIS at 3.17-47). IP-6-44

The claim that the "MCP study area is within the Plan Area of the Habitat Conservation Plan for the Stephens' kangaroo rat and is adjacent to reserve lands of the Habitat Conservation Plan for the Stephens' kangaroo rat," (DEIR/DEIS at 3.17-7), and will not impact Core Reserves is not supported by the DEIR/DEIS. Figure 3.17.2 clearly shows that the BSA extends into this important Core Reserve. (DEIR/DEIS at 3.17-9). The Threatened and Endangered Species section of the DEIR/DEIS clearly anticipates impacts to core reserve areas. Specifically, the potential impacts of the MCP project, according the DEIR/DEIS, are "loss of potential habitat and habitat fragmentation, particularly along the San-Jacinto-Lake Perris Reserve (a *Core Reserve* of the Habitat Conservation Plan for the Stephens' Kangaroo Rat)." (DEIR/DEIS at 3.21-14, emphasis added). The failure to adequately disclose inconsistency with the SKRHCP runs contrary to NEPA and CEQA. (40 C.F.R. § 1502.16(c); 14 Cal. Code Regs. Code Appendix G).

While the SKRHCP does permit construction of roadways in Core Reserve areas, it requires sponsoring agencies to "mitigate on a 1:1 basis for all SKR occupied habitat disturbed as a result of the project." (SKRHCP at (5)(C)(1)(s)(4)). Because the MCP project will impact the San Jacinto-Lake Perris Core Reserve, this 1:1 mitigation must be performed to achieve consistency with the SKRHCP. Approval of the Project without demonstrating this 1:1 requirement and to assure compliance with the SKRHCP would constitute a failure to proceed in a manner required by law. (Cal. Pub. Res. Code § 21168.5). IP-6-45

Impacts to SKR are more fully discussed in these comments in the section concerning threatened and endangered species. (*See infra*). IP-6-46

B. INCOMPLETE DISCLOSURE AND ANALYSIS OF IMPACTS TO SAN JACINTO WILDLIFE AREA (SJWA)

The DEIR/DEIS fails to adequately demonstrate the MCP project's impacts on the SJWA. The MCP Build Alternatives all run along a significant portion of the southern boundary of the SJWA in the area surrounding Lake Perris, including a significant portion of the San Jacinto-Lake Perris Stephens' Kangaroo Rat Core Reserve.[2] (DEIR/DEIS at 3.17-11; RCHCA 1995). Under the quasi-public lands provisions of the MSHCP, replacement of this affected habitat is required at a ratio of at least 1:1. (MSHCP at 3.2.1). IP-6-47

The DEIR/DEIS explains that the MCP project will use 3.4 acres of land within the SJWA, and because this land is subject to the replacement requirements for Public/Quasi-Public lands under the MSHCP, the RCTC will purchase and dedicate new land to the MSHCP Conservation Area in a ratio of at least 1:1. The DEIR/DEIS must disclose the project's impacts and measures taken to avoid, mitigate, and minimize those impacts, not merely describe potential mitigation options being explored by project proponents. (Cal. Pub. Res. Code § 21003.1).

C. FAILURE TO FULLY ANALYZE IMPACTS TO NATURAL COMMUNITIES OF SPECIAL CONCERN

Project-specific vegetation mapping was conducted to determine natural communities within the BSA that may be affected by the MCP. This mapping resulted in a finding of numerous natural communities of special concern, including, Marsh, Riparian Scrub, Riversidean Upland Sage Scrub, and San Jacinto alkali communities. (DEIR/DEIS at 3.17-12). Specifically, within the BSA for the MCP, there are 2.6 acres of Marsh, 35.4 acres of Riparian scrub, 203.8 acres of Riversidean Upland Sage Scrub, and 266.3 acres of Alkali Grassland. (DEIR/DEIS at 3.17-12, Table 3.17.A). IP-6-48

Impacts to these natural communities of special concern range from a total of 117 acres to 124.6 acres. (DEIR/DEIS at 3.17-21, Table 3.17.D). Avoidance, minimization, and mitigation measure for these expansive impacts to natural communities of special concern include required implementation of various BMPs, future designation and delineation of environmentally sensitive areas, future design and construction management measures, future coordination to identify and protect existing and proposed conservation areas, and future DBESPs for Ripanian/Riverine areas. (DEIR/DEIS at 3.17-53-57).

These mitigation measures must be adequately developed, analyzed, and presented for public review and comment prior to project approval, not merely presented in a conclusory fashion are improperly deferred to a later date.

2 *See* http://www.skrplan.org/docs/habitat_conservation_plan/images/hab_fig_25.gif

D. FAILURE TO ADEQUATELY ANALYZE IMPACTS TO SPECIAL STATUS ANIMAL AND PLANT SPECIES

IP-6-49

In addition to inadequacies regarding the treatment of Threatened and Endangered species in the DEIR/DEIS, *infra*, impacts to other special status species are also inadequately addressed.

1. IMPACTS TO SPECIAL STATUS ANIMAL SPECIES

According to the DEIR/DEIS, a literature review resulted in a list of 52 sensitive animal species that may occur in or within the vicinity of the BSA. 15 of these species are listed as threatened or endangered and are therefore addressed in Section 3.21 of the DEIR/DEIS,[3] and seven of these species were not analyzed at all, because, according to the DEIR/DEIS, these species are "considered to be absent from the BSA and the surrounding area due to lack of suitable habitat." (DEIR/DEIS at 3.20-1).

IP-6-50

Therefore, the analysis in this section is restricted to the 31 remaining special status animal species on the list generated from the literature review conducted for the BSA. Of these 31 animal species, focused surveys pursuant to the MSHCP requirements were only conducted for two species: burrowing owl and Los Angeles pocket mouse. (DEIR/DEIS at 3.20-2). In addition, two other special status species, northwestern San Diego pocket mouse and San Diego desert woodrat, were observed within the BSA during field studies in 2005 and 2006, but further surveys were not conducted. For the remaining 27 special status species with habitat that may be suitable within the BSA, impacts were not analyzed, because they were not observed during 2005, 2006, and 2011 field surveys. (DEIR/DEIS at 3.20-3). These limitations have the potential to restrict the analysis of the actual impacts to species resulting from the MCP, and surveys should be conducted for each species listed during the literature review to comply with CEQA's and NEPA's information disclosure requirements. (*See* Guidelines § 15065(a); 40 C.F.R. § 1508.27(b)(9)). Impacts to special status species that were addressed in the DEIR/DEIS are discussed below.

a. SWAINSON'S HAWK

The Swainson's hawk is listed as threatened on the California list of threatened and endangered species, is on the National Audubon's List of Special Concern, and is an included species under the MSHCP. The MCP will impact habitat for this species.

IP-6-51

When discussing the potential impacts to this species, the DEIR/DEIS states that the MCP Build Alternatives "may result in the minimal loss of potential foraging habitat," but claims that impacts to foraging habitat would be minimal because, although foraging habitat will be disturbed by the MCP project, there are adjacent foraging habitats that would remain undisturbed. (MSHCP at 3.21-11). The potential indirect effects to Swainson's hawk are dismissed in the same conclusory sentences as those to the Arroyo toad and bald eagle, and

[3] Two of these fifteen species discussed in Section 3.21, bald eagle and Swainson's hawk, are not listed as threatened or endangered under the Federal Endangered Species Act. Therefore, they are addressed in these comments as special status animal species.

southwestern flycatcher that simply states substantial indirect effects "are not anticipated." (DEIR/DEIS at 3.21-15). Because the DEIR/DEIS claims the impacts will be minimal, there is no discussion of means to address the potential impacts on foraging habitat for this species. This incomplete impacts analysis fails to provide the public with adequate information to facilitate complete review and comment on the MCP's impacts to this species, in violation of CEQA and NEPA. (Cal. Pub. Res. Code § 21003; 40 C.F.R. § 1508.27(b)(9)). IP-6-51

b. BALD EAGLE

Although bald eagle was delisted from the Federal list of endangered species, the species remains listed as endangered in the California list of endangered species, is protected by the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act, and is a covered species under the MSHCP. The DEIR/DEIS does not adequately analyze or address the impacts of the MCP to this species and its habitat.

The discussion of bald eagles is nearly identical to that of the Swainson's hawk, above. The DEIR/DEIS claims that there is no suitable nesting habitat within the BSA, and that the impacts to foraging habitat would be minimal because, although foraging habitat will be disturbed by the MCP project, there are adjacent foraging habitats that would remain undisturbed. (DEIR/DEIS at 3.20-8). The indirect impacts to bald eagle are dismissed in one sentence that states substantial indirect impacts "are not anticipated." (DEIR/DEIS at 3.21-15). This impacts analysis is inadequate, because instead of actually analyzing and disclosing the impacts to this species and its habitat within the project area, the DEIR/DEIS relies on the existence of unspecified foraging habitat outside the project area. This precludes the public from having adequate knowledge of the actual impacts the MCP project might have on bald eagle. IP-6-52

In regards to avoidance, minimization, and mitigation, the DEIR/DEIS cites their planned compliance with the MSHCP, pursuant to which no take of bald eagle is permitted, and concludes the MCP Build Alternatives will not result in the take of any bald eagles. (DEIR/DEIS at 3.21-12). The DEIR/DEIS also relies on consistency with the MSHCP in order to ensure compliance with the Migratory Bird Treaty Act. (DEIR/DEIS at 3.20-7). As noted above, consistency between the MCP and the MSHCP is not adequately demonstrated by the DEIR/DEIS, and, therefore, cannot rightfully be claimed as an avoidance, minimization, or mitigation measure. IP-6-53

c. BURROWING OWL

The Western Burrowing Owl (*Athene cunicularia hypugaea*) is considered to be a Bird of Conservation Concern by the U.S. Fish and Wildlife Service (USFWS). Burrowing Owls are listed as a Species of Concern in California. California's remaining burrowing owls are threatened primarily by habitat loss to urban development, persecution of ground squirrels, and intensive agricultural practices. The state-approved practice of evicting owls from development sites is accelerating local extinction of owls from rapidly urbanizing areas. Other factors contributing to the decline of owls statewide include destruction of burrows through disking and grading, impacts of pesticides, increased predation by nonnative or feral species, habitat

fragmentation, and other human-caused mortality from vehicle strikes, electrified fences, collisions with wind turbines, shooting, and vandalism of nesting sites.

The number of breeding owl colonies located in study areas in California has declined by nearly 60 percent from the 1980s to the early 1990s, and the statewide number of owls is currently thought to be declining at about 8 percent per year due to urban development. Breeding burrowing owls have been extirpated from almost one-quarter of their former geographic range in California over the past two decades. (CBD 2003). Surveys in California in 1986-91 found population decreases of 23-52% in the number of breeding groups and 12- 27% in the number of breeding pairs of owls. (DeSante et al. 1997). In southwestern California studies demonstrating overall decline of the burrowing owl populations also predict extirpation of burrowing owls from southwestern California. (Kidd 2007).

The DEIR/DEIS describes the observation of one burrowing owl in 2011 in the BSA for the MCP project, and the presence of suitable habitat "located throughout the BSA that the burrowing owl may subsequently occupy due to the transitory nature of the species." (DEIR/DEIS at 3.20-2). Based on the 2011 observation of a burrowing owl and the estimated foraging radius of 300 feet taken from a 1993 consortium, according to the DEIR/DEIS, all MCP Build Alternatives would directly impact 3.1 acres of burrowing owl habitat. (DEIR/DEIS at 3.20-4).

IP-6-54a

This understates the impacts to burrowing owl habitat because, as the DEIR/DEIS recognizes, due to the transitory nature of the species, it benefits from the availability of extended habitat areas, not merely a 300-foot radius. Further, the observation of an owl in 2011 in one area of the BSA does not mean that the owl is still present in that particular area, and additional surveys should be conducted to accurately reflect the baseline environmental conditions for this species, the results of which must be made available to the public during the DEIR/DEIS stage of the environmental review process. Greater detail concerning this survey and the implications of its results must be included in the DEIR/DEIS to fulfill RCTC's and Caltrans' information disclosure requirements under CEQA and NEPA.

The impacts to these habitat areas described in the DEIR/DEIS include direct impacts from increases in lighting at night, headlamp glare, and noise, as well as indirect impacts from a variety of edge effects. (DEIR/DEIS at 3.20-4). IP-6-54b

The avoidance, minimization, and mitigation measures presented to address impacts to this species are inadequate. The DEIR/DEIS claims, "[b]y minimizing the project footprint in the preliminary design of the MCP Build Alternatives, impacts (loss of suitable burrowing owl habitat) were greatly minimized." (DEIR/DEIS at 3.20-4, 3.20-9). In other words, the DEIR/DEIS contends that because the proposed project is not as harmful as it could be, this somehow mitigates its environmental impact. In addition, the DEIR/DEIS claims that consistency with the MSHCP will achieve mitigation for remaining impacts to burrowing owl (DEIR/DEIS at 3.20-9). However, as discussed above, consistency with the MSHCP does not provide adequate mitigation measures to fully mitigate the potentially significant impacts. IP-6-55

In addition to these general avoidance, minimization, and mitigation measures, the DEIR/DEIS provides specific measures that seek to address impacts to burrowing owl. The first of these measures requires coordination with the Project Biologist to determine potential habitat IP-6-56

areas within the project footprint prior during final design, and subsequent, more targeted preconstruction surveys within 30 days prior to any phase of constructing within the areas designated as potential habitat. (DEIR/DEIS at 3.20-10). The determination of potential habitat areas should be completed at this stage of the environmental review process to allow for the level of information disclosure and public participation envisioned by CEQA and NEPA. (Cal. Pub. Res. Code § 21003.1(b); 40 C.F.R. § 1508.27(b)(9)). IP-6-56

The next two mitigation measures proposed provide for the relocation or translocation of any burrowing owls that are found to be present in the project disturbance limits. (DEIR/DEIS at 3.20-10-11). The details of this removal and relocation/translocation are not provided by the DEIR/DEIS. Instead, the DEIR/DEIS provides that the RCTC Project Manager and Project Biologist will prepare a removal plan for submission to the California Department of Fish and Game for approval. (DEIR/DEIS at 3.20-11). Although the general contents of this required plan are provided in the DEIR/DEIS, neither the details nor the potential effectiveness of this plan are provided, and therefore, the public has inadequate information to asses the impacts of the MCP project on burrowing owl and its habitat. (Cal. Pub. Res. Code § 21003). The mitigation measures of avoiding burrowing owls only when they are present will not mitigate the decline in population and loss of habitat that the project contributes to. Considering the magnitude of threats, and ongoing population decline in the Project area the Project poses a substantial threat to the Burrowing Owl. IP-6-57

d. LOS ANGELES POCKET MOUSE (LAPM)

The DEIR/DEIS describes areas determined to be occupied by LAPM and to have long-term conservation value for the species within the MCP project footprint, noting direct impacts to between 44.07 and 44.26 acres of LAPM occupied habitat suitable for long-term conservation. (DEIR/DEIS at 3.20-2, 3.20-5). Indirect effects are also noted by the DEIR/DEIS. (DEIR/DEIS at 3.20-5).

As with impacts to burrowing owl, the DEIR/DEIS cites earlier project redesigns that avoided LAPM habitat as an avoidance, minimization, and/or mitigation measure. (DEIR/DEIS at 3.20-9). These earlier project redesigns, however, are different from avoidance, minimization, and mitigation from the impacts of the current project, and this is what the DEIR/DEIS must analyze. Also, as with impacts to burrowing owl, reliance on consistency with the MSHCP as mitigation is imprudent. Finally, the DEIR/DEIS also claims a DBESP will be conducted for the substantial acreage of LAPM habitat that will be directly impacted by the MCP Build Alternatives. As with the numerous other DBESP commitments throughout the biological resources section of this DEIR/DEIS, the feasibility of securing this DBESP is not addressed, and therefore, the effectiveness of this mitigation measure cannot be adequately evaluated by the public. IP-6-58

e. BAT SPECIES

IP-6-59

Eight special status bat species were identified as possibly occurring within the BSA, which might be directly impacted by extending existing structures in bridges and culverts that might be used as maternity and foraging roosts for these bat species. (DEIR/DEIS at 3.20-6). The

only baseline information provided as the presence of these special status bats in the BSA is a habitat suitability assessment for bats conducted on bridge structures at the western end of the BSA in 2007. (DEIR/DEIS at 3.20-2). Additional surveys should be conducted at this stage of the environmental review process to provide sufficient information for public review and comment. (Cal. Pub. Res. Code § 21003). IP-6-59

As mitigation to potential impacts to bat species from the MCP project, a system of bat maternity roosting surveys, humane bat eviction/exclusion, and retention of existing bat roosting habitat and creation of habitat replacement structures is proposed. (DEIR/DEIS at 3.20-12-13). These mitigation measures as presented in the DEIR/DEIS are insufficiently described because the maternity roosting surveys will result in reports and analysis, including later avoidance and minimization recommendations, that will not be subject to public review as required by CEQA. (DEIR/DEIS at 3.20-12) (Cal. Pub. Res. Code § 21000 et seq.). Additionally, the potential impacts resulting from these mitigation measures, which conceivably could be significant, are not analyzed. IP-6-60

Reliance on these future surveys, removal, relocation, and potential construction of new habitat, without presenting evidence of the measures' potential for success or enforceable performance standards, is insufficient to ensure the impacts from the MCP project on bat species are adequately addressed. Further, this reliance fails to provide the public with adequate information as early as possible in the environmental review process. (Cal. Pub. Res. Code § 21003.1(b)).

f. OTHER NON-LISTED ANIMAL SPECIES

In addition to the species that were observed during 2005, 2006, and 2011 field surveys, 27 species listed from the literature review may be present in the MCP BSA. (DEIR/DEIS at 3.20-6). About half are covered under the MSHCP; however, the MSHCP cannot be relied upon for full avoidance, minimization, or mitigation measure for impacts to these species. For the remainder of these non-listed species with a low to moderate probability of occurrence within the BSA, but which were not observed during field studies, the DEIR/DEIS offers a cross-reference to a Species Occurrence Table in Appendix N and habitat impact analysis contained in Section 3.17 on natural communities. (DEIR/DEIS at 3.20-7). Neither specific impacts, nor proposed mitigation for potential impacts to these species are analyzed in the DEIR/DEIS. IP-6-61

g. IMPACTS TO SPECIAL STATUS PLANT SPECIES AND INADEQUATE AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES

The MCP will result in impacts to special status plant species, both species covered under the MSHCP, and other special status species. The DEIR/DEIS is inadequate because it does not fully analyze the baseline environmental conditions or the full extent of the potential impacts to these special status plant species, and for those impacts that are recognized, mitigation measures are improperly indefinite and speculative. IP-6-62

(i) IMPACTS TO PLANT SPECIES COVERED BY THE MSHCP NARROW ENDEMIC PLANT SPECIES SURVEY AREA (NEPSSA) AND CRITERIA AREA SPECIES SURVEY AREA (CASSA)

Pursuant to the MSHCP requirements, habitat assessments and surveys were conducted for 15 NEPSSA and CASSA species, four of which were found within their designated survey areas. Two of which, SJVC and spreading navarretia, are federally listed, and were therefore addressed in Section 3.21 and are discussed in these comments in the section discussing threatened and endangered species. The other two species, smooth tarplant (*Centromadia pungen* ssp. *laevis*) and Coulter's goldfields (*Lasthenia glabrata* ssp. *coulteri*), are analyzed in this section. There are a number of impacts to these special status plant species reflected in the DEIR/DEIS, both direct and indirect are summarized below. Impacts to these special status plant beyond the survey limits set by the MSHCP must be considered to adequately asses potential impacts of the MCP. IP-6-63

All MCP Build Alternatives would result in between 2.72 and 2.73 acres of direct impacts to areas of long-term conservation value for smooth tarplant. (DEIR/DEIS at 3.19-4). In addition, a number of indirect impacts from increased fire risk, invasive species infestations, unauthorized recreational use, pollutants, and localized changes in hydrology. (DEIR/DEIS at 3.19-5).

According to the DEIR/DEIS, all MCP Build Alternatives would result in direct impacts to 1.99 acres – 2.72 acres of long-term conservation value for Coulter's goldfields. (DEIR/DEIS at 3.19-4). In addition, a number of indirect impacts from increased fire risk, invasive species infestations, unauthorized recreational use, pollutants, and localized changes in hydrology. (DEIR/DEIS at 3.19-5).

Mitigation measures for these NEPSSA and CASSA plant species are discussed with measures for non-NEPSSA/CASSA plant species, below.

(ii) IMPACTS TO NON-NEPSSA/CASSA PLANT SPECIES

Seven special status plant species not included in the MSHCP survey species will also be impacted by the all of the MCP Build Alternatives. These species include chaparral sand-verbena (*Abronia villosa* var. *aurita*), Peirson's milk-vetch (*Astragalus pachypus var. jaegeri*), Plummer's mariposa lily (*Calochortus plummerae*), Parry's spineflower (*Chorizanthe parryi var. parryi*), long-spined spineflower (Chorizanthe *polygonoides var. longispina*), Robinson's pepper-grass (*Lepidium virginicum var. robinsonii*), and San Bernardino aster (*Symphyotrichum defoliatum [Aster defoliatus]*).

The DEIR/DEIS improperly dismisses impacts to these species based on the claim that none were observed in the BSA during surveys. Additionally, the DEIR/DEIS minimizes potential impacts to Pierson's milkvetch, Plummer's mariposa lily, Parry's spineflower, long-spined spineflower, and San Bernardino aster, claiming these species have a "low probability of occurrence within the BSA" based on habitat requirements and known distribution. (DEIR/DEIS at 3.19-3). Targeted surveys should be conducted to more accurately reflect the environmental baselines for these plant species. IP-6-64

More troubling, the DEIR/DEIS improperly dismisses potential impacts to species known to be present within the project footprint, chaparral sand-verbena and Robinson's pepper-grass, without conducting focused surveys for the entire BSA. (DEIR/DEIS at 3.19-3). IP-6-64

(iii)CHAPARRAL SAND-VERBENNA

The analysis of potential impacts to chaparral sand-verbenna is flawed because it is based on an incomplete assessment of the baseline conditions in the BSA. The DEIR/DEIS claims that because most of the suitable habitat for chaparral sand-verbena within the BSA was surveyed during two earlier focused species surveys, surveys conducted in the MSHCP NEPSSA and CASSA, and because the remaining habitat within the project footprint is expected to have few, if any, individuals of chaparral sand-verbenna, further surveys are not required. Here, RCTC fails to proceed in a manner required by law by not surveying outside the NEPSSA and CASSA based on the contention that "no more than a few individuals of this species are expected to occur within the part of the MCP project footprint not surveyed during the focused surveys." (DEIR/DEIS at 3.19-3). RCTC must conduct targeted surveys in all areas of potential habitat for chaparral sand-verbenna before making conclusory statements that the impacts to this species would be insignificant. IP-6-65

(iv)ROBINSON'S PEPPER-GRASS

The analysis of potential impacts to Robinson's pepper-grass is also flawed because it is based on an incomplete assessment of the baseline conditions in the BSA. Similar to the incomplete analysis of potential impacts to chaparral sand-verbenna, DEIR/DEIS concludes that impacts to Robinson's pepper-grass "would not be expected to impair the long-term existence of large or important populations" without conducting focused surveys. (DEIR/DEIS at 3.19-5). Even despite conceding the species may occur in parts of the BSA that were not part of the plant surveys, because Robinson's pepper-grass is "not threatened or endangered, is relatively widespread in the region, and occupies relatively common habitats," the DEIR/DEIS claims focused surveys were not warranted. (DEIR/DEIS at 3.19-3). The presence of this species outside the MCP's footprint does not justify an incomplete analysis of the project's impacts to this species. IP-6-66

This incomplete and inadequate discussion of Robinson's pepper-grass misleadingly downplays the vulnerability of this species and the potential for the MCP to negatively impact its habitat. Although it is true that Robinson's pepper grass is not federally listed as threatened or endangered, it is nonetheless considered to be rare, threatened, or endangered in California and elsewhere by the California Native Plant Society, and is a special plant monitored by the Natural Diversity Data Base, indicating that the species warrants special consideration. (*See* DEIR/DEIS at Appendix N). Moreover, claims that this species is "relatively widespread" and "occupies relatively common habitats" do not establish a basis for this relativity, and as such, are too general to support a conclusion that focused surveys are not warranted. RCTC and Caltrans must make target surveys of this species to provide the public with adequate information under CEQA and NEPA. (Cal. Pub. Res. Code § 21003).

(v) INSUFFICIENT AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES FOR IMPACTS TO SPECIAL STATUS PLANT SPECIES

In addition to incomplete analysis of the impacts to special status plant species, the proposed avoidance, minimization, and mitigation measures proposed are inadequate. To address the impacts to the special status plant species listed above, the DEIR/DEIS cites Measures NC-1 and NC-2 in Section 3.17 (requiring a both the design contractor and construction contractor to have a Project Biologist to ensure adherence to BMPs, and future delineation and special care for environmentally sensitive areas respectively) and Measures U&ES-5 and U&ES-6 in Section 3.5 (requiring fire protection during construction and the inclusion of brush management zones in the final design respectively). In addition, this section includes its own measure, Measure PS-1, which requires a DBESP for impacts to smooth tarplant and Coultrer's goldfields. Because impacts to other special status plants were dismissed as minimal, no mitigation for impact to those species is included in the DEIR/DEIS. IP-6-67

These measures are inadequate to ensure impacts to these special status plant species are sufficiently addressed. In particular, Measures NC-2 and PS-1 and deferred analysis and incomplete disclosure.

First, NC-2, which requires that environmentally sensitive areas within the project footprint be delineated, and that barriers be constructed to prevent the disturbance of these environmentally sensitive areas. (DEIR/DEIS at 3.17-54). These environmentally sensitive area designations should be completed and included in the DEIR/DEIS at this stage in the environmental review process to comply with CEQA's goal of early and thorough disclosure. (Cal. Pub. Res. Code § 21003.1(b)). Further, although NC-2 prohibits construction related activities within the environmentally sensitive areas, it does not specify what would happen if an environmentally sensitive area is delineated that cannot be feasibly avoided. This possibility must be considered. IP-6-68

Next, reliance on DBESPs as the only mitigation measure specific to the impacts to special status species is insufficient, as it is imprudently speculative. This ambitious mitigation measure, which requires "equivalent or superior conservation of the species... through either location and preservation of populations that are not already proposed for conservation in the MSHCP, and/or restoration or enhancement of existing populations within the proposed conservation... within the San Jacinto River floodplain" is not assessed for feasibility. (DEIR/DEIS at 3.19-17). Without reflecting the feasibility of this mitigation measure, the DEIR/DEIS does not allow the public to adequately evaluate the potential effectiveness of this measure in mitigating the impacts to various special status plants. IP-6-69

E. FAILURE TO ADEQUATELY ANALYZE IMPACTS TO THREATENED AND ENDANGERED SPECIES AND THEIR CRITICAL HABITAT AREAS

The MCP Build Alternatives would impact final designated critical habitat areas within the BSA for a several federally listed species including San Jacinto Valley crownscale (SJVC), Spreading navaretia, California gnatcatcher, least Bell's vireo, San Bernardino kangaroo rat, and Stephens' kangaroo rat. Because the DEIR/DEIS fails to consider impacts to areas that support listed species which may occur outside designated survey areas yet within the project footprint IP-6-70

(DEIR/DEIS at 3.21-2), does not demonstrate consistency with existing habitat conservation plans (*See supra*), and fails fully address potential impacts to these species, the analysis of impacts to threatened and endangered species is insufficient to satisfy the requirements of CEQA and NEPA. Furthermore, because much of the foundational scientific data supporting the conclusions of the DEIR/DEIS are contained in separate documents the NES and NES Supplement, as a stand-alone document, the DEIR/DEIS does not satisfy the information disclosure requirements of CEQA and NEPA. (Cal. Pub. Res. Code § 21003; 40 C.F.R. § 1508.27(b)(9)). This analysis significantly underestimates the impact to habitat that is critical to the survival and recovery of the CAGN. Under the ESA, analysis of an action's affect on critical habitat must consider not only whether it diminishes the value of that habitat for the species' survival, but its recovery as well. (*Gifford Pinchot Task Force v. U.S. Fish and Wildlife Service* (9th Cir. 2004) 378 F.3d 1059.) IP-6-70

1. SAN JACINTO VALLEY CROWNSCALE (SJVC)

According to the DEIR/DEIS, all of the MCP Build Alternatives will directly impact SJVC within the MSHCP-designated survey area. The MCP project will impact critical habitat areas of long-term conservation value for SJVC, a species not only under ESA protection, but that is only known from a very small range in the San Jacinto Valley and nearby alkali playas. Further, this species is an annual plant (germinates, grows, flowers and produces fruit all within a few months), and it is imperative that adequate habitat remains available for SJVC to complete this annual cycle.

The DEIR/DEIS concedes that "[a]ll of the MCP Build Alternatives would directly impact 0.36 acres (ac) of San Jacinto Valley crownscale within the MSHCP-designated survey area for this species." (DEIR/DEIS at 3.21-5). This misleadingly downplays the baseline environmental conditions and the potential impacts of the MCP on SJVC habitat for at least two reasons: only habitat areas within MSHCP-designated survey areas are considered and newly designated critical habitat for this species is inadequately addressed. IP-6-71

First, the DEIR/DEIS only accounts for the habitat areas within the MSHCP-designated survey areas, and does not consider impacts to SJVC outside this designated area. The RCTC should analyze all potential impacts to SJVC within the project footprint and BSA, not just within pre-designated habitat areas. The claim that impacts to these non-designated areas will be mitigated by virtue of RCTC's participation as a permittee under the MSHCP assumes consistency of the MCP to the MSHCP and compliance with the MSHCP's provisions in practice. Unfortunately, the consistency with the MSHCP is far from guaranteed by the DEIR/DEIS. The DEIR/DEIS must fully disclose the MCP's inconsistency with the implementing procedures of the MSHCP and the conservation objectives for species recovery listed in the MSCHP to provide the information relevant to the effects of the MCP Build Alternatives as required by CEQA and NEPA (Cal. Pub. Res. Code § 21003.1; 40 C.F.R. § 1508.27(b)(9)).

Additionally, although the DEIR/DEIS does disclose that additional critical habitat for SJVC was proposed by USFWS on April 16, 2012, it does not clearly disclose how this designation dramatically expands the potential impacts on SJVC habitat. (DEIR/DEIS at 3.21-6). Table 3.21.B in the DEIR/DEIS reflects this designation's effect on the MCP's potential impacts IP-6-72

on SJVC habitat: an increase from .36 impacted acres to an area ranging from 19.27 to 21.39 acres (DEIR/DEIS at 3.21-7), but the impacts are nonetheless analyzed as if only .36 acres are affected. The newly-designated critical habitat was not included in the analysis contained in the NES, NES Supplement, nor the DEIR/DEIS. This substantial increase in affected SJVC habitat must be more clearly and thoroughly addressed in the DEIR/DEIS to provide proper disclosure to the public, and to ensure that the conclusions and determinations contained in the DEIR/DEIS are based on substantial evidence in the record. (Cal. Pub. Res. Code § 21003; Cal. Pub. Res. Code § 21081.5). IP-6-72

In addition to direct impacts, the MCP would have numerous potential indirect impacts. Indirect impacts from edge effects, which are shared by spreading navarretia, CAGN, least Bell's vireo, SBKR and SKR, include increased potential for fire, exotic plant infestations, unauthorized recreational use, and pollutants. Moreover, another potential indirect impact to SJVC critical habitat arises out of effects from changes in localized changes in hydrology. (DEIR/DEIS at 3.21-15) The DEIR/DEIS claims, however, that because these changes in hydrology will be "negligible," substantial indirect effects from hydrology changes "would not be expected." (DEIR/DEIS at 3.21-15, citing Section 3.9 on Hydrology and Floodplains). This sort of conclusory language does not serve the purpose of CEQA and NEPA, and reflects determinations not based on substantial evidence. (Cal. Pub. Res. Code § 21168.5; 40 C.F.R. § 1502.1). IP-6-73

The avoidance, minimization, and mitigation measures set out in the DEIR/DEIS to address impacts to SJVC are inadequate. As with spreading navarretia, least Bell's vireo, and SBKR, the DEIR/DEIS relies on the future preparation of a "Determination of Biological Equivalent or Superior Preservation (DBESP)... pursuant to MSHCP, Section 6.1.3" to address impacts to SJVC. (DEIR/DEIS at 3.21-6, 3.21-18). Unfortunately, the feasibility this DBESP and the availability of adequate replacement habitat is not analyzed by the DEIR/DEIS. This indefinite and poorly defined measure is inadequate to insure that negative impacts are adequately minimized. This reliance on uncertain future events as mitigation is contrary to CEQA and NEPA and limits the opportunity for public review and comment. (*See* Cal. Pub. Res. Code § 21081.5; 40 C.F .R. § 1500.1 (b)). IP-6-74

2. SPREADING NAVARRETIA

According to the DEIR/DEIS, all of the MCP Build Alternatives would directly impact 1.09 acres of critical habitat with primary constituent elements for spreading navarretia within the MSHCP-designated survey area for this species." (DEIR/DEIS at 3.21-6). The MSHCP includes several objectives related to spreading navarretia. Objective 2 in the MSHCP states

> Include within the MSHCP Conservation Area at least 13 of the known locations of spreading navarretia at the Skunk Hollow, the Santa Rosa Plateau and core locations: the San Jacinto Wildlife Area, floodplains of the San Jacinto River from the Ramona Expressway south to Railroad Canyon, and upper Salt Creek west of Hemet.

(MSHCP at P-418).

The Conservation Levels section of the MSHCP for spreading navarretia states:

> Eleven of the 14 known populations comprise three Core Areas (the San Jacinto Wildlife Area, the floodplains of the San Jacinto River from Ramona Expressway south to Railroad Canyon and the upper Salt Creek drainage area west of Hemet). These three Core Areas will be conserved within the Criteria Area and existing Public/Quasi-Public Lands.

(MSHCP at P-420).

Clearly all of the proposed alternatives directly impact an area identified in the MSHCP that is essential for long-term conservation of the federally threatened spreading navarretia. The DEIR/DEIS must clearly describe how the project will impact the Conservation and Core Areas of the MSHCP and the MCP's inconsistencies with the objectives of the MSHCP. IP-6-75

Impacts to habitat areas outside MSHCP-designated habitat areas should also be considered. However, as with the discussion of impact to SJVC, the disclosure of the impacts to this species appear to be confined within the MSHCP-designated survey areas, and does not include the entire project area, resulting in potentially skewed baselines. IP-6-76

Additionally, similar to the discussion of SJVC, the actual amount of potentially impacted critical habitat is substantially larger than claimed by the DEIR/DEIS, further exacerbating issues with baseline inaccuracies. While the actual number of critical habitat acres that would be affected range from 16.5-18.6 acres, the DEIR/DEIS claims that only 1.09 of these acres constitute critical habitat with primary constituent elements, and therefore, it is only these 1.09 acres of Spreading navarretia habitat that is analyzed by the DEIR/DEIS. (DEIR/DEIS at 3.21-6). The DEIR/DEIS provides no citation or source for its determination that only 1.09 acres of these 16.5-18.6 acres "support ponding of sufficient duration to provide spreading navarretia habitat." (DEIR/DEIS at 3.21-6). IP-6-77

The DEIR/DEIS must consider *all* critical habitat for spreading navarretia, not just those portions that RCTC decides are suitable without adequate justification, to provide for meaningful baseline data for public review. (Cal. Pub. Res. Code § 21003). RCTC cannot disregard USFWS' critical habitat designations by simply claiming that designated critical habitat is "mostly unsuitable for spreading navarretia." (DEIR/DEIS at 3.21-6).

In addition to direct impacts to this species, indirect impacts to spreading navarretia listed in the DEIR/DEIS are identical to those claimed for SJVC, that is, a number of edge effects and potential indirect impacts from changes in hydrology. These hydrology impacts are dismissed in a conclusory fashion as "negligible." (DEIR/DEIS at 3.21-15, citing Section 3.9 on Hydrology and Floodplains). IP-6-78

As with SJVC, least Bell's vireo, and SBKR, the DEIR/DEIS relies on the future preparation of a "Determination of Biological Equivalent or Superior Preservation (DBESP)... pursuant to MSHCP, Section 6.1.3" for mitigation of the impacts to this threatened species. (DEIR/DEIS at 3.21-6, 3.21-18). The feasibility this DBESP and the availability of adequate habitat is not addressed by the DEIR/DEIS. This indefinite and poorly defined measure is IP-6-79

inadequate to insure that negative impacts from the MCP project are minimized. This reliance on uncertain future events is contrary to CEQA and NEPA. (Cal. Pub. Res. Code § 21081.5; *Wyoming Outdoor Council v. Corps of Engineers*, 351 F.Supp.2d 1232 (D. Wy. 2005) (mitigation measures have to be "more than a possibility.").

IP-6-79

3. ARROYO TOAD

The DEIR/DEIS claims that there will be "no effect" to arroyo toad under the MCP Build Alternatives based on unsupported conclusions. (DEIR/DEIS at 3.21-11). The conclusion that there is a "low likelihood that the arroyo toad would be found within the BSA," and that therefore the MCP will not result in impacts on the species is based on incomplete and outdated data. (DEIR/DEIS at 3.21-11). In support of this claim, the DEIR/DEIS cites a study used in the 1999 USFWS Recovery Plan for the arroyo toad that appears to have been conducted in 1975, and cites another survey conducted in 2000. (DEIR/DEIS at 3.21-11). RCTC failed to conduct any surveys of its own, claiming the arroyo toad is not present within the MSHCP-designated survey area, and therefore that surveys are not required. (DEIR/DEIS at 3.21-11).

This does not accurately characterize arroyo toad habitat and the occurrence of the Arroyo Toad. The eastern end of the project lies within proposed core 5 (MSHCP at 3-25), which is also identified as a conservation area for the arroyo toad (MSHCP at A-6). Specifically,

IP-6-80

> Modeled arroyo toad habitat is distributed throughout the MSHCP Conservation Area where described. These areas occur within the following Core Areas: Vail Lake (portion of Proposed Core 7; 1,017 acres), San Juan Creek(portion of Existing Core B; 1,414 acres), Los Alamos Creek (portion of Existing Core B; 7,898 acres), San Jacinto River (portions of Proposed Core 5 and Existing Core K; 3,096 acres)...

(MSHCP at A-6). Therefore, the DEIR/DEIS and NES improperly dismiss impacts to the arroyo toad, even when all of the alternatives will impact a core area for the arroyo toad. The determination of "no effect" to arroyo toad is therefore not supported by substantial evidence in violation of CEQA. (Cal. Pub. Res. Code § 21168.5).

While indirect impacts are mentioned for this species, no meaningful assessment of those impacts is provided as the DEIR/DEIS simply concludes substantial indirect effects "are not anticipated." (DEIR/DEIS at 3.21-15). The DEIR/DEIS fails to fully analyze the impacts and propose meaningful avoidance, minimization or mitigation regarding indirect impacts, and therefore, fails to proceed in a manner required by law (Cal. Pub. Res. Code § 21168.5).

IP-6-81

4. COASTAL CALIFORNIA GNATCATCHER (CAGN)

The DEIR/DEIS states "the MCP project may result in the loss of potential habitat... and habitat fragmentation." (DEIR/DEIS at 3.21-12). Potential direct impacts to CAGN, listed under the ESA, and CAGN critical habitat (issued on 12/19/2007) would result from habitat impacts ranging from 88.1 – 93.6 acres, a portion of which "may be suitable for or occupied by" CAGN. (DEIR/DEIS 3.21-12). Potential indirect impacts include, in addition a variety of indirect

impacts from edge effects including increased potential for fire, exotic plant infestations, unauthorized recreational use, and pollutants. CAGN may suffer additional indirect effects from increases in light, glare and noise from increased vehicular traffic and from daytime and nighttime construction, and from increases in litter. (DEIR/DEIS 3.21-15).

The DEIR/DEIS claims that seasonal restrictions requiring that vegetation be cleared only outside of the nesting season for CAGN will "eliminate" direct impacts to individual CAGN, but continues to concede that substantial habitat will be impacted by the MCP Build Alternatives. Despite mentioning habitat fragmentation as a concern, the DEIR/DEIS provides no discussion of minimizing this negative impact. There is no discussion of mitigation of these habitat impacts beyond anticipated compliance with the MSHCP and formal consultation with the USFWS as required by Section 7 of the ESA. These deferred mitigation measures are insufficient under CEQA to provide the public a meaningful opportunity for review and comment. (Cal. Pub. Res. Code § 21003.1). IP-6-82

5. LEAST BELL'S VIREO

The analysis of potential impacts to least Bell's vireo is flawed from the outset, as the baseline environmental conditions are based on assumptions extrapolated from outdated observations contrary to CEQA's requirement for up-to-date environmental baseline data on conditions "as they exist at the time the notice of preparation is published." (Cal. Code Regs. tit. 14, § 15125).

The MSHCP requires, "if riparian scrub and/or woodland is identified on the wetland maps and the habitat will not be avoided as part of the project, a focused survey for least Bell's vireo shall be conducted by a qualified biologist in accordance with accepted protocol." (MSHCP Vol. 2 Species Accounts least Bell's vireo, Objective 3). However, despite the MCP project footprint impacting 35.4 acres of riparian scrub (DEIR/DEIS at 3.17-12), RCTC failed to conduct a focus survey as required by the MSHCP. Instead, the DEIR/DEIS bases its determination of the presence of least Bell's vireo on a sighting one pair within the BSA in 2008, using that data as the basis for estimating that one to two pairs could currently occupy the riparian habitat that was the location of the 2008 sighting. (DEIR/DEIS 3.21-12). IP-6-83

This estimation based on an observation in 2008 sets an improper baseline for the presence of least Bell's vireo habitat in the BSA, and focused surveys must be conducted to ascertain the actual potential for impacts to least Bell's vireo and its habitat, and to allow for meaningful disclosure to the public of the effects of the MCP. (Cal. Code Regs. tit. 14, § 15125; Cal. Pub. Res. Code § 21003.1). Moreover, habitat impacts should not be limited solely based on the observed presence of individuals, but rather should include considerations of maintaining adequate habitat for the recovery of the species. In other words, habitat should be retained to provide for future populations of least Bell's vireo that develop as a result of the recovery efforts in place for this species.

Further limiting the apparent impacts to this endangered species, the DEIR/DEIS only considered impacts to nesting habitat. The DEIR/DEIS describes the impacts to least Bell's vireo habitat as ranging from 3.59 – 3.66 acres in the form of loss of nesting habitat within the project footprint. The decision to include impacts only to nesting habitat, and to omit discussion of IP-6-84

potential impacts to other types of habitat, such as foraging habitat is not explained by the DEIR/DEIS. IP-6-84

In addition to direct impacts, least Bell's vireo faces a number of potential indirect impacts from increases in light, glare and noise from increased vehicular traffic and from daytime and nighttime construction, and from increases in litter, in addition to a variety of indirect impacts from edge effects including increased potential for fire, exotic plant infestations, unauthorized recreational use, and pollutants. (DEIR/DEIS at 3.21-15). IP-6-85

The mitigation measures proposed by the DEIR/DEIS are insufficient. The DEIR/DEIS claims direct mortality impacts resulting from the destruction of nests or the killing of young will be "avoided by conducting vegetation clearing outside March 1 to September 15." (DEIR/DEIS at 3.21-13). There is no discussion of minimizing other impacts to least Bell's vireo habitat, including impacts to non-nesting habitat, beyond anticipated compliance with the MSHCP, and the preparation of a DBESP. As with SJVC, spreading navarretia, and SBKR, the DEIR/DEIS relies on the future preparation of a "Determination of Biological Equivalent or Superior Preservation (DBESP)... pursuant to MSHCP, Section 6.1.3" (DEIR/DEIS 3.21-18). The feasibility this DBESP and the availability of adequate habitat is not addressed by the DEIR/DEIS. This is inadequate to assure that negative impacts are minimized. This reliance on uncertain future events is contrary to CEQA and NEPA. (Cal. Pub. Res. Code § 21081.5; 40 C.F .R. § 1500.1 (b)). IP-6-86

6. SOUTHWESTERN WILLOW FLYCATCHER

Despite conceding that all MCP Build Alternatives may result in the loss of potential foraging habitat used by the southwestern willow flycatcher during migration, the DEIR/DEIS shifts the attention to the claim that there will be no impact on nesting habitat. (DEIR/DEIS 3.21-13). Using this shifted focus on nesting habitat over foraging habitat, the DEIR/DEIS concludes Section 7 formal consultation will not be required because the MCP Build Alternatives would have "no effect" on the species. (DEIR/DEIS at 3.21-13). The recognition that foraging habitat for this species will be impacts by this project, yet would have "no effect" on the species defies logic. This must be clarified to comply with CEQA's requirements for EIRs to be organized and written in a way that is "meaningful and useful to decision-makers and to the public." (Cal. Pub. Res. Code § 21003(b)). Additionally, unexplained limitation on scope of review to only include nesting habitat is contrary to CEQA's requirement of disclosure of the impacts of projects requiring and EIR. (Cal. Pub. Res. Code § 21003). As with the analysis of other threatened and endangered species, the DEIR/DEIS cites compliance with the MSHCP to support its contention that any potential impacts will be avoided. (DEIR/DEIS at 3.21-13). IP-6-87

7. SAN BERNARDINO KANGAROO RAT (SBKR)

SBKR would suffer a number of direct and indirect impacts from the MCP project. All MCP Build Alternatives would directly impact between 4.25 and 4.32 acres of SBKR-occupied habitat, and 2.9 acres of SBKR critical habitat. (DEIR/DEIS at 3.21-13 – 14). Indirect impacts would include, in addition to a variety of indirect impacts from edge effects including increased potential for fire, exotic plant infestations, unauthorized recreational use, and pollutants, indirect IP-6-88

effects from increases in light, glare and noise from increased vehicular traffic and from daytime and nighttime construction, and from increases in litter. (DEIR/DEIS at 3.21-15). IP-6-88

The DEIR/DEIS again cites anticipated compliance with the MSHCP and conducting formal Section 7 consultation with USFWS. (DEIR/DEIS at 3.21-14). Additionally, as with spreading navarretia, SJVC, and least Bell's vireo, the DEIR/DEIS relies on the future preparation of a "Determination of Biological Equivalent or Superior Preservation (DBESP)... pursuant to MSHCP, Section 6.1.3" (DEIR/DEIS 3.21-18). The feasibility this DBESP and the availability of adequate habitat is not addressed by the DEIR/DEIS. This indefinite and is inadequate to insure that negative impacts are minimized. This reliance on uncertain future events is contrary to CEQA and NEPA. (Cal. Pub. Res. Code § 21081.5; 40 C.F .R. § 1500.1 (b)). IP-6-89

8. STEPHENS' KANGAROO RAT (SKR)

The DEIR/DEIS anticipates that the MCP will result in take of SKR. (DEIR/DEIS at 3.21-14) A substantial amount of Riversidean sage scrub and nonnative grassland habitat, 138.4 – 145.6 acres, will be affected by the MCP build alternatives, a portion of which *may*, according to the DEIR/DEIS, be suitable for or occupied by SKR. (DEIR/DEIS at 3.21-14). This uncertainty is unacceptable in an analysis of the MCP project's potential impacts on this species, and RCTC must conduct surveys in these areas to determine the presence of SKR to comply with CEQA's requirement for disclosure of relevant information regarding a project's impacts. (Cal. Pub. Res. Code § 21003). IP-6-90

The potential impacts of the MCP project, according the DEIR/DEIS, are "loss of potential habitat and habitat fragmentation, particularly along the San-Jacinto-Lake Perris Reserve (a *Core Reserve* of the Habitat Conservation Plan for the Stephens' Kangaroo Rat)." (DEIR/DEIS at 3.21-14, emphasis added). The DEIR/DEIS then goes on to minimize the impacts to this species by stating that no SKR were captured during a trapping effort focused on two separate species, SBKR and the Los Angeles pocket mouse. (DEIR/DEIS 3.21-14).

Regarding indirect impacts, in addition to a variety of indirect impacts from edge effects including increased potential for fire, exotic plant infestations, unauthorized recreational use, and pollutants, SKR may suffer indirect effects from increases in light, glare and noise from increased vehicular traffic and from daytime and nighttime construction, and from increases in litter. (DEIR/DEIS at 3.21-15). IP-6-91

The DEIR/DEIS contends that any take of SKR under California ESA is accounted for by the anticipated consistency with the MSHCP and SKRHCP. (DEIR/DEIS 3.21-14). With respect to take of SKR under the ESA, the DEIR/DEIS anticipates that payment of the SKR mitigation fee through the SKRHCP, and alternatively, that take authorization can be secured through Section 7 consultation with USFWS. (DEIR/DEIS at 3.21-14 – 15). In addition to this prospective take authorization, the DEIR/DEIS states RCTC will voluntarily pay mitigation fees of $500 per acre for disturbance of *occupied* SKR habitat. (DEIR/DEIS at 3.21-19). This emphasis on occupied habitat only is improper, and in fact, Riverside County made an express finding that "[i]mpacts to the Stephens' Kangaroo Rat are *not* limited to loss or degradation of actually occupied habitat only." (Riverside County Ordinance No. 663 §2(f), emphasis added). IP-6-92

It should also be noted that this occupied habitat will be substantially less than the entire 138.4 – 145.6 acres of potential habitat, and is left completely undefined. Conceptually, if no SKR individuals are surveyed, the amount of occupied SKR habitat could be zero, resulting in no mitigation payments whatsoever. Without a clear explanation of how occupied SKR habitat will be determined, or what steps, if any, will be taken in this determination, this supposed commitment to pay mitigation fees is toothless and fails to provide sufficient information to allow for meaningful public review and comment. (Cal. Pub. Res. Code § 21000 et seq.). IP-6-92

F. FAILURE TO ADEQUATELY ANALYZE IMPACTS FROM INVASIVE SPECIES

Executive Order 13112 (EO), signed February 3, 1999, requires federal agencies to: (1) identify actions which may affect the status of invasive species; (2) take a number of steps to better understand and address existing invasive species issues; and (3) only authorize, fund or carry out activities likely to cause or promote the introduction of invasive species without weighing the benefits and harms, and taking all feasible and prudent measures to minimize risk harm. (Exec. Order No. 13,112, 65 Fed. Reg. 6183, §2(a) (Feb. 8, 1999).) As a federal agency, the Federal Highway Administration's guidance issued August 10, 1999 directing the use of the State's invasive species list and steps for compliance with this EO. (Federal Highway Administration (FHWA) Guidance on Invasive Species, August 10, 1999).

Chapter 3.22 of the DEIR/DEIR does not adequately demonstrate compliance with this EO, nor does the analysis presented in Chapter 4, which lists invasive species as a potentially significant impact (DEIR/DEIR at 4-95), adequately address invasive species under CEQA. The only analysis of invasive species in Chapter 4 is in a chart toward the end of this Chapter: "The construction of the MCP Build Alternatives may spread invasive species... [and] [d]uring the operation of the MCP, vehicles using the facility may also spread invasive species; however, these impacts would be minimal because areas adjacent to the facility will be landscaped with native species that should outcompete the invasive species." (DEIR/DEIS at 4-126, Table 4.10). This falls short of the information disclosure of CEQA and NEPA. IP-6-93

1. THE DEIR/DEIS MUST USE CURRENT AND ACCURATE DATA TO ASSESS THE POTENTIAL IMPACTS FROM INVASIVE SPECIES

In preparing the inventory of invasive species present in the project area which may be affected by the MCP Build Alternatives, the DEIR/DEIS uses the California Invasive Plant Council (Cal-IPC) 2006 Invasive Plant Inventory. However, in 2007, Cal-IPC released an invasive species update that added new weeds to the inventory. (Cal-IPC 2007). Multiple species added to the Cal-IPC inventory in this 2007 update have specimen records in Riverside County, including silver wattle (Cal-IPC Taxon Report 29), purple false brome (Cal-IPC Taxon Report 1137), Japanese brome (Cal-ICP Taxon Report 1205), and others, and therefore should have been considered in the impacts analysis in this section of the DEIR/DEIS. The DEIR/DEIS should include this updated information in their analysis on potential impacts from invasive species to comply with CEQA's information disclosure requirements. (Cal. Pub. Res. Code § 21000 et seq.). IP-6-94

a. THE DEIR/DEIS MUST CONSIDER ALL POTENTIAL INVASIVE SPECIES IMPACTS

The DEIR/DEIS only touches upon two sources of invasive species impacts: impacts during construction and impacts arising from vehicles spreading invasive species during the operation of the MCP. In neither of these impact areas does the DEIR/DEIS address potential impacts from increased fire potential, and the ensuing type conversion that can occur after fires. As an unintentional dissemination of a species into an ecosystem as a result of human activity, the spread of invasive species from anthropogenic fires is considered an "introduction" under EO 13112. (EO 13112 §1(g)). Therefore, this potential impact must be analyzed in this section of the DEIR/DEIS to comply with EO 13112. IP-6-95

b. THE DEIR/DEIS PROVIDES INSUFFICIENT AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES TO ADDRESS IMPACTS FROM INVASIVE SPECIES

The mitigations measures presented in Chapter 3.22 are insufficient. The primary deficiencies in these mitigation measures are products of an improperly limited analysis of impacts; however, even where impacts are acknowledged in the DEIR/DEIS, the mitigation measures provided fall short of assuring these potential impacts are adequately addressed. IP-6-96

A number of mitigation measures in this section are imprudently indefinite. For example, Mitigation Measure IS-5, which supposedly addresses the potential for introducing invasive species through the use of "material obtained from a borrow site" requires that the material be "inspected for the presence of noxious weeds and invasive plants." (DEIR/DEIS at 3.22-5). The specifics of this inspection process are not provided by the DEIR/DEIS, the feasibility of detecting invasive plants in this borrow site material, including, for example, potentially very small seeds, is not assessed, and enforceable performance standards are not adequately set. This mitigation measure provides inadequate assurances to the public that impacts from introducing invasive species through borrow site material will be avoided.

Other mitigation measures are inadequate and incomplete because of insufficient information. For example, the use of the invasive plant species list contained in the MSHCP to ensure that no invasive species are planted in the project area is inadequate. (DEIR/DEIS 3.22-3). RCTC should use up-to-date invasive species inventories provided by Cal-ICP to ensure against planting invasive species within the project area. IP-6-97

Finally, because of this section's incomplete impacts analysis, no mitigation measures are proposed for impacts that were not considered. The only reference to avoidance of impacts from increased fire potential in this section on invasive species is a brief reference to Measure U&ES-5 in Section 3.5, Utilities/Emergency Services. (DEIR/DEIS at 3.22-3). This measure addresses increased fire potential during construction. (DEIR/DEIS at 3.5-12). The decision to omit reference in this section to the five additional mitigation measures in Section 3.5 that address increased fire potential is not explained in the DEIR/DEIS. (*See* DEIR/DEIS at 3.5-10-13). Risks of spreading invasive species from increased fire risks must be expressly acknowledged, and IP-6-98

further, must be fully addressed at every stage of the MCP, including site preparation, construction, and operation. IP-6-98

The full range of potentially significant impacts, as well as reasonably prudent avoidance, minimization, and mitigation measures must be included in the DEIR/DEIS to comply with CEQA's and NEPA's information disclosure requirements. (Cal. Pub. Res. Code § 21000 et seq; 40 C.F .R. § 1500.I (b)). IP-6-99

VII. THE ANALYSIS OF THE PROJECT'S GHG EMISSION IMPACTS IS FUNDAMENTALLY FLAWED AND INCOMPLETE

The DEIR/DEIS' greenhouse gas (GHG) emissions analysis for the Project is woefully inadequate and in contravention of its CEQA and NEPA obligations. The DEIR/DEIS fails to take into account all sources of the GHG emissions resulting from the Project, thereby underestimating the impact the Project will have on GHG emissions and climate change. The DEIR/DEIS also fails to consider all feasible mitigation measures and instead relies heavily on state-level and national mitigation measures to alleviate the Project's GHG emissions impacts. Most troublingly, the DEIR/DEIS fails to make a significance determination regarding the direct and indirect impacts of the MCP to GHG emissions. (DEIR/DEIS at 4-31.) By erroneously claiming that the current regulatory and scientific information related to GHG emissions and CEQA significance make a significance determination too speculative, the DEIR/DEIS has failed to comply with CEQA's Guidelines. IP-6-100a

A. GLOBAL WARMING POSES GRAVE RISKS TO CALIFORNIA THAT CAN ONLY BE AVOIDED THROUGH DEEP CUTS IN ATMOSPHERIC CONCENTRATIONS OF GREENHOUSE GAS EMISSIONS

"The harms associated with climate change are serious and well recognized." *Massachusetts v. EPA*, 127 S. Ct. 1438, 1455 (2007). In enacting Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006, the State of California confirmed that "[g]lobal warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California." Health & Safety Code § 38501(a). Concentrations of greenhouse gases are increasing in the earth's atmosphere, primarily from society's burning of fossil fuels for energy and destruction of forests. These gases, including but not limited to carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O), absorb solar radiation that would otherwise be radiated back into space. This phenomenon is referred to as global warming or climate change and is leading to profound changes in the earth's and California's environment as acknowledged by the DEIR/DEIS. IP-6-100b

California has set greenhouse gas emission reduction targets in an effort to avoid the catastrophic impacts projected with higher emissions scenarios. AB 32 requires California to return to 1990 levels of greenhouse gas emissions by the year 2020. (Health & Safety Code § 38550.) Looking beyond 2020, Executive Order S-3-05 sets an emissions reduction target of 80 percent below 1990 levels by 2050. (Cal. EO S-3-05, June 1, 2005.) The emission reduction targets set by AB 32 and Executive Order S-3-05 are consistent with a trajectory that aims to

stabilize atmospheric concentrations of greenhouse gases at approximately 450 ppm, a level at which climatologists estimate would provide a 50-50 chance of limiting global average temperature increases to 2°C from pre-industrial levels. (UNDP 2007, CARB 2008). A 2°C temperature increase is commonly identified "as a potential 'tipping point' for long-run catastrophic outcomes." (*Id.*; Hansen 2008).

Accordingly, "remaining within the 2°C threshold should be seen as a reasonable and prudent long term objective for avoiding dangerous climate change." (UNDP 2007). However, based in part on recent rapid on-going climate changes and the realization that the earth is already out of energy balance, scientists have now concluded that "[i]f humanity wishes to preserve a planet similar to that on which civilization developed, paleoclimate evidence and ongoing climate change suggest that CO2 will need to be reduced from its current 385 ppm to at most 350 ppm." (Hansen 2008). IP-6-100c

B. ANALYZING GLOBAL WARMING IMPACTS UNDER CEQA

The State of California has further recognized CEQA's role in addressing impacts from the greenhouse gas emissions generated by proposed projects. In August 2007, the State enacted Senate Bill 97, which requires the Governor's Office of Planning and Research (OPR) to prepare guidelines "for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions *as required by* [CEQA], including, but not limited to, effects associated with transportation or energy consumption." SB 97 (2007), codified as Pub. Res. Code § 21083.05 (emphasis added).) SB 97 "confirm[s] that GHG emissions are a significant adverse effect under" CEQA. IP-6-100d

To facilitate the analysis of global warming impacts under CEQA, OPR issued a Technical Advisory calling for lead agencies to first "make a good-faith effort, based on available information, to calculate, model, or estimate the amount of CO2 and other GHG emissions from a project." (OPR 2008). In order to perform the good faith analysis under CEQA the lead agency must include "emissions associated with vehicular traffic, energy consumption, water usage and construction activities." (OPR 2008). Once the total emissions have been calculated the lead agency must determine whether these emissions constitute a significant impact. (OPR 2008). Consistent with the CEQA Guidelines, the Technical Advisory also noted that "climate change is ultimately a cumulative impact."

Climate change is the classic example of a cumulative effects problem; emissions from numerous sources combine to create the most pressing environmental and societal problem of our time. (*Ctr. for Biological Diversity v. Nat'l Highway Traffic Safety Admin.*, 538 F.3d 1172, 1217 (9th Cir. 2008); ("the impact of greenhouse gas emissions on climate change is precisely the kind of cumulative impacts analysis that NEPA requires agencies to conduct."); *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 720 ("Perhaps the best example [of a cumulative impact] is air pollution, where thousands of relatively small sources of pollution cause serious a serious environmental health problem."); *Los Angeles Unified School Dist. v. City of Los Angeles* (1997) 58 Cal.App.4th 1019, 1025 (impact sources may "appear IP-6-100e

insignificant when considered individually, but assume threatening dimensions when considered collectively with other sources with which they interact").) IP-6-100e

The California Air Pollution Control Officers Association (CAPCOA) has also issued a "CEQA & Climate Change" white paper intended to serve as a resource to assist lead agencies in analyzing greenhouse gas impacts under CEQA. (CAPCOA 2008). CAPCOA is an association of air pollution control officers representing all thirty-five local air quality agencies and air districts throughout California. Its CEQA & Climate Change document was reviewed by air quality specialists from numerous air districts as well at the Air Resources Board. Noting that "the absence of an adopted threshold does not relieve the agency from the obligation to determine significance", CAPCOA explored various potential approaches to determining significance and then evaluated the effectiveness of each of these approaches. (CAPCOA 2008). In evaluating the effectiveness of its proposed approaches, CAPCOA determined that only a threshold of zero or a threshold of 900 tons of CO2 equivalent (CO2 eq.) emissions had a "high" GHG emission reduction effectiveness and "high" consistency with the emission reduction targets set forth in AB 32 and Executive Order S-3-05. (CAPCOA 2008). Other methods, such as a 28- 33% reduction from project business-as-usual emissions, had "low" GHG emission reduction effectiveness and consistency with emission reduction targets. (CAPCOA 2008). IP-6-100f

In developing interim significance thresholds to determine the significance of greenhouse gases, the California Air Resources Board has also acknowledged that lead agencies are "obligated to determine whether a project's climate change-related effects may be significant [] and to impose feasible mitigation to substantially lessen any significant effects." (CARB 2008). CARB recognized that it is critical to estimate and minimize emissions from all CEQA projects because "the collective greenhouse gas emissions from the industrial, residential and commercial sectors, together with the transportation sector, represent approximately 80% of the statewide greenhouse gas emissions inventory in 2004." (CARB 2008). Because of the cumulative impacts of greenhouse gas emissions, a threshold trending towards zero is most appropriate. However, any "non-zero threshold must be sufficiently stringent to make substantial contributions to reducing the State's GHG emissions peak, to causing that peak to occur sooner, and to putting California on track to meet its interim (2020) and long-term (2050) emissions reduction targets." (CARB 2008). Furthermore, CARB emphasized the need for a rigorous performance based measures to determine significance. (CARB 2008). IP-6-100g

C. THE DEIR/DEIS' REFUSAL TO DETERMINE THE SIGNIFICANCE OF THE PROJECT'S GHG IMPACTS IS INAPPROPRIATE AND A VIOLATION OF CEQA

When describing the proposed MCP's GHG emissions impact, the DEIR/DEIS concludes that "the existing conditions plus MCP project alternative would result in a 5 percent reduction in CO2 emissions within the region when compared to the existing conditions." (DEIR/DEIS 4-109.) The MCP project would also result in small increase (less than 1 percent) in CO2 emissions within the region in 2020 and 2040 when compared to the 2020 and 2040 without project conditions. (DEIR/DEIS 4-109.) However, the DEIR/DEIS then states that "in the IP-6-101

absence of further regulatory or scientific information related to GHG emissions and CEQA significance, it is too speculative to make a determination regarding significance of the project's direct impact and its contribution on the cumulative scale of climate change. However, RCTC is firmly committed to implement measures to help reduce the potential effects of the project." (DEIR/DEIS 4-109.) IP-6-101

1. STATE REGULATIONS REQUIRE A DETERMINATION OF SIGNIFICANCE FOR GHG EMISSIONS FROM THE MCP

DEIR/DEIS failure to determine the significance of Project-related greenhouse gas emissions is a violation of established CEQA principles. (*See Communities for a Better Envt. v. Cal. Res. Agency*, 103 Cal. App. 4th 98, 110 (2003); *see also* Pub. Res. Code § 21082.2(a) ("The lead agency shall determine whether a project may have a significant effect on the environment based on substantial evidence in light of the whole record."); 14 Cal. Code Regs. § 15064(a) ("Determining whether a project may have a significant effect plays a critical role in the CEQA process.").) The language of CEQA requires lead agencies to establish whether an adverse environmental impact is significant, the determination is not a discretionary one but rather a mandatory one. In light of this statutory and legal framework, others have cautioned that the lack of published thresholds of significance for greenhouse gas emissions does not relieve a lead agency of its responsibility under CEQA to make a significance determination. (Hendrix 2007)

IP-6-102

The CEQA Guidelines require agencies to "make a good-faith effort ... to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project." (14 Cal. Code Regs. §15064.4.) Indeed the Guidelines were updated with a new section entitled "Determining the Significance of Impacts from Greenhouse Gas Emissions." *Id.* There is nothing in CEQA that relieves a lead agency from its obligation to determine significant effects simply because the impact is related to a rapidly-evolving area of science and policy. (*See Protect the Historic Amador Waterways v. Amador Water Agency* (2005) 116 Cal. App. 4th 1099, 106-12 (CEQA does not allow impact analysis to be labeled too "speculative" based on a lack of threshold).) Therefore there is no justification under CEQA for RCTC to refuse to make a significance finding for GHG emissions.

Additionally, the DEIR/DEIS refusal to complete a significance analysis in part because there are no state guidance or established threshold for evaluating GHG emissions has been rejected by several state agencies for several years. Specifically as early as 2007, the California DOJ stated "[w]hether or not the state or any agency ultimately adopts regulatory thresholds and or mitigation guidelines that would apply to this type of project, the lack of official thresholds and guidelines does not absolve the County from the obligation under CEQA to determine the significance of, or adopt feasible mitigation for, the anticipated greenhouse gas emissions of the project.[4] This position was adopted by CAPCOA in its January 2008 Report on CEQA and climate change.[5]

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4 *See* Comment Letter from Cal DOJ to the Santa Barbara County Planning and Development Department (January 25, 2008); see also Comment Letter from Cal DOJ to Kern County Planning Department on Draft EIR for Proposed Corn Ethanol Plant (February 29, 2008); Comment Letter from Cal DOJ to the City of San Jose on the Draft EIR for the Coyote Valley Specific Plan (June 19, 2007); Comment Letter from Cal DOJ to City of Richmond on Draft EIR

2. THE DEIR/DEIS CONCLUSION IGNORES THE WORK DONE BY OTHER LOCAL AND REGIONAL AGENCIES

The DEIR/DEIS declaration that regulation and science related to GHG emissions is too uncertain and makes any significance analysis too speculative disregards expert analyses and work done by other local agencies on significance thresholds for GHG emissions. For example, the Bay Area Air Quality Management District (BAAQMD) conducted an extensive analysis of the "gap" between state actions to reduce emissions identified in the Scoping Plan and the need for local government to further reduce emissions from land use driven sectors.[6] After a series of calculations, BAAQMD arrived at a several different thresholds for stationary and non-stationary sources as well as for new development. The BAAQMD significance threshold is supported by the Attorney General and has been adopted by other jurisdictions, including Santa Barbara County.[7]

Additionally other public agencies have used the readily available EMFAC2007 model, in combination with project-related traffic data, to quantify greenhouse gas emissions associated with construction and operation of highway projects. Other lead agencies in Riverside County have conducted a quantified inventory for greenhouse gas emissions and determined that the project was significant based on thresholds provided by the South Coast Air Quality Management District (SCAQMD). (Moreno Valley 2013; SCAQMD 2011). A public agency must make a good-faith effort to disclose all that it reasonably can about a project's impacts. *See* 14 Cal. Code Regs. §§ 15144, 15151. Where a methodology for evaluating a particular impact exists, the agency must use it. (*See Berkeley Keep Jets Over the Bay Committee v. Bd. of Port Comm'rs* (2001) 91 Cal. App. 4th 1344, 1370-71.) IP-6-103

Many of the DEIR/DEIS excuses for not fully analyzing GHG emissions or completing a significance analysis ring hollow. Potential changes in vehicle fuel economy, introduction of near zero carbon vehicles to the market, California's adoption of low-carbon fuel standard is 2009, and changes in driver behavior due to changes in the U.S. economy and oil prices do not excuse RCTC from fulfilling its obligation to inform decision makers about the climate change impacts resulting from this Project. (DEIR/DEIS at 4-105-6.) The RCTC cannot avoid its obligation to determine the significance of the GHG emissions by stating that the science or regulatory framework is too uncertain or that any significance analysis would be too speculative. Such a claim is in direct contradiction to the years of work done by state and federal agencies to address and limit GHG emissions and climate change. The DEIR/DEIS attempts to avoid its responsibility to fully analyze the significance of the Project's impact on GHG emissions and withhold vital information from the public and decision makers.

Prepared for Chevron Energy Project (July 9, 2007).

5 CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act (CAPCOA Report) (2008).

6 BAAQMD, CEQA AIR QUALITY GUIDELINES (May 2010); BAAQMD, THRESHOLDS REPORT (May 2010).

7 Letter from California Attorney General to to BAAQMD (2009); SANTA BARBARA COUNTY INTERIM PROCEDURES FOR EVALUATING GHGs UNDER CEQA (2010); SANTA BARBARA COUNTY, SUPPORT FOR USE on BAAQMD THRESHOLDS (2010).

D. THE DEIR/DEIS SHOULD INCLUDE A FULL INVENTORY AND ANALYSIS OF THE PROJECT'S PROJECTED GLOBAL WARMING POLLUTION

The first step in determining a project's global warming pollution impact is to complete a full inventory of all emissions sources that contribute to global warming. In conducting such an inventory, all phases of the proposed project must be considered. (*See* 14 Cal. Code Regs. § 15126). The California Office of Planning and Research—the state agency charged with oversight of CEQA documents and development of CEQA guidelines—has also stated that "lead agencies should make a good-faith effort, based on available information, to calculate, model, or estimate the amount of CO2 and other GHG emissions from a project, including the emissions associated with vehicular traffic, energy consumption, water usage and construction activities." (OPR 2008). Contrary to OPR Guidance, the DEIR/DEIS fails to quantify emissions from many of these sources.

A greenhouse gas inventory for the project must include the project's direct and indirect greenhouse gas emissions. (*See* 14 Cal. Code Regs § 15358(a)(1)). Consequently, a complete inventory of a project's emissions should include, at minimum, an estimate of emissions from the following: IP-6-104

- Fugitive emissions of greenhouses gases, such as methane, from the proposed project;
- Emissions during construction from vehicles and machinery;
- Manufacturing and transport of building materials;
- Electricity generation and transmission for the lighting and other energy demands of the Project;
- Vehicle trips and transportation emissions generated by the project;
- Black carbon emissions resulting from the Project;
- Outsourced activities and contracting.

Methodologies are readily available to inventory the emissions from the proposed project. In its white paper, CEQA & Climate Change, Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act (Jan. 2008), the California Air Pollution Control Officers Association (CAPCOA) sets forth methodologies for analyzing greenhouse gas pollution (CAPCOA 2008) (See Table 1. CEQA and Greenhouse Gas Emissions Methodologies). In its Guidance, OPR also provides references to methodologies to quantify greenhouse gas emissions.

1. AS PART OF ITS CLIMATE CHANGE ANALYSIS, THE DEIR/DEIS MUST ALSO ANALYZE BLACK CARBON EMISSIONS RESULTING FROM THE PROJECT

IP-6-105

As part of its analysis of global warming impacts, the DEIR/DEIS must also address black carbon, an important short-lived pollutant that contributes to global and regional warming. Black carbon is produced by incomplete combustion and is the black component of soot. Although combustion produces a mixture of black carbon and organic carbon, the proportion of

black carbon produced by burning fossil fuels, such as diesel, is much greater than that produced by burning biomass.

Black carbon heats the atmosphere through a variety of mechanisms. First, it is highly efficient at absorbing solar radiation and in turn heating the surrounding atmosphere. Second, atmospheric black carbon absorbs reflected radiation from the surface. Third, when black carbon lands on snow and ice, it reduces the reflectivity of the white surface which causes increased atmospheric warming as well as accelerates the rate of snow and ice melt. Fourth, it evaporates low clouds. Notably, black carbon is often complexed with other aerosols such as sulfates, which greatly increases its heating potential. (Ramanathan & Carmichael 2008; Jacobson 2001).

Due to black carbon's short atmospheric life span and high global warming potential, decreasing black carbon emissions offers an opportunity to mitigate the effects of global warming trends in the short term. (Ramanathan & Carmichael 2008). Black carbon is considered a 'short-lived pollutant' (SLP) because it remains in the atmosphere for only about a week in contrast to carbon dioxide, which remains in the atmosphere for over 100 years. Furthermore, the global warming potential of black carbon is approximately 760 times greater than that of carbon dioxide over 100 years (Reddy & Boucher 2007) and approximately 2200 times greater over 20 years. (Bond & Sun 2005). It is estimated that black carbon is the second greatest contributor to global warming behind carbon dioxide. (Ramanathan & Carmichael 2008).

Unlike traditional greenhouse gases, which become relatively uniformly distributed and mixed throughout the Earth's atmosphere, black carbon exerts a regional influence. The impacts of black carbon on a regional level include both atmospheric heating, as discussed above, and hydrological changes. Hydrological changes occur due to alterations in cloud formation and heat gradients. (Ramanathan & Carmichael 2008). For instance, aerosol pollution has been linked to decreases in the summer monsoon season in tropical areas as well as the drought in the Sahel region of Africa. (Ramanathan & Carmichael 2008). California is an area of particular concern because of the drought-fire cycle. The more drought conditions prevail, the more forest fires burn, and the forest fires in turn emit massive quantities of black and organic carbon. The release of these aerosols intensifies the drought effect.

Another impact of black carbon is accelerated snowmelt; for instance, black carbon is likely contributing to the retreat of Himalayan glaciers and the resulting water shortage in areas of Asia. (Ramanathan & Carmichael 2008). When black carbon settles on snow, it makes the snow darker so that it absorbs more solar radiation. This directly leads to snow melt. In addition, local atmospheric heating due to black carbon increases the melting rate. These same effects may well be operating on the Sierra Nevada, which would reduce water availability throughout California at crucial times of the year. These localized impacts could also be contributing to a decreased snow pack and earlier snow melt for the San Gabriel, San Bernardino, and San Jacinto mountains.

Black carbon is also detrimental to human health. Black carbon has been linked to a variety of circulatory diseases. One study found an increased mortality rate was correlated with exposure to black carbon. (Maynard 2007). The same is true for heart attacks. (Tonne 2007).

Another study found that residential black carbon exposure was associated with increased rates of infant mortality due to pneumonia, increased chronic bronchitis, and increased blood pressure. (Schwartz 2007).

In developed countries, diesel burning is the main source of black carbon. Diesel emissions include a number of compounds such as sulfur oxides, nitrogen oxides, hydrocarbons, carbon monoxide, and particulate matter. Diesel particulate matter is approximately 75% elemental carbon. (EPA 2002, "Diesel Health Assessment"). The proposed project will require the use of diesel-powered heavy duty trucks, construction equipment, and yard/warehouse equipment. Thus, it is crucial that black carbon be addressed as part of the environmental review for the Project.

a. ANALYZING PARTICULATE MATTER IS INSUFFICIENT TO ADDRESS BLACK CARBON

Particulate matter (PM) refers to the particles that make up atmospheric aerosols. The primary constituents of PM are sulfates, nitrates, and carbon compounds. Sulfates and nitrates form in the atmosphere from the chemical reaction of sulfur and nitrogen dioxides. These may often be present as ammonium sulfate or nitrate salts. Carbon compounds may be directly emitted, e.g. black carbon emitted from combustion, or may form in the atmosphere from other organic vapors, e.g. oxidation of volatile organic compounds.

Because PM can be reduced through mitigation of other constituents of PM than black carbon, it is essential that black carbon emission reduction strategies be considered independently from PM reductions. The proportions of the constituents of PM vary over time and by location According to a recent series of surveys conducted at various U.S. cities under the EPA's "Supersite" program, black carbon was often only about 10% of total measured $PM_{2.5.8}$ In contrast to total $PM_{2.5}$, diesel PM is composed largely of black carbon. Nonetheless, some diesel PM reduction strategies do not affect black carbon. For instance, diesel oxidation catalysts can reduce diesel PM emissions as a whole by approximately 20 to 40%, yet they do not decrease black carbon emissions. (Walker 2004). In addition, while low-sulfur fuel will reduce sulfate emissions, in and of itself low-sulfur fuel will not reduce black carbon. Low-sulfur fuel is important because it *allows* for better technology to reduce black carbon. IP-6-106

b. METHODS ARE AVAILABLE TO SPECIFICALLY QUANTIFY BLACK CARBON EMISSIONS FROM THE PROJECT

Like greenhouse gases, black carbon emissions from various types of engines and activities can be estimated through numerical calculations. (Bond 2004). Thus, there is no reason why black carbon can reasonably be omitted from these estimates. The estimated black carbon emissions from the project can be inventoried similarly to other greenhouse gas emissions: IP-6-107

- Estimate the mass of diesel fuel consumed by each type of diesel engine, e.g. ship, machinery, truck, construction equipment, and locomotive.
- Calculate a black carbon emission factor (EF) using reference values available in the literature. For instance, Bond and colleagues provide an equation for

"EFBC" from various types of diesel engines that takes into account 4 different factors

• Multiply the emission factor times the mass of diesel (in kilograms) used for each engine type. This will provide the grams of black carbon emitted by that engine type.

• Sum all black carbon emissions from each engine category to obtain total black carbon emissions from the project. IP-6-107

After obtaining the total black carbon emissions from the Project, the relative global warming impact of the emissions can be compared to other global warming pollutants. Carbon dioxide-equivalent values can be obtained by multiplying total black carbon emissions (in kilograms) from the project by the global warming potential (GWP) for black carbon. Although there is some variation in estimated GWP values, representative black carbon GWP values are 760 over 100 years or 2200 over 20 years (Bond & Sun 2005).

2. OTHER SUBSTANTIAL CONTRIBUTORS TO GHG IMPACTS FROM THE PROJECT WERE ALSO NOT ANALYZED IN THE DEIR/DEIS

In addition to the absence of black carbon from its GHG analysis, the DEIR/DEIS also fails to properly calculate the total greenhouse gas pollution resulting from the Project by omitting emissions related to manufacturing and transport of building materials, trips taken by workers during construction to the Project site and water use. The GHG emissions analysis examined some construction GHG emissions including material processing, on-site construction equipment, and traffic delays due to construction, but omits important areas. However there are a wide array of models and methodologies to determine the emissions generated from construction machinery such as URBEMIS and EMFAC. (OPR 2008). The DEIR/DEIS is not permitted to exclude a crucial component of the project in such a fashion, failing to disclosure such information to the public or disclosing construction impacts and emissions at another phase in a piecemeal fashion. The DEIR/DEIS also fails to analyze the impacts of black carbon emissions during both the construction and operation phase of the project, even though the Project will result in a large increase in diesel exhaust from the existing conditions. IP-6-108

The proposed MCP will require 460 ac and 525 ac of new pavement in the MCP study area which will necessitate thousands of hours of operation of heavy duty construction equipment. (DEIR/DEIS 4-41.) Nowhere in the DEIR/DEIS is any quantified analysis performed to determine how these significant impacts could be avoided, reduced, or mitigated. The DEIR/DEIS also fails to account for the emissions associated with manufacturing and transport of building materials for the project. The lifecycle emissions of the products used to produce the project should be analyzed in order to determine the full carbon footprint. The construction of the MCP will take thousands of cubic yards of construction material including concrete. Cement and concrete manufacture is extremely energy intensive producing a large amount of greenhouse gas emissions. The manufacture of concrete accounts for roughly 3% of California's greenhouse gas emissions. (Masanet 2005). In order to determine ways to reduce greenhouse gas emissions from concrete the Lawrence Berkeley National Laboratory and others have developed methods for analyzing the lifecycle emissions of concrete manufacture. (Manaset IP-6-109

2005, Flower 2007). These numbers must be integrated into the greenhouse gas emissions significance determination in order to perform the good faith analysis required under CEQA.

The DEIR/DEIS also fails to conduct any analysis or quantification of the greenhouse gas emissions associated with water use related to the project. Transport of water throughout the state is extremely energy intensive. The water sector is the largest consumer of energy in California, estimated to account for 19 percent of total electricity and 32 percent of total natural gas consumed in the state. (CEC 2005). Finally, the DEIR/DEIS neglects project related trips for the transportation of workers and materials to the construction phase of the project. The GHG analysis fails to take into account trips to and from the project site while the Project will be under construction. IP-6-109

It is vital the DEIR/DEIS "disclose all it can" about project impacts and educate itself on methodologies that are available to measure project emissions. *Berkeley Keep Jets Over the Bay Comm. v. Board of Port Comm'rs (Berkeley Jets)*, 91 Cal. App. 4th 1344, 1370 (2001). Without a complete inventory, the DEIR/DEIS cannot adequately inform the public and decision-makers about the Project's impacts. Similarly, without a complete inventory and analysis of greenhouse gas emissions that will result from the project, there is simply no way that the DEIR/DEIS can then adequately discuss avoidance and mitigation measures to reduce those impacts.

E. THE DEIR/DEIS MUST ANALYZE AND ADOPT ALL FEASIBLE MITIGATION MEASURES AND ALTERNATIVES TO REDUCE THE PROJECT'S SIGNIFICANT ADVERSE IMPACTS INCLUDING GLOBAL WARMING

The EIR must analyze and adopt all feasible mitigation measures and alternatives to reduce this cumulatively significant impact of greenhouse gas emissions. CEQA requires agencies to adopt feasible mitigation measures or feasible environmentally superior alternatives in order to substantially lessen or avoid the otherwise significant environmental impacts of a proposed project. Pub. Res. Code §§21002, 21081(a); 14 Cal Code Regs. §§ 15002(a)(3), 15021(a)(2), 15091(a)(1). The EIR's cursory analysis of mitigation and alternatives violates CEQA. IP-6-110

CEQA requires that agencies "mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b). Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). Therefore, it is the "policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures which will avoid or substantially lessen the significant environmental effects of such projects." Pub. Res. Code § 21002. Importantly, mitigation measures must be "fully enforceable through permit conditions, agreements, or other measures" so "that feasible mitigation measures will actually be implemented as a condition of development." *Federation of Hillside & Canyon Ass'ns v. City of Los Angeles*, 83 Cal.App.4th 1252, 1261 (2000).

When discussing mitigation strategies, the DEIR/DEIS points to several Executive Orders by California Governor Jerry Brown, legislation passed by California. (DEIR/DEIS 4-109.) DEIR/DEIS also cites RCTC supporting efforts to reduce vehicle miles traveled by planning and implementing smart land use strategies job/housing proximity, developing transit-oriented communities, high-density housing along transit corridors, and increased fuel economy in vehicles while acknowledging RCTC does not have land use planning authority or control over national fuel economy standards. (RDIER 4-110.) Although RCTC does not have local land use planning authority. However RCTC cannot rely on state and national measures out of its control as viable mitigation for the Project. Instead, RCTC must consider all feasible mitigation measures that it can implement. Other air quality related mitigation measures are South Coast Air Quality Management District and Caltrans standards applicable to all construction Project. (DEIR/DEIS 3.14-44-5.) The DEIR/DEIS takes credit for significant reductions through the presumed effectiveness of future statewide measures and on state regulatory action. This approach largely relieves the Project applicant of any independent obligation to adopt needed additional measures to further reduce Project emissions. This outcome flies in the face of the findings in the Scoping Plan, which recognize that local governments "are essential partners" in achieving California's emissions reduction goals. Scoping Plan at 26; *see also Californians for Alternatives to Toxics v. Dept. of Food & Agric.*, 136 Cal. App. 4th 1, 17 (2005) (compliance with existing environmental laws or regulations is not sufficient to support a finding that a project will not have significant environmental impacts). IP-6-110

The DEIR/DEIS' only Project specific mitigation strategies are limited and include landscaping, energy-efficient lighting and complying with California law on restricting idling of construction vehicles to 5 minutes. (DEIR/DEIS 4-112.) However this meager list does not include meaningful mitigation measures specific to the Project or the Project' GHG emissions impacts and includes no enforcement mechanisms. These vague mitigation measures, along with DEIR/DEIS' refusal to complete a significance analysis for GHG emissions impacts, amounts to an improper end-run around CEQA's requirement to adopt all feasible mitigation and alternatives.

There are any number of feasible measures that can be incorporated to reduce vehicle miles traveled, energy use, waste, water consumption and other sources of emissions. The California Air Pollution Control Officer's Association (CAPCOA) White Paper on CEQA and Climate Change identifies existing and potential mitigation measures that could be applied to projects during the CEQA process to reduce a project's GHG emissions. (CAPCOA 2008 at Appendix B). The California Office of the Attorney General also has developed a list of reduction mechanisms to be incorporated through the CEQA process. (California Office of the Attorney General 2010). These resources provide a rich and varied array of mitigation measures to be incorporated in both the programmatic and project level. These mitigation measures are included at Attachment B and must be analyzed to determine whether they are feasible in reducing the Project's significant greenhouse gas impacts. The EIR includes a paltry list of mitigation measures that fails to meet CEQA's substantive requirement to adopt all feasible mitigation. (DEIR/DEIS at 1-54, DEIR/DEIS App. D at 2-8).

VIII. THE DEIR/DEIS' AIR QUALITY ANALYSIS IS INADEQUATE AND INCONSISTENT

As part of NEPA's and CEQA's environmental review requirements, lead agencies must disclose a project's air quality impacts. Under the Federal Clean Air Act (CAA), National Ambient Air Quality Standards (NAAQS) for six transportation-related criteria pollutants and three "visibility reducing particles," and states, as part of their State Implementation Plans (SIP), establish State ambient air quality standards. In western Riverside County, air quality is managed by the South Coast Air Quality Management District (SCAQMD). Federal agencies cannot approve a project without first determining that the project conforms to the applicable SIP required under the CAA, at both the planning and programming level, and the project level. These conformity requirements apply to nonattainment and maintenance areas. (40 C.F.R. § 93).

The DEIR/DEIS inadequately discloses air quality impacts from the MCP and presents its analysis in a way that does not allow for meaningful public review and comment. The air quality impacts analysis presented in the DEIR/DEIS is inadequate for a number of reasons. First, the much of the data in support of impacts claims is inadequately substantiated or simply out of date. Second, measures to reduce Vehicle Miles Traveled (VMTs) and Vehicle Hours Traveled (VHTs) such as high occupancy vehicle (HOV) lanes, park and ride facilities, and expansion of public transit are not considered. Third, ozone (O_3) impacts are impermissibly omitted without any explanation or justification. Finally, temporary air quality impacts from construction activities are inadequately disclosed. IP-6-111

In addition to these significant issues with the air quality impacts analysis in the DEIR/DEIS, certain assumptions, including that all vehicles in the project intersection will be operating in "fully warmed-up mode" and that "traffic distribution at the intersections under study does not vary from the EMFAC2007 standards" are used without adequate justification or explanation. This calls into question the credibility of the air quality impacts analysis as a whole. IP-6-112

A. FAILURE TO ADEQUATELY DISCLOSE AND ANALYZE AIR QUALITY IMPACTS

Because of certain fundamental inadequacies in providing information in the DEIR/DEIS, the scientific accuracy and quality of information is inadequate to demonstrate to an apprehensive citizenry that sufficient analysis and consideration of the MCP's air quality impacts has been conducted by the agencies as required by NEPA and CEQA. (40 C.F.R. § 1500.2(f); 14 Cal. Code Regs. § 15003(d)). Additionally, the air quality impact claims in the DEIR/DEIS are based on the *Air Quality Analysis* (March 2012), a nearly 200-page document that was not provided as an appendix to the DEIR/DEIS, but was eventually made available on RCTC's MCP website at the request of the public. In particular, claims related to impacts from carbon monoxide (CO), particulate matter (PM), mobile source air toxics (MSATs), and regional emissions are inadequately supported by the data presented in the DEIR/DEIS. IP-6-113

To support its claim of regional air quality conformity, the DEIR/DEIS relies on the MCP's inclusion in the 2012 RTP and 2011 FTIP, both of which were determined to conform to

the California's SIP under the CAA. (DEIR/DEIS at 3.14-11). Because, the DEIR/DEIS claims, the MCP's design and scope are consistent with the project's description in these two plans that have already been approved, regional air quality conformity has been achieved. (DEIR/DEIS at 3.14-11). However, this fails to analyze the Project's potential impacts with other air quality significance thresholds, such as exposure to sensitive receptors, violations of 1 hour or 8 hour thresholds, and contributions to cumulatively significant impacts. IP-6-113

With respect to CO impacts, the DEIR/DEIS improperly relies on standards from a lapsed SCAQMD CO attainment plan. Additionally, the DEIR/DEIS routinely presents supporting scientific information in a way that hinders meaningful public review and repeatedly relies on technical studies that are not practically available to the public for review.

In addressing the MCP's CO impacts, the DEIR/DEIS claims "[b]ecause the background CO concentrations are lower at the MCP study area intersection(s) than for the intersections in the attainment plan, the project is not expected to result in any concentrations exceeding the 1-hour or 8-hour CO standards." (DEIR/DEIS at 3.14-19). The same justification is used for the agencies' decision not to conduct a CALINE4 CO hot-spot analysis. (DEIR/DEIS at 3.14-19.) IP-6-114 One fundamental problem with this justification is that the 1997 attainment plan referenced lapsed and is no longer in effect. According to the SCAQMD Final 2003 Air Quality Management Plan (AQMP), this 1997 attainment demonstration lapsed at the end of 2000 and was replaced by a 2003 revision. (*See* SCAQMD 2003 Final AQMP at 5-1, "The 2003 CO Plan will serve as a replacement for the 1997 CO Plan that lapsed in 2000 and will provide the basis for a future maintenance plan for the Basin..."). The DEIR/DEIS also fails to adequately analyze the Project's consistency with the SCAQMD Carbon Monoxide Redesignation Request and Maintenance Plan. (SCAQMD 2005). The DEIR/DEIS cannot rely on an outdated plan in its analysis, but instead must analyze whether the Project will conflict with any applicable air quality management plan. Contrary to CEQA, the EIR fails to analyze what to what extent they would contribute to significant impacts to applicable air quality standards. (Guidelines § 15125(d); App. G § III(b).) More discussion of the CO attainment standards that should have been used in this DEIR/DEIS is contained in Chapter 5 and Appendix V of the 2003 AQMP. (*See* SCAQMD 2003 AQMP at 5-7 – 5-8). The use of this CO attainment demonstration that lapsed roughly 13 years ago is clearly erroneous, misleads the public, and results in faulty CO impacts analysis. Moreover, the inclusion of this clearly outdated data calls into question the scientific foundations of other conclusions throughout the DEIR/DEIS.

When discussing air impacts resulting from other criteria pollutants, the scientific basis for the conclusions presented in the DEIR/DEIS is practically unavailable for meaningful review, either as a result of misleading cross referencing, unavailability, or both. The DEIR/DEIS explains chronic nonattainment of PM standards in the project area, including PM_{10} in excess of IP-6-115 state standards in the past five years and in excess of federal standards in 2007, federal 24-hour $PM_{2.5}$ in excess of federal standards in each of the past five years, and annual $PM_{2.5}$ in excess of both state and federal standards in each of the past 5 years. (DEIR/DEIS at 3.14-5) In discussing PM air quality impacts from the MCP, there is no substantial evidence for the conclusion that the project would not result in new violations of $PM_{2.5}$ and PM_{10} standards (DEIR/DEIS at 3.14-19). Not only does the DEIR/DEIS claim that there would be no new

violations of PM standards, it claims a 5 to 6 percent reduction in $PM_{2.5}$ and PM_{10} emissions when compared to existing conditions. (DEIR/DEIS at 3.14-22). The EIR relies upon an improperly inflated baseline to mask the Project's significant impacts. Additionally, the use of average daily truck volumes from the 2012 TTR as support for the claims related to PM is suspect because of the faults contained the impacts traffic analysis, including inadequate assessment of impacts of the STAA requirement in the MCP project purpose and the failure to address impacts from the World Logistics Center.

In support of its PM impact claims, the DEIR/DEIS provides a list of rationales, many of which with only tangential implications to PM emissions. Moreover, the explanations that do directly support the DEIR/DEIS' claims surrounding PM cite to data contained in various tables in the DEIR/DEIS to assert that project-related PM emission increases would not result in any new exceedences of the federal standards and the project would result in a 5 to 6 percent reduction in regional PM emissions compared to existing conditions. Although these tables superficially support the contentions concerning PM impacts in the DEIR/DEIS, when the reader refers to the *2012 Air Quality Analysis* (cited as the source for this data) the reader finds the same rationale and data presented in the DEIR/DEIS without substantial evidence, if any additional analysis, and yet another citation to yet another study, cited as "*LSA Associates, Inc., May 2011*." (*2012 Air Quality Analysis* at 24, 40). Information scattered here and there in EIR appendices or a report buried in an appendix is not a substitute for a good faith reasoned analysis. (*Vineyard Area Citizens v. City of Rancho Cordova* (2007)40 Cal.4th 412, 442. (citations omitted).) IP-6-115

Similarly, claims concerning impacts from MSATs and regional emissions are based on studies that are not adequately provided for public review. Because the MCP would result in the construction of a highway facility within 500 to 1000 ft of sensitive land uses (e.g., residences, schools, day-care centers, playgrounds, and medical facilities), the project is considered to have "higher potential for MSAT effects, and a quantitative analysis of MSAT emissions is required." (DEIR/DEIS at 3.14-32). As with the PM analysis, the DEIR/DEIS provides a chart for MSAT impacts and cites the 2012 Air Impact Study, (DEIR/DEIS at 3.14-34) and the Air Impact Study provides a nearly identical chart, and cites a third study, this time "LSA Associates, Inc., 2011." (*2012 Air Quality Study* at 52). This study, from which the data presented in the DEIR/DEIS is apparently generated, is not adequately available to the public. IP-6-116

Finally, the analysis of regional emissions contained in the DEIR/DEIS, is also misleading and based on practically unavailable scientific data. The DEIR/DEIS claims although the MCP would increase emissions when compared to the 2020 and 2040 No Build conditions, the increase would be "less than 1 percent," and therefore the project would not contribute substantially to region-wide emissions." (DEIR/DEIS at 3.14-36). The basis for this claim is inadequately supported by the DEIR/DEIS. First, the claim "[t]he Build Alternatives would not generate new vehicular traffic trips because they would not construct new homes or businesses" misleadingly omits the MCP's growth inducing impacts. (DEIR/DEIS at 3.14-35). Also, to calculate emissions of CO, reactive organic gasses (ROGs), mono-nitrogen oxides (NO_x), oxides of sulfur (SO_x), PM_{10}, and PM_{25} for the 2008, 2020, and 2040 regional conditions, the DEIR/DEIS uses emission rates from the EMFAC2007 model in conjunction with VMT and VHT data from a supplemental traffic analysis from 2012. (DEIR/DEIS at 3.14-36). The IP-6-117

"supplemental traffic analysis" referenced here, cited as "Iteris, May 2012," is not provided on the MCP website and is not readily available to the public.

It is unclear why the DEIR/DEIS does not cite directly to these outside studies which are apparently the sources for the data relied upon in the DEIR/DEIS. Furthermore, neither the "*LSA Associates, Inc.*, May 2011," the "*LSA Associates, Inc., 2011*," nor the "Iteris, May 2012" supplemental traffic analysis studies are provided in the technical documents on the MCP website, and it is unclear where these studies can be found by the public, in violation of NEPA's prohibition of incorporating by reference material that is not "reasonably available for inspection by potentially interested persons within the time allowed for comment." (40 C.F.R. § 1502.21). IP-6-117

Therefore, the reader is led on a wild goose chase that frustrates the information disclosure purposes of NEPA and CEQA, and the basis for the claims regarding CO, PM, MSAT, and regional emissions from the MCP cannot be meaningfully assessed by the public and decision makers as envisioned by NEPA and CEQA. (40 C.F.R. § 1500.2(d); 14 Cal. Code Regs. § 15003(d)). In addition, to the unavailability these studies, the excessive use of cross referencing and citing to outside sources that cite to additional outside sources violates CEQA's mandate to present information "in a manner that will be meaningful and useful to decision-makers and to the public." (Cal. Pub. Res. Code § 21003). IP-6-118

The DEIR/DEIS discussion of "sensitive receptors" is cursory and somewhat misleading. The DEIR/DEIS states the majority of the sensitive receptors in the area are residential uses. ((DEIR/DEIS at 3.14-5). While this may be true, this statement over simplifies and minimizes the reality in the project area with respect to sensitive receptors, most notably omitting reference to numerous schools in the area, including, among others, Val Verde High School, Sierra Vista Elementary School, Rancho Verde High School, and various schools in the Lakeview area. Additional sensitive receptors are similarly omitted. The worsening of air quality impacts from the temperature inversions, significant in determining O3, CO and PM10 impacts, although mentioned in the DER/DEIS, are not fully disclosed and analyzed. (DEIR/DEIS at 3.14-4.) IP-6-119

According to the DEIR/DEIS, one-hour O_3 and eight-hour O_3 levels exceeded state standards in each of the past five years, including "extreme nonattainment" of the federal eight-hour O_3 standard. (DEIR/DEIS at 3.14-5, 3.14-9). Despite explicitly recognizing "extreme nonattainment" of O_3 standards and the added difficulty of achieving acceptable O_3 levels caused by temperature inversions in the environmental setting portion of the air quality impacts analysis, O_3 impacts are completely omitted from DEIR/DEIS without any justification or explanation. This omission constitutes a failure to fully disclose the MCP's air quality impacts as required by NEPA and CEQA. (40 C.F.R. § 1502.16; 14 Cal. Code Regs. § 15125(d); App. G § III(b).) IP-6-120

Although the DEIR/DEIS does address temporary air quality impacts resulting from construction activities, including dust, emissions from construction, and increased traffic as a result of road work delays, the timeframe for construction used in this section of the DEIR/DEIS fails to fully account for the potential construction-related air quality impacts. The DEIR/DEIS assesses these temporary impacts based on a proposed construction schedule of 48 months (DEIR/DEIS at 3.14-41); however, elsewhere in the DEIR/DEIS, the construction is anticipated IP-6-121

to be done in phases lasting significantly longer than the 48 months proposed here which would increase temporary environmental impacts. This potential for extended phased construction must be disclosed, analyzed, and mitigated by the DEIR/DEIS. IP-6-121

The failure of the DEIR/DEIS to consider alternative means to reduce air quality impacts through reducing overall vehicle traffic and emissions by considering measures such as HOV lanes, park-and-ride facilities, and improvements to public transportation infrastructure is contrary to the requirement is NEPA and CEQA to provide all feasible alternatives, and feasible mitigation measures to avoid or minimize the MCP's impacts on air quality. (40 C.F.R. § 1502.14; 14 Cal Code Regs. §§ 15126.6, 15126.4). IP-6-122

IX. THE DEIR/DEIS'S TRAFFIC ANALYSIS IS INADEQUATE AND INCONSISTENT

The DEIR/DEIS disclosed traffic-related impacts of the MCP in Section 3.6 Traffic and Transportation/Pedestrian and Bicycle Facilities and in the 2012 Traffic Technical Report (TTR) prepared by VRPA Technologies, Inc. Despite anticipating increased traffic on other roadways and impacts during construction, the DEIR/DEIS and TTR analysis conclude that the MCP is not expected to have any significant traffic impacts and therefore no mitigation measures are recommended. (TTR 8-2, 2012; DEIR/DEIS 3.6-2; DEIR/DEIS 3.6-49.) Neither of these two documents provides adequate or consistent analysis of the traffic related impacts of the MCP. (MRO 1-2, 2013) IP-6-123

The study area used in the TTR and DEIR/DEIS is confined to a limited area the inappropriately narrows analysis of MPC's impacts. The TTR states that the study area it examined extends "one intersection to the north and south of the MCP. (TTR 2-3, 2012). Similarly, the DEIR/DEIS states that the "MCP traffic study area is focused along Cajalco Road and Ramona Expressway for analysis of capacity and transportation demand since it is the main existing wet-east connecting route between SR-79 and I-15." (DEIR/DEIS 3.6-17.) The study area's limited scope makes the conclusion that the proposed MCP will not cause adverse traffic impacts and that the Build Alternatives will not cause substantial increases in traffic and not require any avoidance, minimization or mitigation measures for permanent traffic impacts unsurprising. (DEIR/DEIS 3.6-25;52.) IP-6-124

Additionally the traffic volume forecasts for build alternatives (TTR: Table 7-7, 7-11, 7-15) and the proposed MCP carry maximum bi-directional volumes of approximately 7,400 – 7,500 vehicles in the AM peak hour and over 8,400 vehicles in the PM peak hour (between Ramona Expressway and Bernasconi Road). As shown in the MRO Engineers Report, peak ramp volumes are also projected to be substantial with volumes as high as 1,317 in the PM peak hour. (MRO 3-4, 2013.) These high traffic volume forecast suggest that the effects of the MCP will extend further than the study area evaluated in the DEIR/DEIS. As noted by in the MRO Engineers Report "Hourly traffic volumes of 1,000 – 1,300 vehicles simply don't dissipate in the space of one intersection in each direction from the proposed corridor. The impacts of these vehicles will be felt substantially farther from the new parkway than this." (MRO 3, 2013.) The TTR acknowledges the far reaching impacts of the Project and states, "*While I-15 and Cajalco* IP-6-125

Road are relatively far away from the modified project alternatives, the potential for the project to increase traffic in these areas was considered to be worthy of consideration." (TTR 5-1, 2012.) Nonetheless, the study area was created to extend to a tiny area that fails to capture the true impacts of the Project. CEQA has been interpreted as requiring "an EIR may not ignore the regional impacts of a project...on the contrary, a regional perspective is required." (*Citizens of Goleta Valley v. Bd. of Supervisors* (1990) 52 Cal.3d 553, at 575). The DEIR/DEIS should be revised to include studies of all of the freeways, interchanges, roads and interchanges that would be impacted by the proposed MCP. IP-6-125

X. GROWTH INDUCING IMPACTS

Both NEPA and CEQA require analyses of the MCP's potential growth inducing impacts. (40 C.F.R. § 1508.8(b); 14 Cal. Code Regs. §15126.2(d)). NEPA requires consideration of "reasonably foreseeable" indirect effects, including growth inducing effects. (40 C.F.R. § 1508.8(b)). CEQA requires discussion and evaluation of "growth-inducing impacts," that is, "the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." (14 Cal. Code Reg. § 15126.2(d)).

The MCP Build Alternatives all have the potential to accelerate growth trends in western Riverside County, especially immediately surrounding the MCP. As a project that "would remove obstacles to population growth" and that "may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively" the MCP's growth-inducing impacts must be disclosed and analyzed in the DEIR/DEIS. (14 Cal. Code Reg. § 15126.2 (d)).

While the DEIR/DEIS recognizes that the MCP will increase growth, many efforts are made to support the notion that the MCP is more a response to pre-existing growth trends, and not a catalyst for further growth. In support of the contention that the western Riverside County is experiencing rapid growth, the DEIR/DEIS cites a 2008 study that found an expected 60% increase in population and an 80% increase in employment between 2010 and 2035. (DEIR/DEIS 3.2-1). The DEIR/DEIS touches on the potential for the economic recession to slow this anticipated growth, but claims "[e]ven with the economic slowdown that began in 2008" the 2008 study incorporated this into its analysis and therefore still supports this projected growth. (DEIR/DEIS 3.2-2). This 2008 study could not have possibly incorporated the impacts from the economic recession in its projections. IP-6-126

Regardless of the accuracy of these growth projections, the question whether the MCP will induce further growth or accelerate these existing growth trends remains and must be addressed by the DEIR/DEIS. As a dramatic expansion of transportation capacity and access to undeveloped areas of western Riverside County it is hard to conceive of how this MCP would not induce growth. When the on-the-ground reality of the area in which the MCP is planned to be built is assessed, the virtual certainty of significant growth inducement becomes readily apparent. Other planned projects that will have cumulative and synergistic growth inducing effects with

the MCP including, but not limited to, the World Logistics Center[8], Motte Lakeview Ranch Project[9], and the County's projections to create a city of Lakeview. While the growth inducing effects of the Villages of Lakeview project in conjunction with the MCP are mentioned by the DEIR/DEIS (DEIR/DEIS at 3.2-13), impacts from the World Logistics Center are completely omitted. IP-6-126

The potential growth inducing impacts arising out of the interaction between the MCP and the World Logistics Center must be included in the DEIR/DEIS to adequately address the potential growth inducing impacts and region wide impacts of the MCP. (Moreno Valley 2013, designated as a Regionally Significant Project). The World Logistics Center is planned to be constructed directly north of the MCP and would drive traffic to the MCP via Perris Boulevard or the Gilman Springs Road and Bridge Street connection. Envisioned as a center of employment and commerce, it is foreseeable that there will be transit between the MCP and the World Logistics Center, and that the increased access provided by the MCP will accelerate any growth induced by the World Logistics Center. Also, the draw of the World Logistics Center will likely contribute to and accelerate growth induced by the MCP itself. Omitting analysis of the growth inducing impacts related to the World Logistics Center discloses an incomplete analysis to the public and decision makers. IP-6-127

These growth impacts will affect a number of resources, including threatened and endangered species, aquatic resources, cultural resources, and farmlands. (DEIR/DEIS 3.2-14). Regarding growth implication on farmlands, the DEIR/DEIS concedes "[t]he MCP project would result in conversion of farmlands and other land uses to transportation uses... [and] it could also lead to acceleration of loss of farmlands among other land uses being impacted." (DEIR/DEIS at 3.2-17). The DEIR/DEIS goes on to claim because there are other development proposals independent from the MCP, the MCP will not be a "sole-source catalyst" for the growth effects that will impact farmlands. (DEIR/DEIS 3.1-18). This "sole-source catalyst" is not the question that must be addressed by the growth inducing impacts analysis in the DEIR/DEIS; the lead agencies must analyze and disclose the extent to which the MCP will contribute to these growth trends, and, further, must present avoidance, minimization, and mitigation measures for these impacts. IP-6-128

It is important to note, that these are merely some examples of resources that will be impacted by growth, and by no means is a complete or exhaustive list. Other resources that will likely be impacts include noise and light pollution, air quality impacts, impacts to other plants and animals, and a host of other vulnerable resources.

With respect to the implication of this growth on biological resources, the DEIR/DEIS claims "although adverse growth-related effects to threatened and endangered species (and other biological resources) may occur as a result of the MCP project, these effects have been considered and mitigated through the MSHCP." (DEIR/DEIS at 3.2-15). However, as discussed above, the MSHCP mitigation is inadequate. IP-6-129

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8 City of Moreno Valley. World Logistics Center Project: General Plan Amendment, Specific Plan, Zone Change, Tentative Parcel Map, Development Agreement, Annexation (SCH # 2012021045).
9 Riverside County, Motte Lakeview Ranch Project: GPA 00835, Change of Zone 07446, EIR 523, TPM 35872.

Concerning aquatic resources, again consistency with the MSHCP is relied upon, including speculative future DBESPs for unavoidable impacts to aquatic resources. Additionally, compliance with Section 404 of the CWA is also cited as a mitigation measure for aquatic resources impacts arising out of the growth effects of the MCP. (DEIR/DEIS at 3.2-19). IP-6-129

In addressing growth impacts to cultural resources, the DEIR/DEIS claims "[b]ecause these development proposals are proceeding irrespective of the MCP project, the MCP project is not anticipated to have any growth-related effects on cultural resources." (DEIR/DEIS at 3.2-17). This claim does not address the impacts on cultural resources that are likely to arise out of the increased access, accelerated pace of development, and other impacts from the growth facilitated by the MCP on cultural resources. Additionally, planned consistency with the Riverside County General EIR is used by the DEIR/DEIS as a minimization measure against growth impacts to cultural resources. For any remaining impacts, the DEIR/DEIS claims that through compliance with the Riverside County General Plan, these impacts will be minimized. (DEIR/DEIS 3.2-20). However, these claims cannot be supported by substantial evidence. IP-6-130

In conclusion, the growth inducing impacts of the MCP are inadequately disclosed, and where these impacts are recognized avoidance, minimization, and mitigation measures presented are inadequate. IP-6-131

XI. CUMULATIVE IMPACTS

NEPA requires an EIS to analyze "cumulative actions, which when viewed together have cumulatively significant impacts." (40 C.F.R. § 1508.25(a)(2)). Cumulative impact is defined by the NEPA regulations as environmental impacts resulting from "the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions." (40 C.F.R. § 1508.7).

CEQA requires discussion of cumulative impacts of a project's incremental effects that are cumulatively considerable, and if the lead agency determines the effects are not cumulatively considerable, it must explain its basis for this conclusion (14 Cal. Code. Regs. § 15130 (a)). CEQA regulations define cumulative impacts as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." (14 Cal. Code. Regs. § 15355). Further, an EIR must adequately reflect the severity of the impacts and the likelihood of occurrence. (14 Cal. Code. Regs. § 15130 (b)). The minimum requirements for a cumulative analysis under CEQA are:

> (1) Either:
> (A) A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, or
> (B) A summary of projections contained in an adopted local, regional or statewide plan, or related planning document, that describes or evaluates conditions

contributing to the cumulative effect. Such plans may include: a general plan, regional transportation plan, or plans for the reduction of greenhouse gas emissions. A summary of projections may also be contained in an adopted or certified prior environmental document for such a plan. Such projections may be supplemented with additional information such as a regional modeling program. Any such document shall be referenced and made available to the public at a location specified by the lead agency.

(2) When utilizing a list, as suggested in paragraph (1) of subdivision (b), factors to consider when determining whether to include a related project should include the nature of each environmental resource being examined, the location of the project and its type. Location may be important, for example, when water quality impacts are at issue since projects outside the watershed would probably not contribute to a cumulative effect. Project type may be important, for example, when the impact is specialized, such as a particular air pollutant or mode of traffic.

(3) Lead agencies should define the geographic scope of the area affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used.

(4) A summary of the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available, and

(5) A reasonable analysis of the cumulative impacts of the relevant projects. An EIR shall examine reasonable, feasible options for mitigating or avoiding the project's contribution to any significant cumulative effects.

(14 Cal. Code. Regs. § 15130.)

Here, the DEIR/DEIS is deficient for at least three reasons, cumulative impacts to climate changes are inadequately addressed, the cumulative impacts from other planned projects including the planned World Logistics Center, to be built just north of the MCP, Motte Ranch and other proposed development, are not disclosed, and the assurances of consistency with HCPs and local plans used consistently as support for claims of insignificant cumulative impacts are inadequately supported.

IP-6-132

The DEIR/DEIS recognizes that the MCP will have a number of cumulative impacts to a variety of resources, including farmlands, visual/aesthetic resources, cultural resources, visual/aesthetic impacts, paleontological resources, natural communities, wetlands and other waters, plant species, animal species, and threatened and endangered species. This falls short of complete disclosure. The deficiency is the result of baselines that exclude potentially significant sources cumulative impacts and reliance on inadequately demonstrated consistency with existing HCPs and General Plans.

A. THE SCOPE OF THE CUMULATIVE IMPACTS ANALYSIS IS IMPROPERLY NARROW AND MUST CONSIDER CUMULATIVELY CONSIDERABLE IMPACTS IN RELATION TO OTHER PROJECTS

The omission of other projects that could considerably increase the MCP's cumulative impacts substantially and an improperly narrow scope of the cumulative impacts analysis area fail to disclose the reasonably foreseeable cumulative impacts of the MCP project. Under CEQA, future expansions or other actions that will likely change the scope or nature of the initial project's environmental effects must be considered, and "[l]ead agencies should define the geographic scope of the area affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used." (Guidelines, § 15130, subd. (b)(3).) When analyzing the scope of the cumulative impacts included in an EIR, the issue is whether inclusion was reasonable and practical, and whether without their inclusion, the severity and significance of the cumulative impacts were reflected adequately. (*Envtl. Prot. Info. Ctr. v. California Dept. of. Forestry & Fire Prot.,* 44 Cal.4th 459,. 525 (2008)).

To fully analyze impacts to these resources, the DEIR/DEIS must look beyond the imprudently limited study area, and should look to other cumulatively considerable impacts such as the World Logistics Center. The World Logistics Center is a planned project that will be built between the proposed MCP and HWY 60, directly north of the San Jacinto Wildlife Area. The World Logistics Center shares numerous impacts in common with the MCP and these impacts from these projects are likely to be cumulatively considerable. Significant impacts from the World Logistics Project will include impacts to aesthetics, farmland, air quality, greenhouse gas emissions, noise, and transportation facilities. (World Logistics Center Project Draft Environmental Impact Report at 1-7). The impacts form the World Logistics Center in combination with the impacts from the MCP will be greater than the impacts as described by the DEIR/DEIS. IP-6-133

Here, because the World Logistics Center is not even mentioned, let alone its impacts disclosed and addressed, the cumulative impacts analysis unreasonably omits a cumulative impact resulting in inadequate disclosure. The DEIR/DEIS limits the geographical scope of its cumulative impacts analysis in a way that excludes the World Logistic Center, despite the project having environmental impacts that will likely make impacts from the MCP project "cumulatively considerable." (Guidelines, § 15130 (a)). According to the DEIR/DEIS, the study area for cumulative impacts was the MCP study area "in most cases." (DEIR/DEIS at 3.25-2). Even in the cases where the cumulative impacts study area was expanded, the World Logistics Center is never included.

The World Logistics Center is more than a foreseeable project; it is a project that is in the process of environmental review itself and it all but certain to be built. As a project that will impact many of the same resources in the general area of the MCP, it is likely that the World Logistics Center will change the scope and nature of the MCP's environmental impacts, and is therefore a cumulative impact that must be included in the DEIR/DEIS.

Impacts arising from the World Logistics Center that will make impacts from the MCP cumulatively considerable include, but are not limited to, impacts to natural communities, impacts to plant and animal species including threatened and endangered species, farmland conversion, air quality impairment, and historic and archeological resources. (*See* World Logistics Center Project Draft Environmental Impact Report).

As an example of a specific impact arising out of the World Logistics Center that will exacerbate impacts from the MCP, cumulative impacts to burrowing owls are inadequately disclosed and addressed. While impacts from the Villages of Lakeview and SR-79 Realignment projects are disclosed, the impacts to burrowing owl habitat from the World Logistics Center, which is within areas requiring burrowing owl surveys, are not disclosed because this project is outside the designated MCP study area. Taking into account the cumulative habitat loss for this species, however, the impacts to habitat resulting from the World Logistics Center should also be disclosed in the DEIR/DEIS to present the public with a complete picture of the cumulative impacts on this special status species. IP-6-133

Because the cumulative impacts arising out of the World Logistics Center are not discussed, the public and decision-makers cannot meaningfully assess whether potential significant environmental impacts were minimized, avoided, or mitigated. If the cumulative impacts arising from the World Logistics Center in conjunction with the MCP were addressed in a prior EIR for a general plan of for the MSHCP, the DEIR/DEIS must disclose this and incorporate these analyses by reference. (Guidelines, § 15130 (d), & (e)).

B. RELIANCE ON SPECULATIVE CONSISTENCY WITH MSHCP AND OTHER MEASURES AS IMPROPERLY SKEWS BASELINE IMPACTS AND IS INADEQUATE AS A MITIGATION MEASURE

Further skewing the analysis of cumulative impacts, where cumulative impacts are discussed, the DEIR/DEIS consistently relies on anticipated consistency with various HCPs and General Plans, future agreements, and other speculative measures to mitigate cumulative impacts. The primary projects that are recognized as having cumulatively considerable impacts are the Villages of Lakeview Specific Plan and the SR-79 Realignment Project, both of which are anticipated to have significant cumulative impacts. IP-6-134

These projects affect a number of resources, for example, in the area of threatened and endangered species, habitat affected by the MCP will also be impacted. First, according to the EIR for the Villages of Lakeview Specific Plan, that project will impact habitat for SKR and CCGN. (Villages of Lakeview FEIR 2.0-26-3 (2009).) Second, according to preliminary studies of the SR-79 Realignment Project, that project will impact "up to 331 ac of critical habitat for spreading navarretia, 356.8 ac of [SKR] habitat, 6,548 SJVC, 101.41 ac of CCGN suitable habitat" in addition to impacting other species. (DEIR/DEIS 3.25-51). Similarly cumulatively considerable impacts from these projects extend into other areas as well.

Reliance on the MSHCP is pervasive in the DEIR/DEIS in its discussion of cumulative impacts, despite inadequate assurances of mitigation by the MSHCP. For example, the

DEIR/DEIS claims "[c]umulative impacts to natural communities, plant species, animal species, and threatened and endangered species will be mitigated through compliance by RCTC and other permittees with the Western Riverside County MSHCP." (DEIR/DEIS 3.25-53). As noted in the Center's comments of the Biological Resources section of this DEIR/DEIS, the MSHCP mitigation scheme is inadequate to fully mitigate impacts. IP-6-134

As another example of reliance on speculative future measures, in addressing cumulative impacts to cultural and historic sites, the DEIR/DEIS explains mitigation will not be fully defined until a Preferred Alternative is identified and a Memorandum of Agreement, to be included in the Final EIR/EIS, has been developed and agree to between FHWA and the consulting parties for National Register eligible resources. (DEIR/DEIS 3.25-38). This deferral of analysis prevents the public and decision-makers from having an opportunity to analyze and comment on the cumulative impacts to cultural and historic resources and is contrary to CEQA's early disclosure policy. (Cal. Pub. Res. Code § 21003.1(b)). IP-6-135

XII. THE DEIR/DEIS FAILS TO ADEQUATELY ANALYZE THE GEOLOGIC IMPACTS AND GEOLOGIC SETTING

The Project fails to adequately analyze the environmental setting and impacts as it relates to the Project's potential impact to and be affected by local and regional geology. The Project would cross the Alquist-Priolo Earthquake Fault Zone, Casa Loma Fault, and is located in the vicinity of the San Jacinto Fault Zone. The east end of the project is within an area of relatively rapid subsidence due to combination of tectonic and groundwater conditions. (Morton pers. comm.[10]). This has caused necessary repairs to the Ramona Expressway, which has had to be repaired due to offset pavement where it crosses the Casa Loma Fault. (Morton pers. comm.). Metropolitan Water District's aqueduct has been offset and realigned on two occasions due to displacement on the Casa Loma Fault. (Morton pers. comm.). IP-6-136

The DEIR fails to adequately analyze subsidence-related fissures that extend west from the San Jacinto pull-apart basin, across Davis Road (just north of the San Jacinto River channel) to the area of Bernasconi Road. This is due, in part, to the DEIS/DEIR's failure to include an adequate geologic map in the DEIR/DEIS itself in order to fully disclose and analyze the actual geologic conditions in the Project area. In order to properly describe the environmental setting, which will promote an adequate analysis, there must be a detailed geologic map with an accurate location of the proposed highway, a discussion on subsidence and impacts on the Project, and a discussion on fissuring and impacts on the Project.

XIII. THE DEIS/DEIR VIOLATES SECTION 4(f) OF THE DEPARTMENT OF TRANSPORTATION ACT.

In enacting section 4(f) of the Department of Transportation Act of 1966, Congress declared that "special effort should be made to preserve the natural beauty of the countryside and

[10] Doug Morton, UC Riverside, Adjunct Professor of Regional Geology of Southern California; personal communication (April 4, 2013)"

public park and recreation lands [and] wildlife and waterfowl refuges...." 49 U.S.C. § 303. As a means of realizing these broad goals, Congress specified two fundamental substantive mandates under the Act: (1) prohibiting federal agencies from approving transportation projects that require use of a public park, recreation area or wildlife refuge unless there are no feasible and prudent alternatives to using the parkland; and (2) requiring transportation projects which use a public park, recreation area or wildlife refuge to include all possible planning to minimize harm to the parkland. 49 U.S.C. § 303(c). The Transportation Act thus codified the requirement that federal agencies consider alternatives to environmentally damaging proposals several years before this principle was enshrined as a core provision in NEPA. The Act's provisions are even more stringent than NEPA's, however, in that they provide substantive direction that alternatives to proposed highway routes which would destroy public parks must be selected when such alternatives are feasible and prudent.

Authoritative interpretation of federal agencies' duties under this provision was first established and continues to be provided by the 1971 Supreme Court decision in *Citizens to Preserve Overton Park, Inc. v. Volpe*, 401 U.S. 402, in which the Court overturned the Secretary of Transportation's approval of a six-lane highway through a park in Memphis, Tennessee. In reaching its decision, the Court held that "only the most unusual situations are exempted" from the 4(f) mandate. The Court further elaborated that only "unique problems" such as extreme financial costs or community disruption of "extraordinary magnitudes" would constitute such "unusual situations." *Id.* at 411,413.

As Justice Marshall explained, the "very existence" of section 4(f) demonstrates "that protection of parkland was to be given paramount importance." (*Id.* at 412-413.) By holding that only alternatives which included additive costs or community disruption of "extraordinary magnitude" could justify an exemption to section 4(f), the Court made clear that choosing a siting alternative that requires use of a public park or recreation area simply because it is the least expensive or most efficient choice does not meet the rigorous mandate of the provision. *Overton Park* thus sharply limits the discretion of federal agencies in approving proposed transportation projects affecting 4(f) resources.11

A. THE DEIR/DEIS FAILS TO ADEQUATELY CONSIDER THE PROJECT'S CONSTRUCTIVE USE OF 4(F) RESOURCES.

The MCP alternatives will undeniably have serious impacts on numerous 4(f) resources. Each of the MCP alignments would impact hundreds of acres within various parks and habitat reserves through direct impacts caused by the actual siting of the Project. Yet, while the DEIR/DEIS acknowledges many of these direct impacts, it fails to adequately address "constructive use" impacts to 4(f) lands that will be adjacent to, but not directly used by, the Project. IP-6-137

A "constructive use" of 4(f) lands occurs when:

11 The standards outlined in the *Overton Park* case have been codified by the Department of Transportation's section 4(f) implementing regulations at 23 C.F.R. § 771.135.

> [A]·transportation project does not incorporate land from a section 4(f) resource, but the project's proximity impacts are so severe that the protected activities, features, or attributes that qualify a resource for protection under section 4(f) are substantially impaired. Substantial impairment occurs only when the protected activities, features, or attributes of the resource are substantially diminished.

(23 C.F.R. §771.135(p)(2).) Examples of constructive uses include noise increases, substantial aesthetic impairment, restriction of access, vibration impacts, and ecological intrusions, among others. (*See* 23 C.F.R. § 771.135(p)(4).)

The application of section 4(f) to constructive use has been recognized by the courts in a wide variety of circumstances. The 9th Circuit was the first to recognize such circumstances and has continued to do so. In *Brooks v. Volpe*, 460 F .2d 1193, 1194 (9th Cir. 1972), for example, the court found that a highway encircling a campground was subject to section 4(f) despite the fact that there was no actual use of protected lands. Since then, federal courts have found constructive use of section 4(f) lands resulting from such impairments as increased noise, unsightliness, and impaired access. (*See, e.g., Citizens Against Burlington, Inc. v. Busey* (D.C. Cir. 1991) 938 F.2d 190,202 (holding noise from airport expansion would impact nearby park); *Citizen Advocates for Responsible Expansion, Inc. v. Dole* (5th Cir. 1985) 770 F.2d 423,439 (holding highway project would cause aesthetic and visual intrusion on protected park and historic buildings); *Monroe County Conservation Council v. Adams* (2d Cir. 1977) 566 F.2d 419,424 (holding highway would restrict access to park because nearby residents would have to cross four lanes of heavy traffic).)

The DEIR/DEIS contains a confusing and contradictory analysis of whether a constructive use analysis was conducted properly or even accomplished at all. (*See* DEIR/DEIS App. B.) The DEIR/DEIS must contain a constructive use analysis for parks, such as the San Jacinto Wildlife Area, the Lake Perris State Recreation Area, Liberty Park, Paragon Park, Morgan Park, May Ranch Park, Colonel Lewis Millett Park, Val Verde High School, Val Verde Elementary School, Triple Crown Elementary School, May Ranch Elementary School, Southwest High School, Avalon Elementary School, Sierra Vista Elementary School, Lakeside Middle School, Mountain Shadows Middle School, Nuview Bridge Early College High School, BLM Managed Lands in the Lakeview Mountains, on and off street trails designated in the General Plans for the cities of Perris, San Jacinto, and the County of Riverside. IP-6-138

The Revised Section 4(f) Evaluation claims that the DEIR/DEIS did not identify any significant impacts that would affect nearby 4(f) resources. (DEIR/DEIS App. B at A-1). This assertion is not supported by the EIR, which finds a significant adverse impact to aesthetics, cultural resources, noise, and farmlands. (DEIR/DEIS at S-14). The proximity of a 6 lane freeway with significant impacts to noise and aesthetics, which will directly impacts some parklands and have a substantial impairment on 4(f) resources. It would also directly and indirectly impact cultural resources. It would also prohibit access to some of these areas for short and long term periods.

The EIR also fails to analyze all feasible alternatives or mitigation measures to avoid or reduce the impacts of developing parklands and wildlife areas. (49 U.S.C. § 303(c).) The Project would result in permanent use of the San Jacinto Wildlife Area, P-33-16598 (CA-RIV-8712) Multi-Use Prehistoric Site, and P-33-19862, P-33-19863, P-33-19864, and P-33-19866. However, it fails to properly conduct an alternatives or mitigation analysis that demonstrates there are no feasible and prudent alternatives or additional planning mechanisms to reduce impacts. This is due, in part, to the EIR's flawed alternatives analysis that essentially relegates all alternatives a six-lane roadway along the same route due to an improperly constrained purpose and need. This faulty 4(f) analysis must be rejected. IP-6-139

XIV. THE PROJECT FAILS TO ADEQUATELY ANALYZE OR MITIGATE THE PROJECT'S NOISE IMPACTS

Another inadequacy of the MCP DEIR/DEIS is its analysis of and mitigation for the Project's noise impacts. The proposed Project will result in two separate types of noise impacts: construction equipment noise and traffic noise from the cars and trucks that would travel along this six to eight lane freeway. The closest frequent outdoor use areas are within 50 ft of the Project construction areas and could experience noise from construction at levels as high as 95 dBA (i.e., similar to a gas lawn mower at a distance of one meter), while noise from the traffic traveling along the freeway would substantial increases compared to current noise levels. (DEIR/DEIS 3.15-100; 4-53.) The DEIR/DEIS acknowledges that some sensitive receptors would be exposed to noise level approaching or exceeding 67 dBA or experience a substantial increase of 12 dBA over their existing noise level even after mitigation measures are put in place. (DEIR/DEIS 4-55.) Given the severity of the Project's potential noise impacts, coupled with the effect that elevated noise levels has on public health, the DEIR/DEIS should have rigorously examined this issue. Unfortunately, the document's analysis of noise impacts is inadequate and includes several errors, some of which are briefly reviewed here. IP-6-140

For example, the DEIR/DEIS does not provide sufficient information on specific sensitive receptor locations were selected, whether these locations are in fact representative of all potentially affected sensitive receptors, or the distance between the sensitive receptors. If the DEIR/DEIS underrepresented the number and type of potentially affected receptor locations, it also necessarily underestimated the Project's noise impacts on these receptors. It is also important to note that where existing ambient noise is already elevated, tolerance is very low for *any* increase in noise. Existing ambient noise at the Val Verde High School is already elevated. (DEIR/DEIS 3.15-17.) Here and at other sensitive receptor locations currently exposed to elevated noise levels, the proper question is not the relative amount of noise resulting from the Project, but "whether *any* additional amount of [] noise should be considered significant ... " in light of existing conditions. (*Los Angeles Unified School District* v. *City of Los Angeles, 58* Cal.App.4th 1019, 1025-26 (1997) (emphasis added).) IP-6-141

Another inadequacy in the DEIR/DEIS noise impact analysis, is the DEIR/DEIS failure to evaluate single noise events or nighttime noise during the operation of the MCP. Motor vehicle noise is often characterized by a high number of individual events, which can create a higher sustained noise level in proximity to areas sensitive to noise exposure. Moreover, heavy IP-6-142

trucks and tractor-trailers generate significantly more single noise events than other vehicle types, as noted by the DEIR/DEIS. (DEIR/DEIS at 3.15-67.) The DEIRIS' noise analysis should have evaluated how single noise events from trucks traveling along the freeway would impact sensitive receptors, some of which would be no more than 50 feet from the freeway. Analyzing only average noise impacts has been rejected by California courts because impacted residents do not hear noise averages, but single events. (*See Berkeley Keep Jets Over the Bay Committee* v. *Port of Oakland* (2001) 91 Cal.App.4th 1344, 1382 (2001).) Single event noise levels have been shown to be likely to result in sleep disruption and speech interference, and heightened levels of stress and annoyance, all of which should have been analyzed in the noise impacts analysis. Lastly, even when abatement and mitigation measures are proposed for the noise impacts, the implementation of those measures is left uncertain. (DEIR/DEIS 3-15-103.) IP-6-142

The MCP DEIRIS thus fails to fulfill the fundamental purpose of CEQA and NEPA. An EIR is meant to be an informational document, a means of "inform[ing] the public and its responsible officials of the environmental consequences of their decisions before they are made." (*Citizens of Goleta Valley* v. *Board of Supervisors* (1990) 52 Cal. 3d 553, 564.) Likewise, NEPA's fundamental purpose is to "insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken." (40 C.F.R. § 1500.1(b).) Here, the DEIR/DEIS fails to fulfill this fundamental purpose with regard to noise impacts from the Project. IP-6-143

XV. THE EIR MUST BE RECIRCULATED FOR PUBLIC REVIEW AND COMMENT

A lead agency must re-circulate an EIR for further public comment under any of four circumstances:

(1) When the new information shows a new, substantial environmental impact resulting either from the project or from a mitigation measure;
(2) When the new information shows a substantial increase in the severity of an environmental impact, except that recirculation would not be required if mitigation that reduces the impact to insignificance is adopted;
(3) When the new information shows a feasible alternative or mitigation measure that clearly would lessen the environmental impacts of a project and the project proponent declines to adopt the mitigation measure; or
(4) When the draft EIR was "so fundamentally and basically inadequate and conclusory in nature" that public comment on the draft EIR was essentially meaningless.

(14 Cal Code Regs. §15088.5.)

Based on the comments above, it is clear that the EIR must be re-drafted and re-circulated. Conditions (1) and (2) above will be met by meaningful and adequate discussion of the project itself and the project's impacts to biological resources and greenhouse gases. Failure to address these impacts is inadequate and requires further analysis and recirculation. The combined effect of these omissions makes it clear that the fourth condition has also been met. IP-6-144

CONCLUSION

Thank you for your attention to these comments. We look forward to working to assure that the Project and environmental review conforms to the requirements of state and federal law and to assure that all significant impacts to the environment are fully analyzed, mitigated or avoided. Should you have any questions feel free to contact Jonathan Evans at the contact information listed above.

The Center for Biological Diversity, San Bernardino Valley Audubon Society, and Sierra Club wish to be placed on the mailing list for all future notices regarding this project. Please mail all notices to CBD at the address listed above (via email at jevans@biologicaldiversity.org); San Bernardino Valley Audubon Society at and P. O. Box 10973, San Bernardino, California 92423-0973; and Sierra Club, San Gorgonio Chapter, Moreno Valley Group, 26711 Ironwood Ave, Moreno Valley, CA. 92555. IP-6-145

Sincerely,

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REFERENCES
(included on CD)

BAAQMD 2010 (1). Bay Area Air Quality Management District, California Environmental Quality Act: Air Quality Guidelines, May 2010.

BAAQMD 2010 (2). Bay Area Air Quality Management District, California Environmental Quality Act Guidelines Update: Proposed Thresholds of Significance May 2010.

Bond 2004. Bond T. et al., *A technology-based Global Inventory of Black and Organic Carbon Emissions from Combustion.* J. Geophys. Res., 109: D14203 (2004).

Bond & Sun 2005. Bond T. & Sun H. *Can Reducing Black Carbon Emissions Counteract Global Warming?* Environ. Sci. Technol. 39:5921-5926 (2005).

Cal DOJ 2007 (1). Office of the Attorney General, Comment Letter from Cal DOJ to the City of San Jose on the Draft EIR for the Coyote Valley Specific Plan, June 19, 2007.

Cal DOJ 2007 (2). Office of the Attorney General, Comment Letter from Cal DOJ to City of Richmond on Draft EIR Prepared for Chevron Energy Project, July 9, 2007.

Cal DOJ 2008 (1). Office of the California Attorney General, Comment Letter from Cal DOJ to the Santa Barbara County Planning and Development Department, January 25, 2008.

Cal DOJ 2008 (2). Office of the California Attorney General, Comment Letter from Cal DOJ to Kern County Planning Department on Draft EIR for Proposed Corn Ethanol Plant, February 29, 2008.

California Office of the Attorney General 2010. Office of the Attorney General, Addressing Climate Change at the Project level: Project Level Mitigation Measures, 2010.

Cal-IPC 2007. California Invasive Plant Inventory, New Weeds Added to Cal-IPC Inventory, Cal-IPC News, 2007. Available at http://www.cal-ipc.org/ip/inventory/pdf/WebUpdate2007.pdf.

Cal-IPC Taxon Report 29. California Invasive Plant Inventory, Taxon Report 29: Acacia Dealbata, no date, accessed April 8, 2013. Available at http://www.calflora.org/cgi-bin/species_query.cgi?where-calrecnum=29

Cal-IPC Taxon Report 1137. California Invasive Plant Inventory, Taxon Report 1137: Brachypodium Distachyon, no date, accessed April 8, 2013. Available at http://www.calflora.org/cgi-bin/species_query.cgi?where-calrecnum=1137.

Cal-IPC Taxon Report 1205. California Invasive Plant Inventory, Taxon Report 1205: Bromus Japonicus, no date, accessed April 8, 2013. Available at http://www.calflora.org/cgi-bin/species_query.cgi?where-calrecnum=1205.

CAPCOA 2008. California Air Pollution Control Officers Association, CEQA & Climate Change, Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act, January 2008. Available at http://www.capcoa.org/

CARB 2008. California Air Resources Board, Preliminary Draft Staff Proposal- Recommended Approaches for Setting Interim Significance Thresholds for Greenhouse Gases under the California Environmental Quality Act, October 2008. Available at http://www.arb.ca.gov/cc/localgov/ceqa/ceqa.htm

CBD 2003. Center for Biological Diversity, Contraction of California Burrowing Owl Range, Oct. 16, 2003.

CBD 2009. Center for Biological Diversity, Comments to 2008 Draft Mid County Parkway EIR/EIS and Section 4(f) Evaluation, Jan. 8, 2009.

CEC 2005. California Energy Commission. California's Water – Energy Relationship. Available at http://www.energy.ca.gov/2005publications/CEC-700-2005-011/CEC-700-2005-011-SF.PDF.

CSWRCB 2012. California State Water Resources Control Board, Order No. 2012-0011-DWQ NPDES No. CAS000003 National Pollutant Discharge Elimination System (NPDES) Statewide Storm Water Permit Waste Discharge Requirements (WDRS) for State of California Department of Transportation, Sep. 19, 2012 (Effective Date: July 1, 2013). Available at http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2012/wqo2012_0011_dwq.pdf.

EPA 2002. U.S. Environmental Protection Agency, *Health Assessment Document for Diesel Engine Exhaust*, EPA/600/8-90/057F (2002).

EPA 2012. U.S. Environmental Protection Agency, Memorandum: Appropriate Level of Analysis Required for Evaluating Compliance with the Section 404(b)(1) Guidelines Alternatives Requirements, last updated *available at* http://water.epa.gov/lawsregs/guidance/wetlands/flexible.cfm.

FHWA 1999. Federal Highway Administration, Guidance on Invasive Species, August 10, 1999. Available at http://www.environment.fhwa.dot.gov/ecosystems/wildlife/inv_guid.asp.

Flower 2007. Flower DJM, Sanjayan JG (2007): Green House Gas Emissions due to Concrete Manufacture. Int J LCA 12 (5) 282–288

Hansen 1997. Hansen, M. and Huang, Y. "Road Supply and Traffic in California Urban Areas," Transportation Research-A, Vol. 31, No. 3. 205-218, 1997.

Hansen 2008. Hansen, J. et al., Target Atmospheric CO2: Where Should Humanity Aim? (April 2008).

Hendrix et al. 2007. Hendrix, M., et al., Recommendations by the Association of Environmental Professionals (AEP) on How to Analyze Greenhouse Gas Emissions and Global Climate Change in CEQA Documents, March 5, 2007.

Jacobson 2001. Jacobson M., *Strong Radiative Heating Due to the Mixing State of Black Carbon in Atmospheric Controls*, Nature 499: 695- 697 (2001).

Kidd 2007. Kidd, J. et al., "Status of Burrowing Owls in Southern California," California Burrowing Owl Symposium, 1-14, 2007.

Masanet 2005. Manaset 2005. Manaset et al., Reducing Greenhouse Gas Emissions through Product Life Cycle Optimization, Ernest Orlando Lawrence Berkeley National Laboratory, Environmental Energy Technologies Division, 2005.

Maynard 2007. Maynard D. et al., *Mortality risk associated with short-term exposure to traffic particles and sulfates*. Environ. Health Perspect. 115:751-755 (2007).

MBA 2008. Michael Brandman Associaties. Determination of a Biologically Equivalent or Superior Preservation (DBESP) Alessandro Commerce Center (54.4 acres) APNs 297-080-007, -008, -009, and -010, County of Riverside, California.

MBA 2009. Michael Brandman Associaties. Environmental Impact Report for the Alessandro Commerce Centre, State Clearinghouse #2008061136.

Molina 2010. Molina, A., The Orange County Register, "Irvine-Corona Tnnel at End of Line," Aug. 26, 2010.

MRO 2013. MRO Engineers, Review of Traffic and Transportation/Pedestrian and Bicycle Facilities Analysis Mid Country Parkway – Recirculated Draft Environmental Impact Report/Supplimental Draft Environmental Impact Statement and Revised Draft Section 4(f) Evaluation, Feb. 26, 2013.

Noland 2000. Robert B. Noland, William A. Cowart. Analysis of Metropolitan Highway Capacity and the Growth in Vehicle Miles of Travel, Transportation Research Board, 79th Annual Meeting, January 9-13, 2000, Washington, DC.

OPR 2008. California Office of Planning and Research, Technical Advisory, CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act Review, June 17, 2008. Available at http://opr.ca.gov/index.php?a=ceqa/index.html

Ramanthan & Carmichael 2008. Ramanathan V. & Carmichael G., *Global and Regional Climate Changes Due to Black Carbon*, Nature Geoscience 1:221-227 (2008).

RAND 2008. RAND Corporation, Balancing Environment and Development: Costs, Revenues, and Benefits of the Western Riverside County Multiple Species Conservation Plan, 2008.

RCHCA 1995. Riverside County Habitat Conservation Agency, San Jacinto Core Reserve, Habitat Figure 25, 1995.

RCTC 2009. Riverside County Transportation Commission, Q&A mid County Parkway: RCTC Modifies the Mid County Parkway Plans, Newsletter Vol. 7, Oct. 2009.

Reddy & Boucher 2007. Reddy M.S. & Boucher O., *Climate impact of black carbon emitted from energy consumption in the world's regions.* Geophys. Res. Letters. 34: L11802 (2007).

SCAG 2009. Southern California Association of Governments, Adopted 2008 RTP Growth Forecast, by Census Tract, 2008. Available at http://www.scag.ca.gov/forecast/downloads/excel/RTP07_TRACT.xls.

SCAG 2012. Southern California Association of Governments, Adopted 2012 RTP Growth Forecast, 2012. Available at http://www.scag.ca.gov/forecast/downloads/excel/2012AdoptedGrowthForecast.xls.

SCAQMD 2003. South Coast Air Quality Management District, 2003 Air Quality Management Plan, 2003.

SCAQMD 2011, SCAQMD Air Quality Significance Thresholds, 2011, CEQA Air Quality Handbook, 2012.

Schwartz 2007. Schwartz J. *Testimony for the Hearing on Black Carbon and Arctic, House Committee on Oversight and Government Reform United States House of Representatives* (Oct. 18, 2007).

Shute Mihaly & Weinberger 2009. Shute, Mihaly & Weinberger, LLP, Comments to MCP comments 2008 Draft Mid County Parkway EIR/EIS and Section 4(f) Evaluation, Jan. 6, 2009.

SKRHCP 1996. Riverside County Habitat Conservation Agency, Habitat Conservation Plan for the Stephens' Kangaroo Rat in Western Riverside County, California, 1996.

Tonne 2007. Tonne C. et al., *A case control analysis of exposure to traffic and acute myocardial infarction.* Environ Health Perspect. 115:53-57 (2007).

UNDP 2007. United Nations Development Programme, Human Development Report 2007/2008, Fighting climate change: Human solidarity in a divided world. ISBN 978-0-230-54704-9.

Villages of Lakeview FEIR 2009. The Villages of Lakeview Final Environmental Impact Report, SCH# 2006071095, Aug., 2009.

Walker 2004. Walker A.P., *Controlling Particulate Emissions from Diesel Vehicles*, Topics in Catalysis 28: 165-170 (2004).

World Logistics Center DEIR 2013. City of Moreno Valley, World Logistics Center Draft Environmental Impact Report SCH# 2012021045, Feb. 4, 2013. (two excerpts enclosed)

WRCRCA et al. 2003. Western Riverside County Regional Conservation Authority et al., Implementing Agreement for the Western Riverside County Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan, 2003.

REFERENCES
(not enclosed)

DeSante et al. 1997. DeSante, D.F. et al., A Census of Burrowing Owls in Central California in 1991, The Burrowing Owl; its Biology and Management, pp. 38-48, including the Proceedings of the First International Burrowing Owl Symposium, Lincer, J.L. and K. Steenhof (eds.), Raptor Research Report Number 9, 1997.

Mid County Parkway Scoping Plan.

Remy et al. 2007. Remy, M.H. et al., Guide to CEQA: California Environmental Quality Act, 11th ed., Solano Press 2007.

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IP-6 Center for Biological Diversity, San Bernardino Valley Audubon Society, and the Sierra Club

This letter was a joint comment letter from the Center for Biological Diversity (CBD), San Bernardino Valley Audubon Society, and the Sierra Club (referred to in these responses as the CBD/SBVAS/SC). The CBD and the Sierra Club also submitted copies of this letter to the Riverside County Transportation Commission (RCTC). Because the letters were identical, only one copy of the letter is included in this responses to comments appendix. Pages 73 to 77 in this comment letter contain a list of references that were provided with the comment letter on a compact disc. Those references are available for review at the RCTC offices during regular business hours and will be included in the administrative record for the MCP project.

This comment letter includes introductory and other information that does not raise specific environmental issues that would require a response under Section 15088 of the State CEQA Guidelines. As a result, those parts of this comment letter were not bracketed and no responses were provided related to those sections of the letter. However, RCTC has reviewed and responded to all the substantive comments in this comment letter and determined that the sections of this letter that were not bracketed did not make substantive comments that required substantive responses.[1]

IP-6-1

This comment provides a summary regarding the CBD/SBVAS/SC's comments on the adequacy of the Recirculated Draft EIR/Supplemental Draft EIS. Please refer to the responses to comments IP-6-2 through IP-6-145 for the responses to the individual CBD/SBVAS/SC's comments regarding those concerns.

This comment also references two previous letters regarding the Draft EIR/EIS:

1. CBD 2009. Center for Biological Diversity, Comments to 2008 Draft Mid County Parkway EIR/EIS and Section 4(f) Evaluation, January 8, 2009
2. Shute Mihaly & Weinberger 2009. Shute, Mihaly & Weinberger, LLP, Comments to MCP comments 2008 Draft Mid County Parkway EIR/EIS and Section 4(f) Evaluation, January 6, 2009

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[1] Section 15088(a) of the CEQA Guidelines notes that "The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response." As noted above, the parts of comment letters that did not raise specific environmental issues are not bracketed as individual comments and responses to those part of the comment letters are not provided.

Please note that the Recirculated Draft EIR/Supplemental Draft EIS does not include individual responses to comments received on the Draft EIR/EIS that was circulated for public review on October 10, 2008. As noted in the last paragraph in Section 1.2, Background, on page 1-10 in the Recirculated Draft EIR/Supplemental Draft EIS (and in the last paragraph in Section 5.8, Draft EIR/EIS, on page 5-42 in the Recirculated Draft EIR/Supplemental Draft EIS), responses to the comments on the Draft EIR/EIS were not included in the Recirculated Draft EIR/Supplemental Draft EIS but those comment letters, including the two letters cited in this comment, will be part of the administrative record. This is consistent with Section 15088.5(f)(1) of the *CEQA Guidelines* which notes: "When an EIR is substantially revised and the entire document is recirculated, the lead agency may require reviewers to submit new comments and, in such cases, need not respond to those comments received during the earlier circulation period. The lead agency shall advise reviewers, either in the text of the revised EIR or by an attachment to the revised EIR, that although part of the administrative record, the previous comments do not require a written response in the final EIR, and that new comments must be submitted for the revised EIR. The lead agency need only respond to those comments submitted in response to the recirculated revised EIR." Please note that substantive comments received on the Draft EIR/EIS relevant to the shorter 16-mile (mi) long project were considered and included in the Recirculated Draft EIR/Supplemental Draft EIS. The Recirculated Draft EIR/Supplemental Draft EIS provided a summary of the revisions to the previously circulated Draft EIR in Section 2.2.1.1, Development of the Modified MCP Alternatives. This section describes the changes made to the project design and notes important resources that were avoided in the revised design (e.g., Paragon Park in the City of Perris that was previously impacted by Alternative 9). In addition, Section 2.6.1, Alternatives Formally Considered and Withdrawn, in the Recirculated Draft EIR/Supplemental Draft EIS describes those alternatives analyzed in the 2008 Draft EIR/EIS and discloses why they are no longer under consideration. Every section in the Recirculated Draft EIR/Supplemental Draft EIS was revised from the 2008 Draft EIR/EIS to address the Modified MCP alternatives. These revisions were summarized in the Summary of the Recirculated Draft EIR/Supplemental Draft EIS.

This comment states that the appendices "...cryptically cross-reference each other..." The Appendices in the Recirculated Draft EIR/EIS did not "...cryptically..." cross-reference each other. Each appendix was checked to assess whether cross-referencing was present and, if so, whether the cross-references were clear. The following Appendices were cited a number of times in the Recirculated Draft EIR/Supplemental

Draft EIS, and there was some confusion regarding how the material in those appendices was presented:

Appendix I, Supplemental Chapter 2 Attachments: This appendix provides a number of documents intended to supplement the project description provided in Chapter 2 of the EIR/EIS. It is acknowledged that although there are many individual documents in this appendix, the text in Chapter 2 typically provided sufficient descriptions to allow readers to find the cited documents in the appendix.

Appendix J, Supplemental Chapter 5 Attachments: This appendix provides a number of documents intended to supplement the descriptions of consultations and correspondence provided in Chapter 5 of the EIR/EIS. It is acknowledged that although there are many individual documents in this appendix, the text in Chapter 5 typically provided sufficient descriptions to allow readers to find the cited documents in the appendix.

In response to this comment (and comment IP-6-16a below), these appendices were revised as follows to assist readers in finding specific documents in these appendices cited in Chapters 2 and 5 in the Final EIR/EIS:

- Tables of Contents listing all documents included in Appendices I and J were added.
- Slip sheets at the beginning of each group of documents listed in the Table of Contents, providing the document names/titles, agencies, date, general content, number of pages, and other relevant information, were provided.

The following appendices are either not cross-referenced in the EIR/EIS text or have very limited cross-references to/from the EIR/EIS sections:

Appendix A, CEQA Environmental Checklist: This appendix cross-references to Chapters 3 and 4 to direct the reader to the analyses on which the CEQA analyses and the determinations of the CEQA levels of significance in the Checklist are based (Chapter 3) and the section of the EIR/EIS, which discussed the CEQA levels of significance (Chapter 4). Similarly, Chapter 4 refers the reader to Appendix A for the CEQA Checklist.

Appendix B, Final Section 4f Evaluation: This appendix includes only a few cross-references to the EIR/EIS such as to Chapter 5, when discussing consultation and coordination conducted under Section 106. Section 3.1 in the EIR/EIS includes several references to this appendix. These cross-references are very explicit to make it easy for readers to navigate to/from.

Appendix C Title VI Policy Statement: This appendix is not cited anywhere in the body of the EIR/EIS itself and does not cite any EIR/EIS sections.

Appendix D, Summary of Relocation Benefits: This appendix does not reference any EIR/EIS sections. It is cited twice in Section 3.4, Community Impacts, to refer interested readers to more detailed information regarding how RCTC would comply with the Uniform Act.

Appendix E, Glossary of Technical Terms: This appendix is not cited anywhere in the body of the EIR/EIS, and it does not reference any sections of the EIR/EIS.

Appendix F, Environmental Commitments Record: Appendix F lists the measures from Chapter 3 in the EIR/EIS but does not include cross-references to Chapter 3. It is not cited in any EIR/EIS sections.

Appendix G, List of Acronyms: This appendix is not cited anywhere in the body of the EIR/EIS and it does not reference any section of the EIR/EIS.

Appendix H, List of Technical Studies: This appendix lists the technical studies prepared for the MCP that are cited throughout the EIR/EIS but those citations do not include references to Appendix H. Appendix H does not cite any EIR/EIS sections.

Appendix K 2012 RTP and 2011 FTIP (Amendment 24) Project Listings: This appendix is not cited in the EIR/EIS, and it does not cite any EIR/EIS sections.

Appendix L, USFWS Letter: This appendix is cited once in Section 3.21 but it does not cite any EIR/EIS sections.

Appendix M, 404 (B)(1) Alternatives Analysis: This appendix is cited three times in Section 3.18 but itself does not cite any EIR/EIS sections.

Appendix N, Regional Species of Concern and Coverage under the Western Riverside County Multiple Species Habitat Conservation Plan: This appendix is cited once in Section 3.19 and once in Section 3.20 in the EIR/EIS, but it does not cite any EIR/EIS sections.

Appendix O, Parcel Acquisitions: This appendix is cited once in Section 3.4 but it does not cite any EIR/EIS sections.

Appendix P, Conceptual Mitigation Plan: This appendix was cited four times in Section 3.18 in the Recirculated Draft EIR/Supplemental Draft EIS, but it did not cite any EIR/EIS sections. Please note that original Appendix P (Conceptual Mitigation Plan) Recirculated Draft EIR/Supplemental Draft EIS was replaced in the Final

EIR/EIS with the Habitat Mitigation and Monitoring Plan for USACE Jurisdictional Waters, which is now cited in Section 3.18.

Appendix Q, References: This appendix list references used in the preparation of the EIR/EIS. Many of the references are cited in the EIR/EIS but those citations do not include references to Appendix Q. Appendix Q does not cite any EIR/EIS sections.

Appendix R, Index: This appendix is an index to individual citations to key words and phrases used throughout the EIR/EIS. As a result, it provides hundreds of citations to places in the EIR/EIS. However, Appendix R is not cited in any EIR/EIS sections.

IP-6-2

The Final EIR/EIS provides a complete and adequate project description under CEQA and the National Environmental Policy Act (NEPA) that includes all the permanent and temporary features of the MCP Build Alternatives. Section 2.3, Project Alternatives, starting on page 2-8 in the Final EIR/EIS, provides a detailed description of the MCP Build Alternatives and the components and features included in those alternatives, including mainline, interchange, ramp, drainage, and changes in the local circulation system associated with interchanges with the MCP facility and at locations where the MCP facility crosses local streets. The disturbance limits/right of way for each Build Alternative include all the areas that would be affected by the permanent and temporary features of each Build Alternative. The analyses of the potential effects of the Build Alternative consider the effects of the permanent and temporary project features and activities and consider the effects both at the time of construction and in the future (for the project horizon year of 2040). As a result, the overall project description and the descriptions of the Build Alternatives in the Final EIR/EIS are considered to provide a complete and adequate project description as required in Sections 15126 and 15358(a) of the *CEQA Guidelines*.

The proposed MCP project is based on over 10 years of study and evaluation of various transportation options in western Riverside County. Please refer to Section 1.2, Background, starting on page 1-5 in the Final EIR/EIS which describes the history of the proposed MCP project, including the draft program level EIR/EIS from which the RCTC Board selected a west-east corridor in western Riverside County for further environmental evaluation including identification of the modified alternatives for evaluation in the project level EIR/EIS. As discussed in that section:

- The Hemet to Corona/Lake Elsinore (HCLE) Corridor studies conducted for the Community and Environmental Transportation Acceptability Process (CETAP) initiated by RCTC in 1999 identified the need for two west-east intracounty (one

of which was eventually named the MCP) and two north-south intercounty transportation corridors in western Riverside County. The need for this new west-east corridor was based on adopted projections of future population and employment growth for western Riverside County.

- The HCLE Corridor studies conducted as part of the Riverside County Integrated Project (RCIP) were part of a multi-year planning effort to address the planning, environmental, and transportation issues that would result from the increase of the population in Riverside County to approximately 3.1 million residents by 2020. The RCIP included three components: (1) a new General Plan for Riverside County, adopted on October 7, 2003; (2) a Multiple Species Habitat Conservation Plan (MSHCP) for western Riverside County, adopted June 17, 2003; and (3) the CETAP transportation corridors.
- Tier 1 analyses and environmental documentation for the two intracounty CETAP Corridors was initiated in 2000. The purpose of the Tier I analyses was to identify candidate routes for a transportation corridor so that right of way could be reserved and planned for in coordination with the planned land uses in the updated Riverside County General Plan.
- The study area for the west-east intracounty corridor, referred to as the HCLE Corridor, extended from just west of Interstate 215 (I-215) on the west to just east of State Route 79 (SR-79) on the east as shown on Figure 1.2.1 on page 1-7 in the Final EIR/EIS.
- The purpose for the proposed action in the HCLE Corridor was defined as: "...to provide multimodal transportation improvements that will help alleviate future traffic demands and congestion and improve the east-west movement of people and goods across western Riverside County."
- A program level Draft Tier 1 EIR/EIS completed for the HCLE Corridor and circulated for public review in 2002 provided environmental documentation to support a right of way location decision for preservation of right of way for future transportation improvements. As discussed in the second paragraph in Section 2.6.1, Alternatives Formally Considered and Withdrawn, on page 2-117 in the Final EIR/EIS that route location/right of way preservation could be used for a road/freeway or transit or a combination of those types of facilities. The Draft Tier I EIR/EIS also evaluated a Transportation Systems Management (TSM) alternative and two No Build Alternatives (2025 and Buildout of the Riverside County General Plan).

- In June 2003, the RCTC Board accepted a staff recommendation to suspend work on the Tier 1 EIR/EIS and proceed with the accelerated preparation of a *project-level* (emphasis added) environmental document for a west-east transportation corridor alternative that would generally follow the existing alignment of Cajalco Road and Ramona Expressway, known as the MCP project.
- RCTC initiated engineering and environmental studies in 2004 for the MCP project, proposed as a 32 mile-long facility between Interstate 15 (I-15) and SR-79.
- In October 2008, the Draft EIR/EIS for the MCP project was circulated for public review. The following two key themes emerged in the public review comments on that Draft EIR/EIS:

  1. Concern about the cost and timing of available funds for the project.
  2. Suggestions to improve existing facilities rather than building the MCP facility, which would be a better expenditure of public funds in the west part of the project area between I-15 and I-215. Specifically, many comments noted that in this area, improving existing facilities such as Cajalco Road instead of building the MCP facility would minimize impacts to rural communities and existing habitat reserves.

- In early 2009, RCTC (the lead agency under CEQA), the Federal Highway Administration (FHWA) (the lead agency under NEPA), and the California Department of Transportation (Caltrans) developed an approach for completing the EIR/EIS process for the MCP project, by modifying the MCP project limits from a 32 mile-long facility (I-15 to SR-79) to a 16 mile-long facility (I-215 to SR-79) to focus transportation funding where the need is the greatest, between I-215 and SR-79, near existing facilities (i.e., Ramona Expressway).
- The Recirculated Draft EIR/Supplemental Draft EIS for the modified MCP Build Alternatives was circulated for public review in January 2013.

This comment very generally alleges that the Recirculated Draft EIR/Supplemental Draft EIS fails to provide adequate analysis of the potential impacts of the MCP project. No specific alleged failure of analysis is identified, so no specific response can be made to this generalized comment. However, potential direct and indirect impacts of the project are analyzed in detail in Chapter 3, Affected Environment, Environmental Consequences, and Avoidance, Minimization, and/or Mitigation Measures (totaling approximately 925 pages), in the Recirculated Draft EIR/ Supplemental Draft EIS. Refer also to Chapter 4.0, California Environmental Quality Act Evaluation, for assessment of the significance of the impacts of the MCP project

under CEQA. In addition, a number of technical studies were prepared in support of the analyses discussed in the Recirculated Draft EIR/Supplemental Draft EIS. A list of those technical studies is provided in Appendix H, List of Technical Studies, in this Final EIR/EIS.

IP-6-3

Section 2.3, Project Alternatives, starting on page 2-8 in the Final EIR/EIS provides a detailed description of the MCP Build Alternatives and the components and features included in those alternatives, including changes in the local circulation system associated with interchanges with the MCP facility and at locations where the MCP facility crosses local streets. Refer to the following sections in the Final EIR/EIS for specific discussions regarding the proposed modifications to the local circulation system included in the MCP project:

- Section 2.3.2.16, Changes to Local Circulation, on page 2-52
- Attachment G, Local Circulation Modifications, in Appendix I, Supplemental Chapter 2 Attachments

All the project components and features in the MCP Build Alternatives, including the changes in the local circulation system, are within the maximum disturbance limits/right of way footprints for each Build Alternative. Refer to Figures 2.3.1a (page 2-11), 2.3.1b (page 2-15), and 2.3.1c (page 2-19), which show the maximum disturbance limits/right of way footprints for Alternative 4 Modified, Alternative 5 Modified, and Alternative 9 Modified, respectively. The analyses of the potential environmental effects of the MCP project provided in Chapter 3, Affected Environment, Environmental Consequences, and Avoidance, Minimization, and Mitigation Measures, in the Final EIR/EIS evaluated the effects of all the permanent and temporary project components and features within the maximum disturbance limits/right of way footprints for each Build Alternative. As a result, the environmental analyses described in Chapter 3 evaluated the potential for the Build Alternatives and the components and features in those alternatives to result in impacts related to land use, transportation, agricultural lands, open space, wildlife habitat, air quality, greenhouse gases, and the other parameters discussed in Chapter 3.

To provide clarification, the following was added in the first paragraph in Section 2.2.1.1, Development of the Modified MCP Build Alternatives, on page 2-6 in the Final EIR/EIS: "These improvements include features and components in the Build Alternatives and are within the maximum disturbance limits/right of way footprints for the Build Alternatives. The potential direct and indirect impacts of these

modifications to the MCP Build Alternatives are evaluated in the environmental analyses provided in Chapter 3."

Please refer to the responses to comments IP-6-4 through IP-6-6 for additional discussion regarding the project definition and alternatives evaluated in the Final EIR/EIS. A number of the comments provided in this letter state conclusions or challenges to the information in the Recirculated Draft EIR/Supplemental Draft EIS without explanations or substantial evidence supporting those statements. Responses to those comments were provided but it should be noted that Section 15204 of the CEQA Guidelines describes how reviews of environmental documents should be conducted and focused. Section 15204(c) specifically states that "Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence." As a result, it should be noted that assertions in this comment letter that specific effects of the MCP project are significant under CEQA do not always include sufficient information to support those assertions as required in Section 15204(c) in the CEQA Guidelines.

IP-6-4

As a long-term transportation project, the MCP facility will be designed to be consistent with future projects on local streets crossing or crossed by the MCP facility. Several future projects cited in this comment (I-215/Cajalco Road interchange, improvements on I-215, and the widening of Perris and Redlands Boulevards) are not part of the MCP Build Alternatives. However, at locations where the MCP facility intersects with those facilities, the MCP, as a long-term project, will be designed to be consistent with those planned projects as shown in the adopted local General Plans or the Caltrans long-term plans for state and interstate highway facilities. For example, a local street overcrossing or undercrossing at the MCP mainline would be designed to be consistent with the long-term cross section for that local road. However, that long-term cross section for the local road itself is not part of the MCP project and is not an interrelated project. The MCP project is not dependent on and would not require the implementation of the roadway improvements cited in this comment. Accordingly, the MCP project has separate and independent utility from any other potential transportation improvements. As a result, the impacts analyses for the MCP project do not include analysis of the potential effects of the cited improvements at the I-215/Cajalco Road interchange, Perris Boulevard, and Redlands Boulevard.

With regard to the statement in this comment that "Similarly, the changes to I-215, such as the addition of several new lanes and interchanges are not properly disclosed and analyze and prevent the public and decision makers from properly evaluating the Project and its impacts," the description of the improvements to I-215, including the addition of new lanes, a new interchange at I-215/Placentia Avenue, and modification of the existing I-215/Cajalco Road-Ramona Expressway interchange was clearly disclosed on pages 2-6 (last bullet point) and 2-11 in the Recirculated Draft EIR/ Supplemental Draft EIS. These proposed improvements included in the MCP Build Alternatives were accounted for in all technical analyses in the Recirculated Draft EIR/Supplemental Draft EIS, including the analysis of traffic (Section 3.6 of the EIR/EIS), air quality (Section 3.13 of the EIR/EIS), and noise impacts (Section 3.15 of the EIR/EIS), as well as in the assessment of right of way impacts and all other impacts related to the footprint of those Build Alternatives such as biological (Sections 3.17 through 3.22 of the EIR/EIS) and cultural resources (Section 3.8 of the EIR/EIS). As a result, the environmental impact analyses and conclusions provided in this Final EIR/EIS address the effects of the entire MCP Build Alternatives, including improvements on I-215 at, and north and south of, the MCP/I-215 system interchange.

IP-6-5

As noted on page 1-14 in Section 1.3.1, Project Purpose, in the Final EIR/EIS, one of the purposes of the MCP project is to: "Provide a facility that is compatible with a future multimodal transportation system." As discussed in Section 2.3.2.2, Typical Sections, on page 2-28, in the Final EIR/EIS: "The typical sections for the MCP Build Alternatives provide a six-lane freeway. ...The alternatives being analyzed include sufficient rights of way to accommodate a multimodal transportation facility that includes both highway lanes and a wide median that could accommodate a future travel lane or a transit facility if warranted by future travel demand beyond 2040." This purpose of the MCP project was not intended to be interpreted to mean "...serve multimodal transit, including the Perris Valley Line (PVL) Commuter Rail Extension, the Ramona Station at Cajalco Rd and I-215, and the Perris Multimodal Facility..." or "...tying into the planned transit projects..." as stated in this comment. Rather, the median within the project limits is intended to accommodate, at some time after 2040, additional travel lanes (general purpose and/or high-occupancy vehicle [HOV]) and/or a transit facility.

In addition, the MCP facility as proposed in the Build Alternatives would provide benefits for transit services and patrons by providing a direct route for buses and shared ride vehicles between SR-79 and I-215 and convenient access for commuter

rail patrons to the existing and planned rail stations along the Perris Valley Line along I-15.

The following was added as the last paragraph in Section 3.6.2, Affected Environment, on page 3.6-23:

> "***Transit Facilities***
>
> The Final EIR for the Perris Valley Line (PVL) project was certified by RCTC on July 25, 2011. FHWA issued a Finding of No Significant Impact (FONSI) for the PVL project on May 24, 2012. The Perris Multimodal Facility (which will also be the Downtown Perris Station on the PVL) is currently operating. The Riverside Hunter Park, the Moreno Valley/March Field Station, the North Perris Station in the Historic Perris Depot and the South Perris Station on the PVL, will be constructed concurrent with the construction of the PVL. An additional station, near the I-215/Cajalco Road interchange, is proposed to be constructed along the PVL in the future."

The following was added as the last paragraph in the subsection titled "Build Alternatives" in Section 3.6.3.1, Permanent Impacts, on page 3.6-50 in the Final EIR/EIS, to clarify how users of the MCP facility would access those two stations on the PVL:

> ***"Transit Facilities***
>
> The existing Perris Multimodal Facility (Downtown Perris) and the planned Riverside Hunter Park, Moreno Valley/March Field, and South Perris Stations will all be on the PVL. An additional station, near the I-215/Cajalco Road interchange, is proposed to be constructed along the PVL in the future. The existing Perris Multimodal Facility and the planned South Perris Station transit facilities are south of the alignments of all three MCP Build Alternatives and on the west side of I-215. Travelers on the MCP would likely use the MCP westbound to southbound I-215 to the 4th Street exit to reach the Downtown Perris Station and further southbound on I-215 to the 74/East-Hemet exit to reach the South Perris Station. The PVL alignment itself is on the west side of I-215 and would not be affected by any of the MCP Build Alternatives. The Riverside Hunter Park and Moreno Valley/March Field Stations are north of the alignment of the MCP Build Alternatives."

IP-6-5a

This comment addresses two separate concerns regarding the project design standards and level of service (LOS) objectives.

The following was added at the beginning of Section 2.3.2.1, Design, on page 2-23 in the Final EIR/EIS: "The MCP Build Alternatives would be designed and constructed consistent with the facility design standards in the Caltrans *Highway Design Manual*." The Highway Design Manual is available on the Caltrans website at http://www.dot.ca.gov/hq/oppd/hdm/hdmtoc.htm (accessed October 31, 2014). The Highway Design Manual provides the adopted design standards in the State of California, which are based on standard traffic and design engineering practices.

The performance of a transportation facility can be described using LOS. The LOS for freeway facilities are defined and illustrated in Figure 3.6.1 on page 3.6-3 in Section 3.6, Transportation and Traffic/Pedestrian and Bicycle Facilities, in the Final EIR/EIS. The LOS for signalized intersections are defined based on delay per vehicle as shown in Figure 3.6.2 on page 3.6-5 in the Final EIR/EIS. As discussed in the third paragraph in Section 3.6.2 on page 3.6-2 in the Final EIR/EIS, the traffic impact analysis for the MCP project under NEPA was based on the Riverside County Congestion Management Program (CMP), which designates LOS E or better as the target for traffic operations and LOS F indicating the need for improvements. Therefore, whenever traffic operations of LOS E or better with the MCP project are forecasted, the project is not considered to have an adverse traffic impact. The standard for an impact related to performance for the MCP project analysis was LOS F on a freeway segment or at a signalized intersection.

The last two paragraphs on page 3.6-7 in Section 3.6.2, Affected Environment, in the Final EIR/EIS define the conditions under which the MCP would be considered to result in traffic impacts under NEPA as follows:

> "For intersections, the project's traffic contribution would be considered to have an impact if all of the following are true:
>
> - LOS F traffic conditions are expected with the project.
> - The traffic increase caused by the project is 2 percent or more of the traffic entering the intersection in the a.m. or p.m. peak hours.
> - The traffic increase caused by the project is 2 percent or more of the traffic entering the intersection based on Average Daily Traffic (ADT) conditions.

For freeway facilities, the project's traffic would be considered to have an impact if all of the following are true:

- LOS F traffic conditions are expected with the project.
- The expected density (expressed in terms of passenger cars per hour per lane) is higher with the project than without the project.
- The project would be expected to cause an increase of 723 vehicles per hour or more. (This is one third of the typical capacity of one freeway lane.)"

This comment refers to a "reasonable level of service." As described above, the traffic analysis for the MCP project under NEPA was based on a defined *acceptable* level of service based on the County CMP. Based on that defined acceptable level of service, Tables 3.6.H and 3.6.I (starting on page 3.6-29 in this Final EIR/EIS) summarize the traffic deficiencies on the MCP, the I-215, the I-15, and interchanges along those facilities for 2020, as follows:

- "The interchange of I-15 and Magnolia Avenue and the Magnolia Avenue/El Sobrante Road intersection are expected to experience unsatisfactory LOS conditions in the opening year of 2020 for the No Build and Build Alternatives. However, traffic levels for the Build Alternative are not substantially higher than traffic levels for the No Build Alternative. Therefore, there are no adverse traffic conditions caused by the project at this location.
- In 2020, under No Build and Build Alternatives, freeway segments, weaving segments, and ramp merge and diverge areas on I-215 are forecasted to operate at LOS E and F. The project is expected to add traffic to I-215 north of the I-215/ MCP interchange and reduce traffic south of the I-215/MCP interchange, as compared to the No Build Alternative. However, the MCP project includes the addition of one mainline lane in each direction along I-215 from Nuevo Road to Van Buren Boulevard, which would result in satisfactory operation of that segment of the freeway mainline. The Build Alternatives project traffic volume that is added to I-215 would be accommodated by the additional freeway mainline lanes, and traffic conditions in the Build Alternatives, along I-215 from Nuevo Road to Van Buren Boulevard, are better than in the No Build Alternative.
- Seven intersections are expected to experience LOS E or F under the No Build Alternatives in 2020. Implementation of the MCP project would result in improvement to all study area intersections except Magnolia Avenue/El Sobrante Road, Magnolia Avenue/I-15 southbound ramp, and Alessandro Boulevard/Meridian Parkway. Traffic levels for the Build Alternatives are not

substantially higher than traffic levels for the No Build Alternatives at these locations.

Therefore, there are no adverse traffic conditions caused by the project at these intersections."

Tables 3.6.J, 3.6.K, and 3.6.L (starting on page 3.6-35 in this Final EIR/EIS) summarize the traffic deficiencies on the MCP, the I-215, the I-15, and interchanges along those facilities for 2040. Most of the freeways, ramps, and intersections within the traffic study area are expected to operate at acceptable LOS in the horizon year of 2040 for all of the MCP Build Alternatives and design variations, with the following exceptions:

- "The study area interchanges on I-215 are expected to experience unsatisfactory LOS conditions in the horizon year of 2040 for the No Build and all of the Build Alternatives and design variations. The project does not cause increases in traffic that would exceed the impact thresholds discussed in Section 3.6.2. Therefore, there are no adverse traffic impacts caused by the project at these locations. In the No Build Alternative, all the freeway interchanges, with the exception of the D Street interchange, would have one or more ramps operating at LOS F.
- Alternatives 4 Modified or 5 Modified would improve the operation of the ramps at the Cajalco Road/Ramona Expressway interchange, but would result in LOS F conditions at the D Street interchange. Alternative 9 Modified would have the greatest improvement in interchange operation by improving the interchanges at MCP/Placentia Avenue and Cajalco Road/Ramona Expressway.
- Freeway segments on I-15 between SR-91 and Temescal Canyon Road are forecast to operate at LOS F in the No Build Alternative and under all the Build Alternatives. However, the project does not cause increases in traffic that would exceed the impact thresholds discussed in Section 3.6.2.
- Segments of I-215 north of MCP would operate at LOS F in the No Build Alternative and under all of the Build Alternatives. The project is forecasted to add traffic to I-215 north of the I-215/MCP interchange and reduce traffic south of the I-215/MCP interchange, as compared to the No Build Alternative. The MCP project includes the addition of one mainline lane in each direction along I-215 from Nuevo Road to Van Buren Boulevard. The project does not cause increases in traffic that would exceed the impact thresholds discussed in Section 3.6.2.
- The intersections of Magnolia Avenue with El Sobrante Road, the I-15 southbound ramps, and El Camino Avenue; Alessandro Boulevard with Meridian

Parkway, the I-215 southbound ramps, I-215 northbound ramps, and Old I-215; and Cajalco Road with Temescal Canyon Road are expected to experience unsatisfactory LOS conditions under the No Build and Build Alternatives in 2040. However, the project does not cause increases in traffic that would exceed the impact thresholds discussed in Section 3.6.2. Therefore, there are no adverse traffic impacts caused by the MCP project at these locations.

- The intersection of Van Buren Boulevard and Meridian Parkway is expected to experience LOS E in the No Build Alternative in 2040. For Alternatives 4 Modified and 5 Modified (and all design variations associated with these alternatives), the intersection would operate at LOS C. For Alternative 9 Modified (and all design variations associated with this alternative), the intersection would operate at LOS E. However, there is not a substantial increase in LOS or delay with addition of the project compared to the No Build Alternative."

As described above, the MCP project will provide substantially improved levels of service in the study area compared to the performance of the circulation system under the No Build Alternatives. As a result, the assertion in this comment that the "...design standards fail to achieve a reasonable level of service for the project itself..." is not supported by the traffic impact analyses and, therefore, the design standards do not frustrate "...both a reasonable description of the project and the purpose and need."

In addition, please refer to Section XVI, Transportation/Traffic, in Chapter 4, California Environmental Quality Act Evaluation, in the Final EIR/EIS for discussion of the evaluation of the traffic effects of the MCP project under CEQA. As shown in that analysis, the impacts of the operation of the MCP project at six local intersections (Cajalco Road/Alexander Street, Cactus Avenue and Innovation Drive, Van Buren Boulevard/Harmon Street, Van Buren Boulevard/I-215 southbound ramps, Van Buren Boulevard/I-215 northbound ramps, and Harley Knox Boulevard/Western Way) in the Existing Plus Project conditions would be mitigated to below a level of significance under CEQA based on implementation of Measures TR-3 through TR-7 if improvements to the 2010 conditions at these intersections have not already been implemented prior to opening of the MCP project. In addition, the construction of the MCP project would result in temporary road and lane closures, and detours that would affect the ability of emergency services providers to meet response times. Those effects would be reduced to below a level of significance under CEQA based on implementation of Measures TR-1, and U&ES-1 through U&ES-7.

IP-6-6

This comment requests that the EIR/EIS identify and analyze the impacts of each General Plan amendment that might be necessary to implement the MCP project. Section 3.1.1.2, Environmental Consequences, starting on page 3.1-37 in the Final EIR/EIS provides analysis of the consistency of the MCP Build Alternatives with the County of Riverside, the City of Perris, and the City of San Jacinto General Plans.

This comment misinterprets the text in the Recirculated Draft EIR/Supplemental EIS text to read that the MCP project may result in inappropriate amendments and inconsistencies to the applicable General Plans. The Recirculated Draft EIR/ Supplemental Draft EIS does not make this statement. As noted on page 3.1-39, Section 3.1, Land Use, in the Final EIR/EIS, "...with regard to overall land use compatibility, those segments of all MCP Build Alternatives that follow existing Ramona Expressway (i.e., between Antelope Road and SR-79) are generally compatible with the adjacent land uses because these areas have been planned to include future construction of either a Community and Environmental Transportation Acceptability Process (CETAP) corridor or a General Plan roadway as an expressway or urban arterial." The places where the MCP would not be compatible with the existing General Plan land use designations and would, therefore, require amendments to the applicable local General Plan Land Use Elements, would be those locations along the alignment where non-transportation land uses are designated in areas that would be within the permanent right-of-way of the MCP project. As noted in Section 3.1, Land Use, in the Final EIR/EIS, those General Plan amendments would be the responsibilities of the applicable local jurisdictions and would result in the MCP facility being compatible with those Land Use Elements after they are amended.

The MCP Build Alternatives in the Lakeview/Nuevo area are compatible with the planned CETAP Corridor in that area because they are located on the previously studied CETAP alignment on the existing Ramona Expressway alignment.

The Final EIR/EIS does note that amendments to the San Jacinto General Plan would be required to reflect either the San Jacinto North or San Jacinto South alignment at the east end of the MCP for all three Build Alternatives. However, as noted in the last sentence in the third paragraph in the subsection titled "Build Alternatives – Existing Land Uses" on page 3.1-39 in the Final EIR/EIS, "The City of San Jacinto General Plan includes the proposed MCP Build Alternative and SJN DV in its Circulation Element (San Jacinto General Plan, Figure C-2, Roadway System); therefore, Build Alternatives 4 Modified, 5 Modified, and 9 Modified would be compatible with

existing land uses in San Jacinto." The following was added as the last sentence in this paragraph. "In its March 21, 2013 comment letter on the Recirculated Draft EIR/Supplemental Draft EIS, the City indicated its preference for the southerly alignment of the MCP project (as opposed to the SJN DV)." As discussed in Section 2.5.5, Identification of the Preferred Alternative, in Chapter 2 in the Final EIR/EIS, based on the LEDPA analyses, Alternative 9 Modified, with the SJRB DV and the Base Case southerly alignment through the City of San Jacinto, has been identified as the preferred alternative. As a result, the preferred alternative is consistent with the City of San Jacinto General Plan and the City's stated preference for the southerly MCP alignment through the City.

As discussed in the subsection titled "City of Perris" on page 3.1-36 in this Final EIR/EIS, in areas where the MCP Build Alternatives do not follow the alignment of the original CETAP Corridor (i.e., Ramona Expressway), there would be inconsistencies between the transportation land use for the MCP in the City of Perris and the land use designations for those areas shown on the City's current General Plan. Therefore, amendments to the City of Perris General Plan would be needed for designated roads and land uses that would be affected by the MCP Build Alternatives. However, it should be noted that FHWA, Caltrans, and RCTC have no land use planning authority and do not have the authority to amend the City's General Plan or to require the City to amend its General Plan to reflect these land use changes. These impacts are discussed in more detail for each of the Build Alternatives in Section 3.1.1.2, Environmental Consequences, starting on page 3.1-37, in the Final EIR/EIS. Based on the City of Perris General Plan consistency analysis provided in Section 3.1.2, Consistency with State, Regional, and Local Plans, in the Final EIR/EIS, the following elements of the City of Perris General Plan would require amendments to reflect the MCP project (if the project is approved):

- Land Use (revise General Plan land use designations of land that would now be used for transportation purposes, and identify the reduction in land available for new development)
- Circulation (revise Circulation Element map to show MCP alignment)
- Open Space (revise to show any changes to trail routes required to accommodate the MCP project)
- Housing Element (revise to reflect changes to housing inventory as a result of the MCP project)
- Noise Element (revise to add the MCP project to tables of roads and highways in this element)

As discussed in two subsections in Section 3.1, Land Use (the subsections titled "Alternative 4 and Design Modifications, Riverside County" on page 3.1-53 and "Alternative 5 and Design Modification, Riverside County" on page 3.1-54) in the Final EIR/EIS, the MCP project would be inconsistent with Land Use Policies LU 16.2 and 16.4 in the Riverside County General Plan, which protect agricultural lands in unincorporated Riverside County. The EIR for the Riverside County General Plan determined that, cumulatively across Riverside County, the permanent conversion of agricultural land to a variety of non-agricultural uses would occur. The County General Plan EIR further noted that although the General Plan contains policies that will reduce or minimize the effects of future development on agricultural resources, those policies do not set specific requirements that will limit the conversion of agricultural lands to non-agricultural uses. The analysis in the General Plan EIR concludes that because no feasible or reasonable mitigation has been identified to reduce those potential impacts to a less than significant level, impacts to farmland remain significant and unavoidable and will contribute to a cumulative adverse effect on farmland. The inconsistency with these Riverside County General Plan policies as they relate to the MCP project were identified, analyzed, and disclosed in the Final EIR/EIS in the following subsections in Section 3.1, Land Use: "Riverside County:" Alternative 4 Modified (page 3.1-57), and Alternative 5 Modified and Alternative 9 Modified (page 3.1-54). Although there is an inconsistency, a General Plan Amendment to modify the land use designations on land used for the MCP project would not provide any new substantial information on impacts to agricultural resources that was not already identified in the certified Riverside County General Plan EIR and in the Final EIR/EIS for the MCP project. Please note that the "General Plan Final Program Environmental Impact Report Volumes I and II for the Riverside County, California Comprehensive General Plan Amendment No. 618 (GPA00618) Environmental Assessment No. 38614 Environmental Impact Report No. 441 State Clearinghouse No. 2002051143" is incorporated by reference in this Final EIR/EIS for the MCP project and is included in the administrative record for the project.

IP-6-7

This comment provides a brief summary of the CBD/SBVAS/SC's comments on the purpose and need for the project, and the alternatives analysis. Please refer to the responses to comments IP-6-8 to IP-6-10 for the responses to the individual CBD/SBVAS/SC's comments regarding those concerns.

IP-6-8

Please refer to the following sections for the locations in the Final EIR/EIS of the information needs cited in this comment:

Project location and boundaries: Please refer to Figure 2.1.1 on page 2-3 in Chapter 2 that shows the location of the project and the project study area. Figures 2.3.1a, 2.3.1b, and 2.1.3c show the project limits for Alternative 4 Modified, Alternative 5 Modified, and Alternative 9 Modified. More detailed figures showing the project limits are provided with the analyses of some environmental parameters. For example, Figure 3.1.1, starting on page 3.1-3 in this Final EIR/EIS, shows the project limits in more detail on an aerial photograph.

Purpose and objectives: The purpose of the MCP project is discussed in Section 1.3.1, Project Purpose, on page 1-15 in this Final EIR/EIS. The need for the project is discussed in Section 1.3.2, Project Need, starting on page 1-15 in this Final EIR/EIS.

Technical, economic, and environmental characteristics: Chapter 2, Project Alternatives, and Chapter 3, Affected Environment, Environmental Consequences, and Avoidance, Minimization, and/or Mitigation Measures, provide detailed information regarding the technical features of the MCP Build Alternatives, cost information for the Build Alternatives, and environmental analyses of the potential effects of the No Build and Build Alternatives.

The intended use of the EIR itself: Both the Summary (page S-1) and Chapter 1 (page 1-1) clearly state that RCTC, Caltrans, and FHWA propose to construct a new freeway, known as the Mid County Parkway; that RCTC is the lead agency and project proponent under CEQA; and that FHWA is the lead agency under NEPA. As a result, those agencies will use the Final EIR/EIS for the environmental clearance of a selected MCP project. Further, the EIR/EIS may be used by additional agencies for other approvals or permits as summarized in Table 2.7.A on page 2-122 in this Final EIR/EIS.

Please refer to the responses to comments IP-6-9 and IP-6-10, below, for discussion regarding the CBD/SBVAS/SC's comments regarding the project purpose and need.

Please note that the purpose and need for the MCP project were developed in consultation with the resources agencies as part of the 2006 NEPA/404 Integration process Memorandum of Understanding (MOU), which included FHWA, the United States Environmental Protection Agency (EPA), the United States Army Corps of Engineers (USACE), the United States Fish and Wildlife Service (USFWS), the

National Marine Fisheries Service, and Caltrans. Refer to Appendix M, Mid County Parkway Preferred Alternative Preliminary LEDPA Identification (NEPA/404 Checkpoint 3), for discussion regarding the NEPA/404 consultation process for the MCP project. Therefore, the EIR/EIS fully complies with the requirements of CEQA and NEPA and the commenters' claim to the contrary is incorrect.

IP-6-9a

This comment incorrectly states that the project purpose and objectives are improperly limited and restrict the range of reasonable alternatives. Please refer to Section 1.2, Project Background, in Chapter 1, Proposed Project, in the Final EIR/EIS, which provides a detailed discussion of the history of the proposed project, from the broad range of alternatives and transportation modes considered in the early RCIP and CETAP studies, which included extensive evaluations and consultations with a wide range of agencies and members of the general public. Based on those studies, RCTC developed a range of alternatives for a corridor between I-15 and SR-79 (later shortened to between I-215 and SR-79) to meet the forecasted travel demand in that corridor. The proposal for the MCP does not preclude RCTC, Caltrans, and /or other transportation agencies from pursuing additional transportation improvements in this part of western Riverside County. The RCIP and CETAP studies themselves documented the need for multiple types and modes of transportation improvements including freeway, local road, and transit improvements. Those types of improvements including the MCP project are being proposed and evaluated by RCTC, Caltrans, and other transportation agencies based on the RCIP and CETAP studies. As a result, the detailed studies for the MCP project including the EIR/EIS did not include evaluation of other transportation improvements. Therefore, the EIR/EIS fully complies with the requirements of CEQA and NEPA, and the commenter's claim to the contrary is incorrect.

IP-6-9b

Please refer to the response to comment IP-6-2 for a detailed discussion regarding the history of planning and environmental studies for a broad range of transportation improvements in the geographic area described as western Riverside County. That process resulted in the identification of the need for a west-east freeway, referred to as the MCP project, in western Riverside County.

Please also note that "…building a six-lane freeway…" as stated in this comment is not one of the defined purposes for the project as discussed in Section 1.3.1, Project Purpose, on page 1-14 in the Final EIR/EIS. Based on the earlier planning and environmental studies, the MCP project, as a freeway facility, was identified for

evaluation in the current project level EIR/EIS. The purposes for the project, defined in Section 1.3.1, were sufficiently broad to address regional transportation needs and to consider several road improvement alternatives. Refer to the response to comment IP-6-9a, above, for discussion of the history of the identification of needed transportation improvements in western Riverside County and why the MCP project studies including the EIR/EIS did not include evaluation of non-roadway alternatives. A number of those alternatives were not carried forward for detailed evaluation as discussed in Section 2.6, Alternatives Considered and Withdrawn from Further Study, starting on page 2-117 in the Recirculated Draft EIR/Supplemental Draft EIS, and in Table 2.6.A, starting on page 2-118.

Designing the MCP facility to accommodate Surface Transportation Assistance Act (STAA) trucks meets Caltrans guidance on highway design (Caltrans *Highway Design Manual* [HDM], Section 404.4, Design Vehicles and Related Definitions, May 7, 2012). Caltrans guidance states to use STAA design vehicles on National Network and Terminal Access routes. Because the MCP is a new facility, it is not yet included in the National Network and Terminal Access system. The current National Network Map, near the project study area, shows State Route 60 (SR-60) as the only route that goes east-west joining north-south I-215 to north-south SR-79, both of which are National Network or Terminal Access routes. The projected percentage of truck traffic assumed on the MCP is 5 percent in part because the area north of the MCP, from I-215 to Lake Perris is mainly industrial land uses. The MCP has a service interchange at Redlands Boulevard that is a City of Perris-designated truck route. Designing the MCP facility to accommodate STAA trucks would also be consistent with the intent of the MCP to meet regional and subregional east-west traffic demand in western Riverside County.

An STAA truck is a truck with a 48-foot (ft) long semi-trailer, an unlimited overall length, and an unlimited kingpin-to-rear-axle distance. STAA trucks were made legal on the National Network (primarily interstates) by the 1982 federal STAA. STAA trucks are not "...larger than those permitted on the federal Interstate systems and the non-Interstate Federal-aid primary System" as claimed in this comment. Streets other than interstates (on which STAA trucks are already legal) can be designed to accommodate STAA trucks if they meet certain design standards. As noted in the response to comment IP-6-5a, the MCP facility will be designed and constructed consistent with the facility design standards in the Caltrans HDM. State highways and other roads in California can be designed to STAA standards based on the STAA design vehicle (a 48 ft long semi-trailer) and guidance for its use included in the Caltrans HDM, Topic 404. The STAA design standards for a freeway accommodate a

48 ft long semi-trailer while typical freeway design standards (specifically the California Design Vehicle standard in this area) accommodate a truck with a 45 ft long semi-trailer. Caltrans allows the use of the California Design Vehicle standard where the use of the STAA design standard is not practical. As a result, those differences in the lengths of semi-trailers accommodated under these two standards are not sufficient to "...narrow the scope of the alternatives to include only roadways substantial enough to accommodate those particularly large trucks..." as stated in this comment.

IP-6-10

This comment asserts that the modified MCP project does not have logical termini and does not provide independent utility, that the MCP project was improperly segmented, and that the analysis does not consider the cumulative effect of traffic west of I-215 on Cajalco Road. Section 771.111(f) in the Code of Federal Regulations (in the Federal Aid Policy Guide Environmental Impact and Related Procedures) requires that "In order to ensure meaningful evaluation of alternatives and to avoid commitments to transportation improvements before they are fully evaluated, the action evaluated in each EIS or finding of no significant impact (FONSI) shall: (1) Connect logical termini and be of sufficient length to address environmental matters on a broad scope." Based on the need to satisfy that federal requirement, the FHWA Environmental Review ToolKit (http://environment.fhwa.dot.gov/projdev/tdmtermini.asp, accessed May 13, 2013) states that:

"... the action evaluated in each environmental impact statement (EIS) ... shall:

1. Connect logical termini and be of sufficient length to address environmental matters on a broad scope;
2. Have independent utility or independent significance, i.e., be usable and be a reasonable expenditure even if no additional transportation improvements in the area are made; and
3. Not restrict consideration of alternatives for other reasonably foreseeable transportation improvements."

As discussed in the response to comment IP-6-2, RCTC, FHWA, and Caltrans developed an approach for completing the EIR/EIS process for the MCP project, by modifying the MCP project limits from a 32 mile-long facility (I-15 to SR-79) to a 16 miles long facility (I-215 to SR-79) to focus transportation funding where the need is the greatest, between I-215 and SR-79, near existing facilities (i.e., Ramona Expressway), and to reduce impacts on a wide range of resources on the original

MCP segment between I-15 and I-215, especially existing habitat reserves and rural communities.

Fundamental to the modification of the MCP project purpose statement and alternatives is the tenet that no improvements between I-15 and I-215 are planned, designed, or intended to be implemented *as part of the modified MCP project* (emphasis added); and that the MCP project no longer proposes any improvements west of I-215. It is acknowledged that the need for transportation improvements still exists between I-15 and I-215. The distinct transportation needs between I-15 and I-215 will be addressed by improvements to Cajalco Road shown in the adopted County of Riverside General Plan Circulation Element. In the long term, the 2012 Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS) includes an east-west CETAP Corridor between I-15 and I-215 in the financially constrained plan (Project ID No. 3C01MA01). As a result, the termini for the modified MCP Build Alternatives were defined as I-215 on the west and SR-79 on the east. This meets the standard for "logical termini" set forth in *Del Mar Terrace Conservancy versus City Council* (1992) 10 Cal.App.4th 712, 732–733 and *Daly versus Volpe* (3d Cir. 1975) 514 F.2d 1106, 1109–1110. Both cases hold that logical terminal points include "major crossroads." Both I-215 and SR-79 are major crossroads.

Section 1.3.2.6, Independent Utility and Logical Termini, on page 1-41 in the Final EIR/EIS discusses whether the modified Build Alternatives would meet the tests of independent utility and logical termini as defined in the FHWA Regulation 23 CFR 771-111. That text was replaced in the Final EIR/EIS with the following to more clearly explain how the modified Build Alternatives considered in the Recirculated Draft EIR/Supplemental Draft EIS specifically meet the FHWA definitions for logical termini and independent utility:

> "The FHWA Regulation 23 CFR 771-111 (http://environment.fhwa.dot.gov/projdev/tdmtermini.asp, accessed May 13, 2013) defines logical termini for project development as "...rational end points for a transportation improvement, and have rational end points for a review of the environmental impacts..." The modified Build Alternatives extend approximately 16 miles between SR-79 and I-215 in western Riverside County, providing connections to north-south travel routes (SR-79 and I-215) while also providing an east-west travel route in the overall HCLE Corridor. With the modified MCP project, travelers in western Riverside County would have

multiple options for traveling between SR-91 and SR-60 to the north and I-15 in San Diego to the south. The Tier 1 Draft EIR/EIS for the HCLE Corridor analyzed the potential environmental effects of a transportation corridor between I-15 and SR-79 in western Riverside County on a broad level; the Final EIR/EIS for the modified MCP project provides detailed analysis of the potential effects of the 16 mile-long facility through part of that larger study area, between I-215 and SR-79. As a result, the modified MCP project meets the definition of logical termini and is of sufficient length to address environmental matters on a broad scope.

It should be further noted that transportation facilities may have multiple logical termini. For example, a long road project may be constructed in phases where the first phase extends from one freeway to freeway interchange to either another freeway to freeway interchange or a freeway to local street interchange. Shorter segments of projects can have logical termini if those end points represent "...rational end points for a transportation improvement, and have rational end points for a review of the environmental impacts..." as noted in the FHWA Regulation 23 CFR 771-111. The logical termini for a shorter segment could be locations where there is a substantial change (increase or decrease) in traffic volumes and the shorter segment provides a transportation improvement which effectively addresses an identified need.

The modified MCP Build Alternatives have logical termini that provide rational end points both for a transportation improvement and for review of the environmental impacts of those transportation improvements.

The FHWA Regulation 23 CFR 77I-111 defines "...independent utility or independent significance..." to "...be usable and be a reasonable expenditure even if no additional transportation improvements in the area are made..." As noted above, the modified MCP project would provide a usable facility that meets travelers' needs for east-west travel in this part of western Riverside County even if no other improvements, such as improvements to Cajalco Road west of I-215, are implemented. This comment incorrectly asserts that "...the Cities of Perris and San Jacinto do not, in themselves, justify

such a large and substantial freeway." and then goes on to say that the MCP "...will be as a connector for traffic that continues along, I-215..." This is, in fact, correct; the MCP will provide more direct routes for travelers in this part of western Riverside County who wish to travel to/from the Cities of Perris and San Jacinto, as well as travelers whose trips require east-west movements in addition to north-south movements. It is not the Cities of Perris and San Jacinto that are the logical termini, rather it is I-215 and SR-79. The traffic studies prepared for the CETAP HCLE Corridor showed that the greatest east-west mobility benefits were provided by Alternative 1A which traversed the Cities of Perris and San Jacinto. Therefore, the MCP Build Alternatives would have independent utility/independent significance and would be usable and a reasonable expenditure even if no additional transportation improvements in the area are made.

The FHWA Regulation 23 CFR 771-111 further requires that proposed transportation improvements "...not restrict consideration of alternatives for other reasonably foreseeable transportation improvements..." The modified MCP project would not physically affect the ability of improvements to be constructed west of I-215 (such as improvements to Cajalco Road) or on I-215 and SR-79 north or south of the MCP facility, or on local streets crossed by the MCP alignment, or transit (bus or rail), pedestrian, or bicycle facilities in those areas. In addition, as shown on Figure 2.3.2 on page 2-29 in the Final EIR/EIS, the typical cross section on the modified MCP would include three mixed flow lanes in each direction, with 10 foot wide inside and outside shoulders. Those travel lanes would be sufficient to accommodate all types of buses including local transit vehicles and over the road coaches. The cross section also includes a 42 foot wide center median that could be used for high occupancy vehicle lanes, bus only lanes, additional mixed flow lanes, or rail in the future. Therefore, the MCP Build Alternatives would not restrict consideration of alternatives for other reasonably foreseeable transportation improvements."

Please note the Cajalco Road improvements in this part of western Riverside County cited in this comment were considered in both the traffic and the cumulative impacts analyses, as discussed in the following sections in the Final EIR/EIS:

- **Section 3.6.2.1, Baseline Traffic Conditions (starting on page 3.6-7):** This section describes the baseline traffic conditions for existing year (2010), Opening Year (2020), and Horizon Year (2040) including the specific road and other transportation improvements assumed in the traffic impact analysis as part of the baseline/background conditions in 2010, 2020, and 2040. The effects of the Cajalco Road improvement project between I-15 and I-215 were considered in the analysis of the MCP project, because the Cajalco Road project was included in the future roadway network (see Table 2-1, Mid County Parkway Traffic Analysis, 2040 Regional Roadway Network Assumptions in the *Traffic Technical Report*, February 2012).
- **Section 3.25.4.5, Cumulative Public Infrastructure Projects (on page 3.25-21):** This section briefly describes the transportation projects considered in the cumulative impacts analysis. As stated on page 3.25-22 of the Final EIR/EIS, the impacts of the cumulative transportation projects such as the Cajalco Road improvement project between I-15 and I-215 have been considered because all these major transportation projects are covered activities under the Western Riverside County MSHCP. These projects are also included in the Riverside County General Plan Circulation Element; therefore, their impacts were considered in the Riverside County General Plan EIR (2003).
- **Subsection titled "Related Projects" (starting on page 1-35):** This section discusses other related projects, provides contextual information for the MCP project, and identifies how the transportation agencies have coordinated transportation planning efforts on the related projects.

The last comment in this section notes that "...claims that the Clean Water Act (CWA) 404(b) no action alternative is unreasonably expensive are based on the overall projected project cost, which under the current description of the MCP, only includes the Ramona Expressway portion of the larger CETAP transportation corridor. If the cost of these two interrelated projects were considered together, the comparative cost of the CWA 404(b) no action alternative would be much lower, and claims of unreasonable expense would be further put into question." Please refer to the description of the No Action Alternative in Section 6.6, Section 404 No Action Alternative (Avoidance Alternative), on page 21 in Appendix M, 404(b)(1) Alternatives Analysis, in the Recirculated Draft EIR/Supplemental Draft EIS, which explains that a Section 404 avoidance alternative that would completely avoid waters of the United States was considered based on Alternative 9 *Modified* (emphasis added), a 16 mile-long facility, and not the original 32 mile-long project, as follows: "Alternative 9 Modified was chosen as the base for the Section 404 No Action

Alternative because it is the MCP Build Alternative with the fewest permanent effects to waters of the United States. The alignment and proposed interchange locations for the Section 404 No Action Alternative are identical to those of Alternative 9 Modified. Implementation of the Section 404 No Action Alternative would necessitate revisions to 9 planned bridge structures that would require longer spans and the placement of 34 additional bridge structures to completely avoid waters of the United States. However, the Section 404(b)(1) Alternatives Analysis concludes that the Section 404 No Action Alternative cannot be considered practicable because it would create an additional cost of $365 million (approximately 20 percent more than Alternative 9 Modified) and has thus been determined to be unreasonably expensive." Because that 404(b)(1) avoidance alternative considered only avoidance of waters of the United States between I-215 and SR-79, it did not consider any effects or costs of a corridor or an avoidance alternative west of I-215. As a result, the assertion in this comment that "If the cost of these two interrelated projects were considered together, the comparative cost of the CWA 404(b) no action alternative would be much lower, and claims of unreasonable expense would be further put into question." is incorrect because the costs discussed in Section 6.6 in Appendix M are the project costs and the avoidance alternative costs for the MCP project between I-215 and SR-79 only. If the costs for the original 32 mile-long MCP alternatives and the costs for a 404 avoidance alternative for that 32 mile-long project were developed, those costs would both be much greater than for the modified MCP project because of the numerous jurisdictional waters between I-15 and I-215 that would need to be avoided. As a result, the determination in Appendix M in the Recirculated Draft EIR/Supplemental Draft EIS that the Section 404 No Action Alternative is "...unreasonably expensive..." is accurate. Therefore, although this additional cost may not be considered economically infeasible as defined in CEQA, this additional cost is not "practicable" as defined in Section 404(b)(i) of the Federal Clean Water Act. The discussion of the Section 404 No Action Alternative has been updated in Appendix M of this Final EIR/EIS to reflect the most recent cost estimates.

Finally, it should be noted that rejecting the 404 No Action Alternative did not result in selection of an alternative that would result in substantial adverse impacts on a resource that cannot be mitigated to below a level of significance. As discussed in Chapter 4 and shown in Appendix A in the Final EIR/EIS, the project effects on jurisdictional aquatic resources would be less than significant or less than significant after mitigation under CEQA. As a result, no statement of overriding considerations would be required for those impacts and, therefore, no dependence on cost as a reason to reject a feasible alternative would be necessary.

IP-6-11

The level of service information for 2040 cited in this comment is from Table 7-4 in the *Mid County Parkway Traffic Technical Report* (February 2012). This citation was added at the end of the subsection titled "Level of Service" on page 1-19 in the Final EIR/EIS.

The growth forecasts used in the analyses for the MCP project are the approved regional forecasts for western Riverside County prepared by the Western Riverside Council of Governments (WRCOG) (http://www.wrcog.cog.ca.us/community/growth-issues, accessed September 23, 2014) and submitted to SCAG for inclusion in the regional growth projections for the SCAG region, and, as a result, are the appropriate forecasts to use for the traffic and air quality modeling and other analyses for the project. Please note that the purpose of the MCP EIR/EIS was not to provide a platform for "…meaningful review and comment…" on the Southern California Association of Governments (SCAG) demographic forecasting process and the adopted forecasts. Although those projections were developed by SCAG, they are based on local jurisdictions' adopted demographic projections and land use plans, and submitted to SCAG by WRCOG (http://www.wrcog.cog.ca.us/uploads/media_items/wrcog-growth-forecast-2010-2035.original.pdf, accessed September 23, 2014). As a result, the adopted projections for western Riverside County reflect the anticipated changes in demographics and land uses in the local jurisdictions in western Riverside County based on those local jurisdictions' adopted General Plans.

The percentages of growth in demographic characteristics (jobs and population) in western Riverside County cited in Section I.3.2, Project Need, starting on page 1-15 are *not* (emphasis added) percentages for the entire SCAG region. Those percentages are for the forecasted growth in western Riverside County only per the demographic data cited above that is provided by WRCOG. As a result, the cited percentages are appropriate for the cities and unincorporated areas in western Riverside County. As noted above, the demographic and land use changes on which those projections are based are from the local jurisdictions and may or may not reflect changes in transit usage, shifts away from single-family development, and/or the development of Sustainable Communities Strategies, as deemed appropriate by the local agencies, who are most knowledgeable about demographic and other trends for the areas within their jurisdictions.

The following text was added after the second paragraph in Section 1.3.2, Project Need, on page 1-15 in the Final EIR/EIS to clarify why the growth forecasts in the 2008 RTP were used in the project traffic analysis, how the growth forecasts changed

from the 2008 RTP to the 2012 RTP, and the growth forecasts that were used in the traffic modeling for the MCP project:

- The 2008 RTP was the applicable RTP at the time the analyses for the Draft EIR/EIS and the Recirculated Draft EIR/Supplemental Draft EIS were prepared. As a result, the growth forecasts used in the 2008 RTP were also used in the analyses for the MCP project.
- The 2008 RTP estimated the 2005 population in the SCAG region at 18.14 million residents and forecasted the 2035 population in the SCAG region (the SCAG region includes all of Los Angeles, Orange, Imperial, Riverside, San Bernardino, and Ventura Counties) at 24.06 million residents, a forecasted increase of 33 percent between 2005 and 2035 and an estimated annual rate of growth of 1.2 percent.
- The 2012 RTP estimated the 2010 population in the SCAG region at 18.10 million residents and forecasted the 2035 population in the SCAG region at 22.09 million residents, a forecasted increase of 22 percent between 2010 and 2035. Although the rate of estimated growth is lower in the 2012 RTP than in the 2008 RTP, it still represents an estimated annual rate of growth of 0.9 percent over that time period.
- Although the rate of estimated growth in the 2012 RTP is lower than in the 2008 RTP for the SCAG region as a whole, the RIVTAM traffic model, which was used to analyze the potential traffic effects of the MCP project, used an annual growth factor of 1.9 percent per year, which is consistent with the rate of growth for the western Riverside County area forecast in the 2012 RTP based on the growth forecasts provided to SCAG by the Western Riverside Council of Governments (WRCOG) (http://www.wrcog.cog.ca.us/downloads/ WRCOG_Growth_Forecast_2010_2035.pdf). With regard to the commenter's statement that "…an overall prediction of 60% growth and 80% employment growth cannot be universally applied to areas served by the project," a review of the growth forecasts used by SCAG in the 2012 RTP shows a 56% increase in population and an 87% increase in employment between 2008 and 2035 within Riverside County (see page 35 of SCAG's 2012 RTP Growth Forecast Appendix); these numbers are very close to the cited text from the 2008 RTP and are for Riverside County, not the job sectors of Los Angeles or Orange Counties.

In response to the statement in this comment that no citations are provided for the claim of "...by 2040, it is anticipated, even with planned improvements in the Riverside County General Plan Circulation Element, Ramona Expressway would operate at an unacceptable LOS (DEIR/DEIS 1-14)," the following text was added

immediately following the cited sentence in the Final EIR/EIS: "(Source: Table 7-4 in the *Mid County Parkway Traffic Technical Report*, 2012)."

This comment concludes by stating that "Similarly the DEIR/DEIS fails to account for the development of the Sustainable Communities Strategy, which will encourage growth and transportation next to existing urban areas and public transportation areas. The DEIR/DEIS' blind reliance on single person automobile travel in rural areas doesn't accurate project the shift in demographics away from single family development separated from public transit options." While the SCAG 2012 RTP/SCS does encourage growth and transportation next to existing urban areas and public transportation areas, the analysis of daily vehicle miles traveled presented in the Program EIR for the SCAG 2012 RTP/SCS shows that these policies will have no effect on reducing daily vehicle miles traveled in Riverside County as the forecast of 89,000,000 daily vehicle miles traveled was the same in both the 2035 No Project (i.e., no 2012 RTP/SCS) and 2035 Plan (i.e., with the 2012 RTP/SCS) conditions (see Table 3.12-13: Daily Vehicle Miles Travelled in 2012 and 2035 on page 3.12-27 of the Draft Program EIR for the SCAG 2012–2035 RTP/SCS [December 2011] SCH No. 2011051018). As a result, the MCP project is needed to address travel demand in Riverside County even with the changes in land use policies in the 2012-2035 RTP/SCS.

IP-6-12

This comment provides a brief summary of the CBD/SBVAS/SC's comments on the range of alternatives. Please refer to the responses to comments IP-6-13 through IP-6-16 for the responses to the individual CBD/SBVAS/SC's comments regarding those concerns.

IP-6-13

Specifically, as described in Section 1.3.1, Project Purpose, on page 1-14 in this Final EIR/EIS, the selected Alternative would:

- Provide increased capacity to support the forecasted travel demand for the 2040 design year;
- Provide a limited access facility;
- Provide roadway geometrics to meet state highway design standards;
- Accommodate Surface Transportation Assistance Act National Network trucks; and
- Provide a facility that is compatible with a future multimodal transportation system.

Please note that the project purpose as stated in Section 1.3.1, Project Purpose, on page 1-14 in the Final EIR/EIS, reads: "The purpose of the proposed action is to provide a *transportation facility (*emphasis added) that would effectively and efficiently accommodate regional west-east movement of people, goods, and services between and through Perris and San Jacinto." For consistency in defining the project purpose, the second sentence in the second paragraph in Section 2.1, Project Description Summary, on page 2-1 in the Final EIR/EIS, was revised to be consistent with the project purpose as discussed in Section 1.3.1 to read as follows (changes shown in italics): "As stated in Chapter 1.0, the purpose of the proposed action is to provide a transportation facility that will effectively and efficiently accommodate regional west-east movement of people and goods between and through Perris and San Jacinto."

While the Build Alternatives evaluated in the Final EIR/EIS are clearly freeway alternatives, it is important to note that the earlier study phases considered other alternatives. Please refer to the response to comment IP-6-2 for a detailed discussion regarding the history of planning and environmental studies for a broad range of transportation improvements in the large geographic area described as western Riverside County. That process resulted in the identification of the need for a west-east freeway, referred to as the MCP project, in western Riverside County.

As stated on page 1-17 in Section 1.3.2.1, Transportation Capacity, Demand, and Safety in the Final EIR/EIS, the travel time between I-215 and SR-79 under No Build Alternative 1B (widening of Ramona Expressway to 6 lanes) would be 44 minutes as compared to 15-16 minutes under the MCP Build Alternatives. While this would be an improvement to the 93-minute travel time under No Build Alternative 1A (which would not add any capacity to Ramona Expressway), it will still not meet the basic project purpose to provide a transportation facility that would effectively and efficiently accommodate regional west-east movement of people, goods, and services between and through the cities of Perris and San Jacinto.

This comment states that alternative means to address transportation needs, such as expanding the transit oasis concept, were precluded from fulfilling the project purpose. As defined in the Riverside County General Plan Circulation Element (December 22, 2003):

> "The Transit Oasis is a concept to improve transportation options in Riverside County by providing an integrated system of local serving, rubber-tired transit that is linked with a regional transportation system, such as MetroLink or express buses. In the Transit Oasis

> concept, rubber-tired transit vehicles operate on a single prioritized or dedicated lane in a one-way, continuous loop. The Transit Oasis is designed to fit into community centers, which provide the types of densities and concentrated development patterns that can allow this concept to become a reality.
>
> In the Harvest Valley/Winchester planning area, the Transit Oasis concept may be accommodated in the Winchester and Domenigoni Community Centers. The Transit Oasis would provide local serving transit to the residents and businesses in and adjacent to the community centers as well as convenient access to regional circulation systems. Due to their strategic location, in the systems Winchester and Domenigoni Community Centers can also connect with systems that may be provided within the Hemet to Corona/Lake Elsinore and Banning/Beaumont to Temecula CETAP Corridors." (www.rcip.org/Documents/general_plan/vol1/ harvest_valley/h_05.pdfCached, accessed May 15, 2013).

As described above, the Transit Oasis concept is clearly intended to serve local travel needs within individual community centers with connections to regional transit systems. The MCP project is intended to serve regional and subregional west-east travel demand in this part of western Riverside County, covering a much larger area than the community center oasis areas that would be served by rubber-wheeled transit vehicles. Transit services operating on the MCP facility would be able to connect with local Transit Oasis services.

As a result, increased transit services and the Transit Oasis concept would not meet the project purpose to accommodate the regional west-east movement of people and goods and, therefore, would not be reasonable alternatives to the MCP project.

With regard to the concerns cited in this comment that the purpose of the MCP project precluded the consideration of transit alternatives, comprehensive transit planning for western Riverside County was undertaken as part of the CETAP component of the RCIP in 1999-2003. As stated in Chapter 4.0 (Circulation Element) of the Riverside County General Plan (2003), "CETAP incorporated three levels of effort: identification of transportation corridors, development of the General Plan Circulation Element, and exploration of options for transit system development in the County." The results of that comprehensive transit planning effort are reflected in the Public Transportation System section of the General Plan Circulation Element. The proposed CETAP transportation corridors (including the MCP project) would provide

facilities that would accommodate express transit services connecting to various activity centers in western Riverside County.

The comment notes that on page 2-1 of the Recirculated Draft EIR/Supplemental Draft EIS it states that the project purpose is "...to provide a *freeway* that will effectively and efficiently accommodate regional west-east movement of people and goods between and through Perris and San Jacinto." This sentence was revised in the Final EIR/EIS to change the word "freeway" to "transportation facility" to make it consistent with the text regarding the project purpose in Chapter 1. With regard to the concern that the project purpose precluded consideration of transit alternatives, because part of the project purpose is to provide for movement of goods, transit (i.e., bus or light rail) is not a viable means to transport goods because of the limited capacity of transit vehicles to transport goods. However, as noted above, the MCP project provides a facility that will benefit transit operators and users by providing improved travel times compared to existing and future (without project) travel times on Ramona Expressway.

In summary, a transit alternative is not expected to meet the basic project objectives as follows:

- A transit alternative would not provide a transportation facility that would effectively and efficiently accommodate regional west-east movement of people, goods, and services between and through Perris and San Jacinto,
- Although a transit alternative would assist in meeting the forecasted travel demand for the 2040 design year, it would likely not result in an increase in capacity in the transportation system sufficient to satisfactorily address that demand,
- A transit alternative would not provide a limited access facility,
- A transit alternative would not provide roadway geometrics to meet state highway design standards,
- A transit alternative would not accommodate Surface Transportation Assistance Act National Network trucks; and
- A transit alternative would be expected to be designed and operated in a way compatibly with a future multimodal transportation system.

Moreover, a rail transit alternative would require the installation of tracks, stations, power facilities, and other appurtenant structures which, depending on where those facilities are sited, could result in potentially significant environmental effects related to biological resources, cultural resources, air quality, and other environmental parameters similar to or greater than the MCP project. In addition, to provide

comparable people moving and trip capacity, a very high level of rail service and/ or a large number of bus trips would be required. As a result, the bus volumes needed to provide comparable capacity would also result in potentially significant air quality and/or greenhouse gas emissions. Further, a transit alternative would likely be considered feasible from the perspective of constructing any needed transit facilities and operating the transit services included in that alternative. However, because a transit alternative would not meet most of the basic project purpose and could potentially result in greater significant environmental effects than the MCP Build Alternatives, as described above, a rail, bus, or rail/bus transit alternative would not be a reasonable alternative to the MCP project.

IP-6-14

This comment is correct in noting that the alternatives discussed in Section 2.6, Alternatives Considered and Withdrawn from Further Consideration, starting on page 2-117 in the Final EIR/EIS are alternatives that were considered for the original 32 mile-long MCP facility. That is appropriate because a primary overall purpose of the original HCLE Corridor in this part of western Riverside County was to improve west-east mobility in western Riverside County as shown in the original project study area on Figure 1.2.1 on page 1-6 in the Final EIR/EIS. That study area covered the entire area in western Riverside County identified as needing west-east mobility improvements. As discussed in response to comment IP-6-10, it is important to note that fundamental to the modification of the MCP project is the tenet that no improvements between I-15 and I-215 are planned, designed, or intended to be implemented *as part of the modified MCP project* (emphasis added) and that the distinct transportation needs between I-15 and I-215 will be addressed by improvements to Cajalco Road shown in the adopted County of Riverside General Plan Circulation Element. In the long term, the 2012 RTP/SCS includes an east-west CETAP Corridor between I-15 and I-215 in the financially constrained plan (Project ID No. 3C01MA01).

The foundation for the range of alternatives considered for the modified MCP project in the Recirculated Draft EIR/Supplemental Draft EIS is found in the initial CETAP planning that was conducted as part of the RCIP from 1999-2000. The CETAP studies were far reaching in their evaluation of the transportation needs in Riverside County. As stated in Section 4.1 of the Riverside County General Plan Circulation Element: "CETAP incorporated three levels of effort: identification of transportation corridors, development of the General Plan Circulation Element, and exploration of options for transit system development in the County." As documented on page 1-1 in the Final EIR/EIS and as discussed in detail in response to comment IP-6-2, after the

initial plan and policy focus of CETAP that supported the 2003 update of the Riverside County General Plan, RCTC then began to initiate specific corridor studies for the Winchester to Temecula Corridor and the HCLE Corridor. As described in Chapter 2 of the Draft EIS/EIR for the HCLE Corridor, while the initial CETAP planning process considered a broad range of modal and locational alternatives, those alternatives were gradually screened down to the set of highway alternatives that were evaluated at a project level for a 32 mile-long MCP project in the 2008 Draft EIR/EIS.

Prior to developing the range of alternatives to be evaluated in the Recirculated Draft EIR/Supplemental Draft EIS for the modified 16 mile-long MCP project, RCTC, FHWA, and Caltrans prepared an updated assessment of the purpose and need for the project. Working in cooperation with the federal resource agencies (USACE, USEPA, and USFWS) through the NEPA/404 integration process, the purpose and need of the project was confirmed, specifically that:

> "The purpose of the proposed action is to provide a transportation facility that would effectively and efficiently accommodate regional west-east movement of people, goods, and services between and through Perris and San Jacinto. More specifically, the selected Alternative would:
>
> - Provide increased capacity to support the forecast travel demand for the 2040 design year;
> - Provide a limited access facility;
> - Provide roadway geometrics to meet state highway design standards;
> - Accommodate Surface Transportation Assistance Act (STAA) National Network trucks; and,
> - Provide a facility that is compatible with a future multimodal transportation system."

The Purpose and Need for the modified MCP project was concurred on by the NEPA/404 agencies in July 2010. Once the Purpose and Need for the modified MCP project was established, RCTC, Caltrans, and FHWA then developed a revised range of alternatives for that modified MCP project. Consistent with the objectives of both CEQA and NEPA, RCTC rigorously evaluated the original MCP alternatives, and in consideration of public comments on the 2008 Draft EIR/EIS, refined the alternatives to further reduce impacts (e.g., Alternative 9 Modified was refined to avoid impacts to Paragon Park in the City of Perris). Working in cooperation with the federal

resource agencies (USACE, EPA, and USFWS) again through the NEPA/404 integration process, RCTC, FHWA, and Caltrans concluded that Alternatives 4 Modified, 5 Modified, and 9 Modified constituted a reasonable range of alternatives that could meet the project Purpose and Need under NEPA. The range of alternatives for the modified MCP project was concurred on by the NEPA/404 agencies in January 2011. In summary, the development of the range of modified alternatives for the current 16-mile-long MCP project between I-215 and SR-79 did not simply "truncate" the previous range of alternatives for the 32 mile-long MCP project, but instead involved a rigorous reevaluation of the Purpose and Need for the project, followed by the development of a range of alternatives to address the modified Purpose and Need. The analysis of the need for the 16-mile MCP project is discussed in detail in Section 1.3.2, Project Need, in the Final EIR/EIS. Refer also to Section 2.2.1.1 in Chapter 2, Project Alternatives, in the Final EIR/EIS, which discusses the process to develop the Modified Build Alternatives. Table 2.4.B in Chapter 2 summarizes the potential environmental effects of the Modified Build Alternatives.

Contrary to the assertion in this comment that "This long convoluted process resulted in the current parameters of this project and Build Alternatives which are too attenuated from the original environmental review process to allow for meaningful review and participation from the public," meaningful review and participation from the public has been part of the project development process dating back to the development of the RCIP. The MCP Build Alternatives presented to the public in the Recirculated Draft EIR/Supplemental Draft EIS were refined specifically in response to the meaningful review, comments, and participation from the public in the considering the alternatives and analyses of those alternatives in the Draft EIR/EIS in 2009. The primary refinement, which resulted in the greatest reduction in environmental effects, was shortening the alignments of the Build Alternatives and removing the segment of the MCP between I-15 and SR-215. Another refinement resulted in realigning Alternative 9 Modified to avoid Paragon Park and a fire station in the City of Perris that were impacted by the original alignment. As the agency responsible for transportation funding in Riverside County, RCTC has appropriately focused the MCP project in the part of the HCLE Corridor where the west-east mobility needs are the greatest.

The comment also generally objects to the fact that none of the alternatives carried forward for extensive analysis in this EIR/EIS were non-highway options. As explained in the responses to comments IP-6-2 and IP-6-13, above, non-highway options were considered as part of early phases of the project, during the HCLE corridor CETAP studies. As discussed on page 7 in the paper entitled "NEPA/Section

404 Integration Process: Alternatives Recommended to Be Carried Forward into the CEQA/NEPA process for the CETAP Hemet to Corona/Lake Elsinore Corridor for the Riverside County Integrated Project," December 20, 2000 (http://www.rcip.org/pdf_files/transportation/AlternativesNEPA404HemtoCor.PDF), accommodation of improved transit service (either rail or bus service) was assumed to be part of all the alignments carried forward for further study in the HCLE Corridor Draft Tier I EIS/EIR. Because buses would be able to use any HCLE Corridor alignment, any of the HCLE alignment alternatives would benefit transit service by providing improved travel times and reliability of service. In addition, although not specifically analyzed as an alternative in the EIR/EIS for the MCP project, the project has been designed to accommodate a future multimodal facility within the median of the MCP facility (see text on page 2-28 of the Final EIR/EIS which states "The alternatives being analyzed include sufficient rights of way to accommodate a multimodal transportation facility that includes both highway lanes and a wide median that could accommodate a future travel lane or a transit facility if warranted by future travel demand beyond 2040."). With regard to the concern that the project purpose precluded consideration of transit alternatives, because part of the project purpose is to provide for movement of goods, transit (i.e., bus or light rail) is not a viable means to transport goods because of the limited capacity of transit vehicles to transport goods. The MCP project provides a facility that will benefit transit operators and users by providing improved travel times for buses compared to existing and future (without project) travel times on Ramona Expressway.

IP-6-15

This comment is incorrect in stating that alternatives other than freeways were not considered in this corridor. Please refer to the response to comment IP-6-2 for discussion of the history of the planning and environmental studies for transportation improvements in western Riverside County, which included improvements other than the proposed MCP project. Please also refer to the response to comments IP-6-13 and IP-6-14 regarding consideration of transit alternatives.

Please also note that Appendix B, Final Section 4(f) Evaluation, in the Final EIR/EIS, specifically discusses alternatives to the use of property from several cultural resources properties, as required under Section 4(f).

This comment asserts that "...the alternatives presented in the DEIR/DEIS are improperly limited are essentially the same..." because all the Build Alternatives include provision of a six-lane controlled access freeway. The number of lanes proposed for each Build Alternative is dictated by the travel demand that would be

served by the MCP project in order to meet the project purpose statement to "...provide increased capacity to support the forecast travel demand for the 2040 design year." As documented in the *Mid County Parkway Traffic Technical Report* (2012), the forecast travel demand for the 2040 design year requires a six-lane freeway to "...effectively and efficiently accommodate regional west-east movement of people, goods, and services between and through Perris and San Jacinto" consistent with the project purpose. While all three Build Alternatives do share a common alignment between Antelope Road and just west of Warren Road, this alignment closely follows existing Ramona Expressway to minimize impacts to biological, cultural, and community resources in this part of the MCP study area. Shifting the alignment north of Ramona Expressway would result in substantial impacts on the San Jacinto Wildlife Area, the Lake Perris State Recreation Area, and existing lands uses in the City of Perris north of Ramona Expressway. Shifting the alignment south of Ramona Expressway would impact more agricultural lands, planned and approved land development projects, and existing land uses in the City of Perris. Aligning the MCP along Ramona Expressway avoids these types of impacts.

This comment further asserts that "...even alternatives that properly avoid jurisdictional waters are dismissed in contravention of CEQA even without showing that they are economically infeasible." First, all five alternatives carried forward for full analysis were evaluated and compared based on the required evaluation of environmental issues under both CEQA and NEPA; those impacts are summarized in Table S.1, starting on page ES-21 in this Final EIR/EIS. Table 2.4.B on page 2-71 provides additional comparison of other characteristics of the No Build and Build Alternatives. There is no CEQA requirement that avoidance of jurisdictional waters is the only, or the most important, consideration in comparing alternatives. For example, while Alternative 9 Modified has slightly more impacts to jurisdictional waters than Alternative 5 Modified, it has less impact related to displaced farmland, fewer employees displaced, and, unlike Alternative 5 Modified, has no impact on schools and no disproportionate impacts to low income/minority populations.

In addition, as discussed in detail later in response to comment IP-6-19, the determination of what constitutes an unreasonable expense should generally consider whether the estimated cost of an alternative is substantially greater than the costs normally associated with the particular type and length of project. The least cost build alignment, which is also the least environmentally damaging practicable alternative (LEDPA), crosses several waterways, as nearly all highway projects of this type and length in southern California do. The Section 404 No Action (i.e., no USACE Permit) Alternative would span these waterways as much as technically feasible to fully avoid

impacts to waters of the United States. This avoidance design would add approximately $340 million to the cost of the project and eliminate permanent impacts to approximately 5 acres (ac) of waters of the United States, as documented in the "Preferred Alternative/Preliminary LEDPA Identification" (December 18, 2013, LEDPA), provided in Appendix M, Mid County Parkway Preferred Alternative Preliminary LEDPA Identification (NEPA/404 Checkpoint 3), in this Final EIR/EIS. It is the judgment of RCTC, the USACE, and EPA (as documented in the concurrence on the Preliminary LEDPA provided in Appendix J), that $340 million is a substantial amount of public money when considered in the context of this project and the extent of the project impacts to waters of the United States. With regard to economic feasibility under CEQA, the $340 million cost to avoid permanent impacts to approximately 5 acres of waters of the United States equates to almost $70 million per acre of jurisdictional waters, which is far in excess of the typical mitigation costs for impacts to waters of the United States.[1] Therefore, although this additional cost may not be considered economically infeasible as defined in CEQA, this additional cost is not "practicable" as defined in Section 404(b)(i) of the Federal Clean Water Act.

Alternative 9 Modified, with the San Jacinto River Bridge Design Variation, has been identified as the preferred alternative. Please refer to Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in this Final EIR/EIS, for discussion of the process used to evaluate the alternatives and identify the preferred alternative for the MCP project.

The only specific alternative that must be discussed in an EIR is the No Project Alternative as noted in Section 15126.6(e) in the State CEQA Guidelines. Section 15126.6(a) of the State CEQA Guidelines further states that:

> "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

[1] The national range in credit prices for wetland mitigation banks in 2008 was $3,000–$653,000 per acre, with the average price at $74,535 per acre. When tidal or vernal pool credit prices are included, the average is $112,449 per acre. (Source: http://www.ecosystemmarketplace.com/pages/dynamic/web.page.php?section=biodiversity_market&page_name=uswet_market, accessed September 23, 2014).

> 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."

There is no bright line rule for the number of alternatives that constitutes a "reasonable range" of alternatives. However, cases have generally found that the consideration of four alternatives is legally sufficient. (See e.g., *Village Laguna versus Board of Supervisors* [1982] 134 Cal.App.3d at1022, 1029 [four alternatives sufficient]; *Mira Mar Mobile Community versus City of Oceanside* [2004] 119 Cal.App.4th 477 [four alternatives sufficient]; and *Residents Ad Hoc Stadium Comm. versus Board of Trustees* [1979] 89 Cal.App.3d 288 [four alternatives sufficient].) The EIR/EIS for the MCP project analyzed eight alternatives, with six carried forward for full analysis: three No Project alternatives and three Build Alternatives. Refer to Sections 2.3.4, No Build Alternatives, and 2.4, Comparison of Alternatives, and also Table 2.4.B (page 2-71) in Chapter 2, Project Alternatives, in the Final EIR/EIS. This more than meets CEQA's requirements.

This comment suggests possible alternatives for consideration to meet the traffic demand in this part of western Riverside County. Please refer to Section 2.6, Alternatives Formally Considered and Withdrawn from Further Study, on page 2-117 in this Final EIR/EIS, for discussion of a range of alternatives considered but withdrawn from further study, including the reasons why they were not carried forward for detailed analysis in this Final EIR/EIS.

IP-6-16a

This comment summarizes the process and agency coordination relative to the 2006 NEPA/CWA Section 404 Memorandum of Understanding (MOU); notes some material in Appendix J in the Recirculated Draft EIR/Supplemental Draft EIS might not be relevant; and states that it was an unreasonably difficult and inconvenient organization and presentation of important information.

The most essential information regarding the NEPA/CWA Section 404 MOU process is provided in the text in Chapter 5 of the Recirculated Draft EIR/Supplemental Draft EIS (and the Final EIR/EIS). More detailed documentation was provided in Appendix J for the interested reader.

To further assist readers, the following were added to Appendix J to assist the reader in finding relevant information:

- Table of Contents listing all documents included in Appendix J.
- Slip sheets at the beginning of each group of documents listed in the Table of Contents, providing the document names/titles, agencies, date, general content, number of pages, and other relevant information (please note that there were already some slip sheets provided in Appendix J).

Please note that there is no requirement under CEQA or NEPA that documents in EIR/EIS appendices be optical character recognition (OCR) scanned.

IP-6-16b

Please refer to the responses to comments IP-6-10 and IP-6-19 for a detailed discussion of the Section 404 No Action Alternative and the evaluation of the increased project costs associated with the No Action Alternative on an approximately 16 mile-long alignment evaluated in the Recirculated Draft EIR/Supplemental Draft EIS (and not the original 32-mile-long MCP project evaluated in the Draft EIR/EIS). Specifically, the costs cited in Section 2.3.4.3 in Chapter 2, Project Alternatives, the Final EIR/EIS considered the cost of the approximately 16-mile-long MCP Modified Build Alternatives and an approximately 16-mile-long Section 404 No Action Alternative. There was no comparison of the costs of those alternatives with the costs of the original 32-mile-long MCP project evaluated in the 2008 Draft EIR/EIS.

Further, the analysis did not reject the Section 404 No Action Alternative because it was "...unreasonably expensive..." It was rejected because it was not practicable. In Section 2.303(q) in Part 230 – Section 404(b)(1) Guidelines for Specification of Disposal Sites for Dredged or Fill Material (40 CFR Ch. I (7–1–10 Edition)), practicable is defined as follows: "The term practicable means available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes." As a result, the Section 404 guidance clearly allows the use of costs in the consideration of whether an alternative is practicable or not. RCTC concluded that an approximately 21 percent increase in the project cost to avoid waters protected under Section 404 was not practicable.

IP-6-17

The baseline conditions used in the traffic impact analysis are described in Section 3.6.2.1, Baseline Traffic Conditions, starting on page 3.6-7, in Section 3.6, Traffic and Transportation/Pedestrian and Bicycle Facilities, in the Final EIR/EIS. Section 3.6.3, Environmental Consequences, starting on page 3.6-23 in the Final EIR/EIS, provides analysis of three baseline conditions: existing conditions (2010 conditions corresponding to the initiation of the environmental studies for the Modified MCP project), 2020 conditions (corresponding to the expected opening day of the MCP project), and 2040 conditions (corresponding to 20 years after opening day). Each of the baseline scenarios was analyzed with and without the MCP project as follows:

Existing (2010) Build Conditions: These are analyzed to satisfy CEQA conformance and are discussed in Section XVI, Transportation/Traffic, in Chapter 4, California Environmental Quality Act Evaluation, in the Final EIR/EIS. Tables 4.3, 4.4, and 4.5 in Section XVI show comparisons of the Existing and Existing plus Build Alternative (for each Modified Build Alternative) levels of service for intersections, freeway segments, and ramp merge/diverge areas, respectively.

Project Opening Year (2020): The LOS for freeway, mainline, ramps, and intersections in the Opening Year (2020) No Build and Build Alternatives are shown in Tables 3.6.G, 3.6.H, and 3.6.I, respectively, in Section 3.6, Traffic and Transportation/Pedestrian and Bicycle Facilities, in the Final EIR/EIS.

2040 Horizon Year: The LOS for freeway, ramps, mainline, and intersections in the Horizon Year (2040) No Build and Build Alternatives are shown in Tables 3.6.J, 3.6.K, and 3.6.L, respectively.

Therefore, the traffic analysis does not rely on the MCP project being implemented or incorporate the MCP project itself into the baseline. Traffic forecasts and roadway operating conditions are described for existing and future scenarios with and without the MCP project.

As noted above, the analysis of existing (2010) plus project conditions required under CEQA is provided in Section XIV, Transportation/Traffic, in the Final EIR/EIS. Because it is not reasonable to expect that the MCP project would be operational before 2020 due to the time required to design and construct the facility, a 2020 opening year scenario was also analyzed and selected because it is the time period in which the MCP project would be expected to be opened if it is selected for implementation. The 2040 scenario was selected based on conditions 20 years after the opening day of the MCP project. Consistent with the requirements of Title 23,

United States Code Section 109(b), transportation projects are built to serve future as well as existing traffic and the analysis of conditions 20 years after the opening of a project provides some assurance that the project will be appropriate to serve future traffic conditions. Therefore, the dates selected for the baseline analysis were not "arbitrary" as asserted in this comment but are fully supported by substantial evidence. In addition, the 2040 scenario provides for analysis of the combined effects of the MCP project and other cumulative projects. Ultimately, the baseline analysis provided public disclosure of project impacts under three different scenarios which is more than required under NEPA and CEQA.

The 2020 and the 2040 scenarios are based on future population and, employment forecasts, and transportation system improvements adopted by SCAG as part of the *Regional Transportation Plan*. Those demographic forecasts are based on adopted General Plans for the city and county jurisdictions in the SCAG region. Therefore, the traffic impact analysis for the MCP project is based on the future conditions determined by the appropriate local and regional agencies to be the expected future condition that should guide planning activities in western Riverside County.

The comment references two studies that report on research to quantify the effect of induced travel (Noland 2000 and Hansen 1997). Each of those studies provides evidence of the existence of the induced travel effect that new roadway projects appear to create, while describing the difficulties in quantifying the effect of induced travel due to limitation of the data. In the section on Conclusions and Policy Implications, Noland states "Providing more people with the ability to travel, even under congested conditions, does provide some benefits. However, these must be weighed against the social costs of increased vehicle usage" (Noland 2000, page 14).These types of policy implications were known and were discussed during the development of the RCIP (see section entitled "Recap of the Overall Transportation Strategy" beginning on page 2 of the paper entitled "*NEPA/Section 404 Integration Process: Alternatives Recommended to Be Carried Forward into the CEQA/NEPA process for the CETAP Hemet to Corona/Lake Elsinore Corridor for the Riverside County Integrated Project*, December 20, 2000 (http://www.rcip.org/pdf_files/transportation/AlternativesNEPA404HemtoCor.PDF). Consideration of these issues led to the development of a land use and transportation plan that recommended a balanced transportation improvement program that included both transit and roadway improvements. The MCP project was a result of the adoption of the RCIP, which recommended the development of a limited-access highway in the Cajalco-Ramona Corridor.

FHWA's position on induced travel demand reflects the consensus of the transportation and travel behavior research community that induced travel demand is neither more or less than the cumulative result of individual traveler choices and land development decisions made in response to an improved level of transportation services. FHWA notes that many, but not all, of these travel choice decisions (e.g., route of travel and mode of travel) are accounted for in current travel forecasting models or land use-transportation interaction models. Further, FHWA is supporting additional research and development to improve travel and land use models to address the travel choice decisions not currently accounted for in existing travel forecasting models (Source: Question No. 11 on FHWA's website page for "Induced Travel: Frequently Asked Questions" at http://www.fhwa.dot.gov/planning/itfaq.cfm#q11, accessed September 24, 2014).

Travel forecasts represent a critical input in evaluating transportation investments, and should be based on analyses that take these travel choice decisions into account to the fullest extent possible. However, current technical limitations of travel models should not, in and of themselves, be sufficient cause to discredit the results of travel forecasts for planning and environmental decisions (refer to "Induced Travel: Frequently Asked Questions," http://www.fhwa.dot.gov/planning/itfaq.cfm, accessed August 6, 2013).

The MCP project will only induce traffic to the extent that it could encourage land development and road improvements that would not otherwise occur without the project. However, any land development projects or road improvements that are built in the future would be subject to environmental analysis of their own individual traffic impacts. Therefore, the traffic impacts of individual land development projects and other road improvement projects would be considered as part of the individual environmental analyses for those projects. The traffic impacts of the MCP project are considered in the comparison of the Build and No Build scenarios, with all other factors remaining constant as presented in the baseline conditions. The potential for the MCP project to result in growth-inducing impacts is analyzed in detail in Section 3.2, Growth, in the Final EIR/EIS. In addition, the potential for the MCP project, when considered with other past, present, and reasonably foreseeable land development and transportation system improvements to contribute to cumulative impacts is addressed in Section 3.25, Cumulative Impacts, in the Final EIR/EIS. As discussed in Section 3.6, Traffic and Transportation/Pedestrian and Bicycle Facilities, in this Final EIR/EIS, analysis of future traffic conditions in the 2040 design year is a cumulative analysis in that it considers traffic generated by future planned land uses and the effect of future planned transportation improvements.

It is unclear what the statement "...to what degree the DEIR/DEIS's inflated baseline relies upon the MCP itself means." As shown in Tables 3.6.G, 3.6.H, 3.6.I, 3.6.J, 3.6.K, and 3.6.L in Section 3.6 in the Final EIR/EIS, a No Build Alternative that does not include the MCP project is evaluated for both the Project Opening Year (2020) and the 2040 Horizon Year. As discussed in Section 3.6.2.1, Baseline Conditions, starting on page 3.6-7, "The following assumptions were made when calculating 2020 and 2040 traffic without the MCP project.

Opening Year (2020):

- Freeways and state highways improvements in the Southern California Association of Governments (SCAG) 2008 Regional Transportation Plan (RTP) scheduled to occur prior to 2020 were assumed to be in place.
- Local roadway improvements listed in City/County 5-year capital improvement programs were assumed to be in place.
- Additional roadway improvements were assumed to be in place if the responsible agencies have secure funding sources and reasonable assurances that the improvement would be in place by 2020.

Horizon Year (2040):

- Freeways and state highways were assumed to be improved according to the SCAG 2008 RTP. The assumptions included all SCAG 2008 RTP Amendments through Amendment 4 approved on November 4, 2010.
- Local roadways were assumed to be built out according to the Circulation Elements of the General Plans of the appropriate local jurisdictions (Riverside County and the cities of Perris and San Jacinto)."

As a result, the commenter's assertion that the baseline assumptions are inflated is not correct.

IP-6-18

This comment provides a brief summary of the CBD/SBVAS/SC's comments on water-related resources. Please refer to the responses to comments IP-6-19 through IP-6-26 for the responses to the individual CBD/SBVAS/SC's comments on those topics.

IP-6-19

This comment refers to the CWA Section 404(b)(1) alternatives analysis in Appendix M, 404(b)(1) Alternatives Analysis, in the Recirculated Draft EIR/Supplemental Draft EIS. The comment states that the project purpose statement in the alternatives analysis is improperly limited. However, the project purpose statement and the range

of alternatives considered were approved by both the EPA and USACE, the agencies responsible for implementing the CWA according to the Section 404(b)(1) guidelines and the MOU. The remainder of the comment focuses on practicability/feasibility, especially with respect to cost, while acknowledging that the alternatives analysis guidelines do not provide a precise definition of how expensive an alternative must be to be unreasonably expensive. The comment also alleges that the alternatives analysis is internally contradictory, because the reason given is that the cost of the Section 404 No Action Alternative ($2.48 billion) is less than the cost of other Build Alternatives.

Appendix M in the Recirculated Draft EIR/Supplemental Draft EIS discussed and compared the costs of the modified Build Alternatives in the subsection titled "Costs" on page 26, as follows:

> "**Cost.** This criterion addresses the total cost of each alternative including the costs of construction, right of way acquisition, environmental mitigation, and engineering/design. The most costly MCP Build Alternatives are Alternative 4 Modified Base Case design and Alternative 4 Modified SJN DV at $2.53 billion, and $2.50 billion, respectively, followed by *Section 404 No Action Alternative and Alternative 4 SJRB DV, both at $2.48 billion* (emphasis added). The least expensive MCP Build Alternatives are Alternative 9 Modified and Alternative 9 SJRB DV at $1.98 and $1.99 billion, respectively."

As shown, the Section 404 No Action Alternative is more expensive that Alternative 9 Modified and less expensive than Alternative 4 Modified. As a result, the Section 404 No Action Alternative is not the least costly of the Build Alternatives.

The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. Alternative 9 Modified with the San Jacinto River Bridge Design Variation (SJRB DV) has been identified as the preferred alternative and Preliminary LEDPA for the MCP project. The analysis of the Section 404 No Action Alternative was updated for Checkpoint 3 (Identification of Preliminary LEDPA) in the NEPA/404 Integration Process. This analysis is provided beginning on page 12 of Appendix M, Mid County Parkway Preferred Alternative/Preliminary LEDPA Identification (NEPA/404 Checkpoint 3) in this Final EIR/EIS. Based on the updated cost estimates for the MCP project, the Section 404 No Federal Action Alternative would cost approximately $1.95 billion, which is approximately $340 million (21 percent) more than the Alternative 9 Modified Base Case (estimated to cost approximately $1.61 billion) due to the design and

construction of 44 bridges for all waters of the United States rather than culverts or fill. A detailed cost estimate for the Section 404 No Federal Action Alternative is provided as an attachment in Appendix M. Because of this significantly greater cost, the Section 404 No Federal Action Alternative was determined to not be practicable.

As noted in the comment, the determination of what constitutes an unreasonable expense should generally consider whether the estimated cost of an alternative is substantially greater than the costs normally associated with the particular type and length of the project. In this case, this consideration is fairly obvious. The least costly build alignment, which is also the least environmentally damaging alignment, crosses several waterways, as nearly all highway projects of this type and length in southern California do. The No Action (i.e., No USACE Permit) Alternative would span these waterways to fully avoid impacts to waters of the United States. This avoidance design would add approximately $340 million to the cost of the MCP project and would eliminate impacts to approximately 5 acres of waters of the United States. It is the judgment of RCTC, and as documented in the concurrence by the NEPA/404 MOU signatory agencies on the Preliminary LEDPA provided in Appendix J, Supplemental Chapter 5 Attachments, in the Final EIR/EIS), the USACE and EPA, that $340 million is a substantial amount of public money when considered in the context of this project and the extent of the project impacts to waters of the United States. With regard to economic feasibility under CEQA, the $340 million cost to avoid impacts to 5 acres of waters of the United States equates to almost $70 million per acre of jurisdictional waters, which is far in excess of the typical mitigation costs for impacts to waters of the United States, which are typically less than $500,000 per acre;[1] therefore, this additional cost is economically infeasible under CEQA.

This comment cites the 2012 EPA Memorandum to the Field titled "Appropriate Level of Analysis Required for Evaluating Compliance with the Section 404(b)(1) Alternatives Requirements." This guidance is consistent with the February 6, 1990 "Memorandum of Agreement Between the Environmental Protection Agency and the Department of the Army Concerning the Determination of Mitigation under the Clean

[1] Advertised prices for wetland creation credits at established mitigation banks in southern California include $125,000 per acre for the Santa Ana Watershed Association (SAW) (In-Lieu Fee Program Costs, SAWA, July 25, 2008) and $450,000 per acre for the Brook Forest mitigation bank in northern San Diego County (source: http://www.brookforestmitigationbank.com/credit-prices.html, accessed September 24, 2014). The higher amount is for a commercial mitigation bank. Actual mitigation costs for applicant sponsored mitigation may be lower.

Water Act Section 404(b)(1) Guidelines." The commenter cites this memorandum "...stating that what constitutes an unreasonable expense should generally consider whether the project cost is substantially greater than the costs normally associated with the particular type of project." However, as acknowledged in the comment, the cost increase would be 20 percent, which for a project of this size, is substantial, regardless of typical costs associated with the project.

With regard to the statement in this comment that "The impracticability of satisfying the supposed future transportation need through further expansion of SR-74, which already connects the Perris and San Jacinto areas, is not adequately demonstrated," the evaluation of different east-west transportation corridors in western Riverside County was conducted by RCTC as part of the HCLE CETAP Corridor study. Improvement of the SR-74 corridor was evaluated as part of Alternatives 4A, 4C, and 4D in the HCLE Tier I Draft EIR/EIS. As discussed in detail in response to comment IP-6-2, based on the results of the CETAP studies, RCTC concluded that a project along the Cajalco-Ramona Corridor (HCLE Alternatives 1A and 1B) provided the greatest east-west mobility benefits within western Riverside County.

Please also note that this discussion is based on comparing the cost of the modified Build Alternatives to the increased cost for the avoidance alternative on only the 16-mile-long segment of the MCP facility. The analysis does not compare the cost of the 32-mile-long facility and the increased cost for the avoidance alternative for the 32-mile-long facility.

With regard to the alleged "internal contradiction" noted in this comment that the Section 404 No Action Alternative cost of $2.48 billion is similar in cost to the cost of Alternative 4 Modified; there is no contradiction at all in that it was the additional cost of $340 million that rendered the Section 404 No Action Alternative impracticable; not the total cost of the alternative.

IP-6-20

This comment references Executive Order (EO) 11990 (issued in 1977) and claims that no explicit findings of consistency with this EO were made in the Recirculated Draft EIR/Supplemental Draft EIS. The goals and language of this EO are completely embodied in the requirements of the CWA Section 404(b)(1) guidelines and the MOU. The requirements of the Section 404(b)(1) guidelines and the MOU, as they are implemented in practice today, are much more rigorous and defined than in the 36-year old EO.

For example, the following quotation is from EO 11990:

"...each agency, to the extent permitted by law, shall avoid undertaking or providing assistance for new construction located in wetlands unless the head of the agency finds (1) that there is no practicable alternative to such construction, and (2) that the proposed action includes all practicable measures to minimize harm to wetlands which may result from such use. In making this finding the head of the agency may take into account economic, environmental and other pertinent factors."

This can be compared to the language in the Section 404(b)(1) guidelines, which includes the following:

"Except as provided under section 404(b)(2), no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences...An alternative is practicable if it is available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes."

In 2006, a Memorandum of Understanding among the Federal Highway Administration (FHWA), the California Department of Transportation, the United States Environmental Protection Agency, the United States Army Corps of Engineers, the United States Fish and Wildlife Service, and the National Marine Fisheries Service was adopted with the goal of facilitating the integration of the FHWA National Environmental Policy Act and Clean Water Act Section 404 processes for federal aid surface transportation projects in California.

The Caltrans EIR/EIS Annotated Outline (Standard Environmental Reference [SER], page 112, October 2012) requires discussion of EO 11990 in the regulatory setting in the wetlands section of an EIR/EIS. Please refer to Section 3.18.1, Regulatory Setting, on page 3.18-1 in the Final EIR/EIS, for discussion of the requirements of EO 11990 regarding wetlands. The SER also indicates that the "Wetlands Only Practicable Finding" section in a *Final* (emphasis added) EIR/EIS must include a reference to EO 11990 (SER, page 115). No such finding is required in a Draft EIR/EIS and, as a result, no finding under EO 11990 was included in the Recirculated Draft EIR/Supplemental Draft EIS.

As required, new Section 3.18.5, Wetlands Only Practicable Finding, was added on page 3.18-3 in the Final EIR/EIS as follows:

"3.18.5 Wetlands Only Practicable Finding

Section 404(b)(1) of the federal CWA requires projects involving federal action to demonstrate that measures have been taken to avoid and minimize impacts to waters of the United States, including wetlands. Furthermore, EO 11990 (Protection of Wetlands) directs federal agencies to "...avoid to the extent possible the long and short term adverse impacts associated with the destruction or modification of wetlands..."

Section 2.2.1, Development of the MCP Alternatives, of this EIR/EIS describes how RCTC, FHWA, and Caltrans worked with USACE, USEPA, USFWS, and CDFW through the NEPA/404 Integration MOU process to develop alternatives to address the project purpose while avoiding or minimizing impacts to waters of the United States.

Once the initial range of alternatives was identified, preliminary engineering was conducted to avoid or minimize impacts to waters of the United States. As discussed in Section 2.3.4.3, Section 404 No Action Alternative, an alternative was developed that would completely avoid any dredge or fill within wetlands and other waters of the United States. However, the Section 404 No Action Alternative was not considered practicable because it would add an additional cost of $340 million (approximately 21 percent more than Alternative 9 Modified) and was thus determined to be unreasonably expensive. Alternative 4 Modified, Alternative 5 Modified, and Alternative 9 Modified evaluated in this EIR/EIS, have been determined to be practicable as they relate to cost, existing technology, logistics, and purpose and need.

Additional practicable measures have been included to avoid and minimize harm to wetlands and other waters of the United States as a result of the construction and operation of the identified preferred alternative (Alternative 9 Modified with the SJRB DV). These measures are:

- All permanent water quality treatment BMPs were moved outside of jurisdictional areas.
- The project engineers reviewed and refined impact areas away from wetlands and other waters of the United States, to the best extent possible, with the exception of areas required to construct road and bridge facilities.
- Bridge piers were incorporated over drainages whenever possible instead of fill with culverts.

- Where culverts are required, they will use soft-bottom channels to the maximum extent possible.
- Retaining walls were incorporated to eliminate fill slopes near drainages whenever possible.

In addition to these avoidance and minimization measures, compensatory mitigation is also included in Alternative 9 Modified with the SJRB DV, as described in Section 3.17.4.1 in the Final EIR/EIS, Compensatory Mitigation. Measures WET-1 through WET-4 also address project effects on waters of the United States.

Based on the above considerations, it was determined there is no practicable alternative to the proposed construction in wetlands under Alternative 9 Modified with the SJRB DV, and the proposed action includes all practicable measures to minimize harm to wetlands that may result from such use.

IP-6-21

The analysis in Section 2.3.2.17, Project Design Features to Minimize Environmental Impacts, starting on page 2-52 in Chapter 2.0, Project Alternatives, in the Final EIR/EIS, identifies the impacts of the MCP Build Alternatives to the Perris Valley Storm Drain and San Jacinto River floodplains. That analysis is based on 35 percent design plans, which because they identify a maximum project footprint and placement of structures within the floodplains are sufficient to identify the potential project impacts on those resources and mitigation required to address the potential MCP project effects related to hydrology and floodplains. As noted in the second paragraph in the subsection titled "Conditional Letter of Map Revision/Letter of Map Revision" on page 3.9-23 in the Final EIR/EIS, Final Location Hydraulic Studies will be prepared during final design. This is consistent with Caltrans' design requirements as stated in the Floodplain section of the Standard Environmental Reference website (http://www.dot.ca.gov/ser/vol1/sec3/special/ch17flood/chap17.htm#infopd). The change in floodplain/floodway elevations and results of the MCP project will be refined based on final design plans of the bridges and roadway where they encroach on the 100-year floodplain/floodway. The refined modeling results would be included in the application for the Conditional Letter of Map Revision and Letter of Map Revision. Although the Flood Insurance Rate Map (FIRM) map revisions would not avoid or reduce the physical impact of the MCP Build Alternatives on floodplains/floodways, they would protect the public by ensuring that the FIRMs for the affected areas are current and properly reflect potential flood water elevations

with the effects of the MCP Build Alternatives. Because the 35 percent design is based on a conservative project footprint, the final design would not substantially change the project impacts or mitigation measures identified in the Recirculated Draft EIR/Supplemental Draft EIS related to floodplains and, in fact, may actually show reduced impacts compared to the worst-case scenario impacts documented in the Final EIR/EIS.

The comment correctly states that the MCP project must comply with EO 11998 regarding Floodplains. If a significant floodplain encroachment occurs, then FHWA must make an "Only Practicable Alternative Finding" pursuant to EO 11998. As explained in Section 3.9.3.1, Hydrology/Floodplains Permanent Impacts in the Final EIR/EIS, the MCP project does not result in any significant floodplain encroachments; therefore, there is no need for FHWA to make an "Only Practicable Alternative Finding" pursuant to EO 11998.

IP-6-22

As required by 23 Code of Federal Regulation (CFR) 650, Subpart A, if the preferred alternative includes a floodplain encroachment having significant impacts, the Final EIS must include a finding that it is the only practicable alternative. As discussed in detail in Section 3.9.3, page 3.9-27, the proposed floodplain encroachments under the preferred alternative would not result in significant impacts on floodplains. Because the project effects on floodplains would not be significant, the Final EIR/EIS does not need to include an only practicable alternative finding for the MCP project. As a result, no changes were made to the Final EIR/EIS in response to this comment. Please refer to responses to comment IP-6-8 regarding the definition of the project purpose and IP-6-13 through IP-6-15 regarding the range of alternatives.

IP-6-23

Similar to comment IP-6-19, this comment discusses the documentation for the LEDPA. Please refer to response to comment IP-6-19 for the response to that comment and to Section 2.5, Identification of a Preferred Alternative, in this Final EIR/EIS.

The comment on Section 3.10, Water Quality and Storm Water Runoff, in the Recirculated Draft EIR/Supplemental Draft EIS states that Alternative 4 Modified is a less environmentally damaging alternative than Alternative 9 Modified and, therefore, should not be excluded on the basis of cost alone. However, as discussed on pages 49 and 53 in the *Potential Impacts of Alternatives Corridor Alignment to Waters of the United States, Riparian Ecosystems, and Threatened and Endangered Species: Mid County Parkway Project, Riverside County, California* (October 2011; provided as

Appendix G in the *Supplement to the Natural Environment Study*), Alternative 4 is the alternative with the highest impact to water quality integrity in riparian systems. In addition, as discussed on page 3.10-17 in Section 3.10.3.1 in the Final EIR/EIS, Alternative 9 Modified would result in the smallest increase in impervious area of the Build Alternatives, which is the specific impact of concern cited in this comment. As discussed on page 3.10-18 in Section 3.10.3.1 in the Final EIR/EIS, Alternative 9 would have the largest and Alternative 4 the smallest percentage of runoff from the new impervious surfaces treated by Best Management Practices (BMPs). However, the difference in the percentage of runoff treated is similar enough that the change in pollutant loading is similar for all Build Alternatives, as shown in Tables 3.10.E, 3.10.F, and 3.10.G on pages 3.10-26 and 3.10-27 in Section 3.10.3.1 in the Final EIR/EIS.

The discussion at the end of the comment references RCTC's preference for an Alternative 9 Modified Design Variation that reduces bridge costs by $40 million at the expense of greater impacts to San Jacinto River alkali plant communities. This is a similar judgment related to costs to that discussed earlier in response to comment IP-6-19, but at a lesser reduction in the project cost (i.e., an expenditure of $40 million in public funds would be required to avoid impacts to 2.1 acres of San Jacinto River alkali plant communities, an excessive cost considering typical mitigation costs for upland habitat are on the order of $50,000 to $100,000 per acre[1]). It should be noted that the areas avoided by the longer bridge are not waters of the United States and, therefore, are not subject to regulation under the CWA 404(b)(1) guidelines as impacts to waters of the United States. The rationale for why the SJN DV was not included in the preferred alternative/Preliminary LEDPA recommendation is provided on pages 22-23 of Appendix M, Mid County Parkway Preferred Alternative/Preliminary LEDPA Identification (NEPA/404 Checkpoint 3) in this Final EIR/EIS.

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[1] RCTC committed $47,500 per acre for the I-215 Central project near the San Jacinto River (Steve Keel, RCTC, personal communication with Wendy Davis, LSA Associates, Inc., July 8, 2013); the average advertised cost per acre of upland mitigation at the Brook Forest mitigation bank in northern San Diego County is $27,000. Total costs depend on mitigation ratios and structure of the bank credits.

Please also refer to Section S.5.2, Master Response Related to the San Jacinto River Bridges Base Case and Design Variation, on page S-39, for additional discussion regarding the Base Case and Design Variation for the bridges crossing the San Jacinto River under all three Build Alternatives.

IP-6-24

Sections 3.9, 3.10, and 3.18 in the Recirculated Draft EIR/Supplemental Draft EIS were searched to assess the amount of cross-referencing in those sections. Table IP.6.24 summarizes the results of that search:

Table IP.6.24 Summary of Cross-References in Sections 3.9, 3.10, and 3.18 in the Recirculated Draft EIR/Supplemental Draft EIS

Section	Number of Cross-References	Cross-References to
Section 3.9	2	Page 30: Cross-references to Sections 3.10 and 3.18
Section 3.10	3	Page 3.10-34: Cross-reference to Section 2.3.2.17 Page 3.10-38 and 3.10-42: Cross-references to Section 3.18
Section 3.18	1	Page 3.18-2: Cross-reference to Section 3.10

Each cross-reference was reviewed to assess whether it could be deleted or the information from the other section duplicated instead of the cross-reference. To assist the reader in understanding the context of the discussions in those sections, it did not appear to be appropriate to delete these cross-references. Further, duplicating text (in some cases, a large amount of text) would add volume to the Final EIR/EIS without substantively increasing the informative value of the individual sections in the Final EIR/EIS. Further, a total of six cross-references among three complex sections of the Recirculated Draft EIR/Supplemental Draft EIS is not unreasonable and does not result in an organization that conflicts with the intent of CEQA or NEPA. As a result, no changes were made to the cross-references in these sections of the Final EIR/EIS.

IP-6-25

As described in Measure WQ-1, on page 3.10-37 in Section 3.10.4, Avoidance, Minimization, and Mitigation Measures, in the Final EIR/EIS, if the MCP project is adopted as a state highway, it would be required to comply with the *National Pollutant Discharge Elimination System (NPDES) Permit for Storm Water Discharges from the State of California, Department of Transportation (Caltrans) Properties, Facilities, and Activities* (Order No. 99-06, NPDES No. CAS000003) (Caltrans MS4 Permit), or **any subsequent permit in effect at the time** (emphasis added). At the time the technical studies in support of the Recirculated Draft

EIR/Supplemental Draft EIS were prepared, this was the permit that was in effect. As noted in this comment, the new Caltrans MS4 Permit (Order No. 2012-0011-DWQ, NPDES No. CAS000003) took effect on July 1, 2013. During final design, a final Storm Water Data Report will be prepared to update the current Storm Water Data Report based on the current level of project design. This updated report will comply with the Caltrans MS4 permit and Project Planning and Design Guide in effect at that time. Because the new permit became effective on July 1, 2013, Measure WQ-1, on page 3.10-37 in Section 3.10.4, was revised to reference Order No. 2010-001-DWQ instead of Order No. 99-06. This change was reviewed and it does not affect the analysis or conclusions in Section 3.10 of the Final EIR/EIS.

In the event that the MCP is not adopted as a local highway, it would be required to comply with the *National Pollutant Discharge Elimination System (NPDES) Permit for Waste Discharge Requirements for the Riverside County Flood Control and Water Conservation District, the County of Riverside, and the Incorporated Cities of Riverside County within the Santa Ana Region* (Order No. R8-2010-003, NPDES No. CAS618033) (the Riverside County MS4 permit) or any subsequent permit as it relates to construction of the MCP project, as required in Measure WQ-1.

The MCP project would comply with all applicable Waste Discharge Requirement (WDRs) under the Porter-Cologne Water Quality Control Act. In addition to complying with the Caltrans MS4 Permit (or Riverside County MS4 Permits) discussed above, the coverage under the *National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities* (Construction General Permit) (Order No. 2009-0009-DWQ, NPDES No. CAS000002) and *General Waste Discharge Requirements for Discharges to Surface Waters that Pose an Insignificant (De Minimus) Threat to Water Quality* (Order No. R8-2009-0003, NPDES No. R8-2009-0003, NPDES No. CAG998001) would be obtained to cover storm water discharge and groundwater dewatering during construction. The commitment to comply with these water quality requirements and permits as well as compliance with the Porter-Cologne Water Quality Control Act, is documented in Measures WQ-1, WQ-2, and WQ-3 on page 3.10-36–39 in Section 3.10, Water Quality and Storm Water Runoff, in this Final EIR/EIS.

IP-6-26

The groundwater discussion in the second paragraph, on page 3.10-35 in Section 3.10.4 in the Final EIR/EIS referenced in this comment, is focused on the impact to groundwater *levels* (emphasis added) from the increase in impervious surface levels,

which reduces infiltration. However, as discussed on page 3.10-31 in Section 3.10 in the Final EIR/EIS, because the MCP project includes infiltration basins that would help offset any reduction in infiltration from increased impervious surfaces, the impact to groundwater *levels* would not be substantial. Analysis of groundwater impacts and groundwater quality pursuant to the requirements of CEQA is provided in Chapter 4.0, Section IX, starting on page 4-61, in the Final EIR/EIS. The analysis in Chapter 4.0 concluded that the MCP Build Alternatives would result in less than significant impacts after mitigation under CEQA related to water quality, compliance with water quality standards, and floodplain encroachments; and less than significant impacts related to groundwater, drainage patterns, inundation, tsunamis, and seiches.

IP-6-27

This comment provides a brief summary of the CBD/SBVAS/SC's comments on biological resources. Please refer to the responses to comments IP-6-28 through IP-6-99 for the responses to the individual CBD/SBVAS/SC's comments on those topics. With regard to the general concern raised in this comment that information from the *Natural Environment Study* and the Supplemental *Natural Environment Study* was not included in the Recirculated Draft EIR/Supplemental Draft EIS, all pertinent information necessary for the disclosure of impacts was included in Sections 3.17 through 3.21 in the Recirculated Draft EIR/Supplemental Draft EIS in accordance with the Caltrans SER. Each of those cited sections of the Recirculated Draft EIR/Supplemental Draft EIS includes the following information: citations to the detailed technical studies supporting the analyses and conclusions provided for each environmental parameter; description of the federal and state regulatory requirements, as appropriate, related to that environmental parameter; description of the existing setting for each environmental parameter; description of the permanent and temporary environmental consequences of the Build and No Build Alternatives on that environmental parameter; and avoidance, minimization, and/or mitigation measures to address adverse effects of the Build Alternatives on that parameter. It is acknowledged that the Natural Environment Study (NES) and the Supplement to the NES were not provided as attachments to the Recirculated Draft EIR/Supplemental Draft EIS because the pertinent technical data and findings from those technical studies were summarized at an appropriate level of detail in those sections of the Recirculated Draft EIR/Supplemental Draft EIS. The summarized data and findings provided the public adequate information to participate in the public review process for the Recirculated Draft EIR/Supplemental Draft EIS. Detailed technical studies are typically summarized in CEQA and NEPA documents rather than repeating the contents of those studies in the body of the environmental document. Appendix H in

the Final EIR/EIS lists the MCP project technical studies including the NES and the Supplemental NES and specifically notes that those technical studies "...were used in the preparation of this Recirculated Draft EIR/Supplemental Draft EIS. These reports are summarized, as appropriate in the Recirculated Draft EIR/Supplemental Draft EIS, and are on file and available for review at Caltrans District 8 and the RCTC." In addition, the public notice for the availability of the Recirculated Draft EIR/Supplemental Draft EIS noted the locations where the technical studies were available as follows: "The RDEIR/SDEIS and technical studies are available for viewing at the following locations during regular business hours: (1) RCTC, 4080 Lemon Street 3rd Floor, Riverside, CA 92501; (2) FHWA, 650 Capitol Mall, Suite 4-100, Sacramento, CA 95814; (3) Caltrans District 8 Office, 464 W. 4th Street, San Bernardino, CA 92401; (4) Perris Public Library, 163 E. San Jacinto Avenue, Perris, CA 92507; (5) San Jacinto Public Library, 500 Idyllwild Drive, San Jacinto, CA 92583; and (6) Moreno Valley Public Library, 25480 Alessandro Boulevard, Moreno Valley, CA 92553. You may also view and comment on the Recirculated Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement at www.midcountyparkway.org." In addition, as noted in the footnote in this comment, those technical reports were made available to the commenter in response to a request from that commenter.

The footnote also refers to the "....limited comment period contrary to CEQA's requirements for information disclosure "as soon as possible"..." Please note that the public review period for the Recirculated Draft EIR/Supplemental Draft EIS extended from January 25, 2013, to April 10, 2013, a period of 75 days, which was considered sufficient time for reviewers to review the Recirculated Draft EIR/Supplemental Draft EIS and request technical supporting documents if desired. RCTC extended the comment period an additional 30 days beyond the initial 45-day review period. In addition, hard copies of the NES, NES Supplement, and all other technical studies were available for review from the beginning of the public review period on January 25, 2013, at the offices of RCTC and Caltrans District 8, as well as public libraries in the MCP study area. There is no requirement under Section 15087 (Public Review of Draft EIR) to make copies of EIRs and supporting technical studies available online.

IP-6-28

The comment states that "...all MCP Build Alternatives are inconsistent with the Western Riverside County MSHCP (MSHCP) and the Stephens' kangaroo rat Habitat Conservation Plan." However, no specifics are given as to how the MCP project is purported to be inconsistent with these plans. The preferred alternative (the process used to evaluate the alternatives and identify the preferred alternative for the MCP

project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS; Alternative 9 Modified with the SJRB DV has been identified as the preferred alternative for the MCP project) has been found to be consistent with both the Western Riverside County MSHCP and the Habitat Conservation Plan for the Stephens' Kangaroo Rat (HCP for SKR) as documented in *Mid County Parkway MSHCP Consistency Determination Including Determination of Biologically Equivalent or Superior Preservation Analysis* (2014) and the Biological Opinion for the MCP project provided in Appendices T and W, respectively, in the Final EIR/EIS, which document compliance with the HCP for SKR. Because there is no conflict between the preferred alternative and these plans, and the preferred alternative is consistent with those plans, there is no "fail[ure] to adequately disclose and analyze compliance with these HCPs," and, because there are no new or additional impacts beyond those disclosed in the Recirculated Draft EIR/ Supplemental Draft EIS, no further analysis is required. Therefore, there was no "deferral of analysis" as stated in this comment.

Please also refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project and how the MCP project was determined to be consistent with the Western Riverside County MSHCP regarding the SKR. Section S.5.1 also discusses the DBESPs prepared as part of the Consistency Determination and the measures to address project impacts on the species covered by those DBESPs and why the Consistency Determination and the DBESPs are an appropriate and adequate way to detail the measures to address the effects of the preferred alternative on species covered by the Western Riverside County MSHCP.

The subsection titled "Habitat Conservation Plan for the Stephens' Kangaroo Rat," starting on page 3.17-8 in the Final EIR/EIS, describes the background of the HCP for SKR. During development of the Western Riverside County MSHCP, the core SKR Reserves of the HCP for SKR were incorporated into the Conservation Area of the Western Riverside County MSHCP.

Please also refer to Section S.5.3, Master Response Related to the Stephens' Kangaroo Rat, on page S-44, for discussion regarding the project consistency with the HCP for SKR, the project effects on SKR and how the potential take of SKR under the Build Alternatives has been addressed.

Please note that take of SKR within the City of San Jacinto, which is outside the boundary of the HCP for SKR but within the Western Riverside County MSHCP plan

area, is covered by compliance with the Western Riverside County MSHCP. The SKR is a fully covered species under the Western Riverside County MSHCP. Therefore, as a project covered under the Western Riverside County MSHCP, impacts of the MCP on SKR are adequately mitigated by the RCTC's participation in, and through demonstrating consistency with, the Western Riverside County MSHCP.

IP-6-29

There is no conflict between the MCP and Western Riverside County MSHCP, as the commenter states, and, therefore, there is no inadequate disclosure of that type of conflict in the EIR/EIS. Please refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project and how the MCP project was determined to be consistent with the Western Riverside County MSHCP and the Implementing Agreement. That Master Response describes text added to Section 3.17.3, Environmental Consequences, in the Final EIR/EIS to more clearly explain coverage of planned roads and a description of how the MCP project originated from the HCLE CETAP Corridor studies.

Please also refer to Section 3.0, MSHCP Consistency Analysis, in the *Mid County Parkway MSHCP Consistency Determination Including Determination of Biologically Equivalent or Superior Preservation Analysis* (2014) for discussion regarding Criteria Cells that would be impacted by the MCP as described on page 3.17-51 in Section 3.17.3.1, Permanent Impacts, in the Final EIR/EIS.

RCTC's and Caltrans' obligations as Permittees under the Western Riverside County MSHCP Implementing Agreement were summarized on page 3.17-3 of the Recirculated Draft EIR/Supplemental Draft EIS. To clarify these obligations for the MCP project, the following changes were made to this text on page 3.17-7 of the Final EIR/EIS was clarified as follows:

- RCTC's obligations under Section 13.7 of the Western Riverside County MSHCP Implementing Agreement are now stated in their entirety.
- Caltrans' obligations under Section 13.8 of the Western Riverside County MSHCP Implementing Agreement have been removed because Caltrans' is not the Permittee for the MCP project. As explained in Section 3.17 in the EIR/EIS and in the response to comment IP-6-30, below, Caltrans is a Permittee under the Western Riverside County MSHCP but is not the

> Permittee for the MCP project that is receiving take coverage through the Western Riverside County MSHCP. As a result, deleting references to Caltrans obligations under the Western Riverside County MSHCP from Section 3.17 is appropriate because Caltrans is not receiving take coverage as the permittee for the MCP project.

As discussed in Section S.5.1, Master Response Related to the Western Riverside County MSHCP, RCTC has fully complied with all of its obligations under Section 13.7 of the Western Riverside County MSHCP Implementing Agreement.

IP-6-30

Please refer to Section S.5.1, Master Response Related to the Western Riverside County MSHCP on page S-6, for discussion describing RCTC's role and commitments as the Permittee under the Western Riverside County MSCHP for the MCP project. Caltrans is not the Permittee for the MCP project; therefore, text describing Caltrans' obligations under the Western Riverside County MSHCP have been removed from Section 3.17. At this time, Caltrans is not receiving take coverage as the permittee for the MCP project and, therefore, has no obligation to implement the conditions in Section 13.8 in the Western Riverside County MSHCP Implementing Agreement as explained on page 3.17-7 in the Final EIR/EIS. That text further explains that Caltrans would be obligated to implement the specific conditions in Section 13.8 in the Western Riverside County MSHCP Implementing Agreement and otherwise comply with the Western Riverside County MSHCP in the event the MCP is adopted as a State Highway. Therefore, Caltrans is not required to implement any of those conditions as a result of the MCP project.

As requested in the comment, Caltrans' obligations under the Western Riverside County MSHCP are stated below. Both RCTC and Caltrans have in the past and will continue in the future to fulfill their individual agency requirements related to the Western Riverside County MSHCP, including, for RCTC, its obligations regarding the MCP project.

Although Caltrans is not the permittee for the MCP project, it is a permittee under the MSHCP with the following specific obligations as defined in the Western Riverside County MSHCP Implementing Agreement:

> "**13.8 Caltrans Obligations**. Caltrans has the following obligations under the MSHCP and this Agreement:

A. Implement the necessary requirements to fulfill the purposes of the Permits, the MSHCP, and this Agreement for its Covered Activities. Such requirements include: (1) compliance with the policies for the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools as set forth in Section 6.1.2 of the MSHCP; (2) compliance with the policies for the Protection of Narrow Endemic Plant Species as set forth in Section 6.1.3 of the MSHCP; (3) conduct surveys as set forth in Section 6.3.2 of the MSHCP; (4) compliance with the Urban/Wildlands Interface Guidelines as set forth in Section 6.1.4 of the MSHCP; and (5) compliance with the Best Management Practices and the siting and design criteria as set forth in Section 7.0 and Appendix C of the MSHCP.

B. Contribute to the assembly of the Additional Reserve Lands through acquisition of two conservation land areas pursuant to Section 8.4.4 of the MSHCP, one of approximately 2,000 acres in the eastern portion of the Criteria Area and one of approximately 1,000 acres in the western portion of the Criteria Area, within the first eight (8) years of the Permits. These areas shall, if at all feasible, be acquired in close proximity to new highway projects, improvement projects for existing highways, or wildlife movement corridors. The precise locations of the conservation land shall be determined in consultation with the Wildlife Agencies. The funds utilized by Caltrans for the acquisition of the conservation land will be funded from the State Transportation Improvement Program funds.

C. Transfer and fund three positions within CDFW for the management and monitoring of Additional Reserve Lands. Two positions would be assigned primarily to management and one position to biological monitoring. Caltrans would be required to enter into an interagency agreement with CDFW within one-hundred-eighty (180) days of Permit issuance and prior to any Take associated with Caltrans Covered Activities. As an alternative, Caltrans may establish an endowment account pursuant to Section 8.4.4 of the MSHCP.

D. Enter into a conservation banking agreement with the Wildlife Agencies within twelve (12) months of issuance of the Permits. Such agreement will provide appropriate assurances to Caltrans regarding any unused mitigation credits for its Covered Activities in the event that the Permits are terminated, revoked or suspended.

E. Carry out all other applicable requirements of the MSHCP, this Agreement, and the Permits." (source: http://rctlma.org/Portals/0/mshcp/volume3/impagree.html#13.8, site accessed 11-3-14).

IP-6-31

Please refer to the subsection titled "Western Riverside County MSHCP Conservation Area" starting on page 3.17-27 in the Final EIR/EIS, which documents the status of the MCP project as a Covered Activity under the Western Riverside County MSHCP. The MCP project is further identified as a Covered Activity under the Western Riverside County MSHCP as described in Sections 7.1, 7.2.2, and 7.3.5 in the Western Riverside County MSHCP and as shown on Figure 7-1 in the Western Riverside County MSHCP. RCTC was required to demonstrate consistency of the MCP project with Sections 6.1.2, 6.1.3, 6.1.4, 6.3.2, 7.5.1, 7.5.2, and 7.5.3, and Appendix C of the Western Riverside County MSHCP. The subsection titled "Western Riverside County MSHCP" starting on page 3.17-27 in Section 3.17.3.1, Permanent Impacts, in the Final EIR/EIS addresses compliance with each of these sections of the Western Riverside County MSHCP. Because the preferred alternative had not been identified at the time of the Recirculated Draft EIR/Supplemental Draft EIS, it was appropriate that the draft environmental document addressed qualitatively how consistency would be determined for all the Build Alternatives, as discussed in this part of Section 3.17.

After the preferred alternative was identified (refer to Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS), RCTC documented compliance with the Western Riverside County MSHCP specifically for the preferred alternative (Alternative 9 Modified with the SJRB DV) as part of the Joint Project Review (JPR) per Section 6.6.2 (E) of the Western Riverside County MSHCP. Please refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project and how the MCP project was determined to be consistent with the Western Riverside County MSHCP, including the Western Riverside County MSHCP Consistency Report and the results of the JPR process.

As a result, the analysis for consistency was not "imprudently" deferred, and the Final EIR/EIS provides analysis of impacts and describes the mitigation required of the MCP project to meet the Western Riverside County MSHCP consistency requirements.

IP-6-32

Measure TE-1 starting on page 3.21-19 in the Recirculated Draft EIR/Supplemental Draft EIS indicated RCTC was committed to preparing the Determination of Biologically Equivalent or Superior Preservations (DBESPs) prior to certification of the Final EIR/EIS and not after approval of the project, as this comment asserts. The Recirculated Draft EIR/Supplemental Draft EIS included sufficient information on how the effects of the MCP project would be offset in accordance with the requirements of CEQA and NEPA. Preparing the specific DBESP documentation for purposes of making findings of consistency under the Western Riverside County MSHCP is not required to demonstrate compliance of a project with CEQA or NEPA. RCTC did not improperly defer analysis of the MSHCP consistency or DBESP, because RCTC committed to complying with the conditions of the MSHCP, as these conditions are the performance standard to which RCTC would mitigate to, consistent with Section 15126.4(a)(1)(B) of the CEQA Guidelines which allows a Lead Agency to specify performance standards to mitigate significant effects of a project. The MSHCP Consistency Determination and DBESP provided in Appendix T of this Final EIR/EIS provide the specific measures that will be implemented to meet these performance standards. Therefore, conducting DBESP documentation after circulation of the Recirculated Draft EIR/Supplemental Draft EIS but before certification of the Final EIR/EIS is not deferral of or inadequate mitigation.

Please refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project, including the requirements for DBESPs, and how the MCP project was determined to be consistent with the Western Riverside County MSHCP. Please also refer to Section S.5.1, Master Response related to the Western Riverside County MSHCP, on page S-6, for discussion regarding the specific DBESPs prepared for the preferred alternative and included in the *Mid County Parkway MSHCP Consistency Determination Including Determination of Biologically Equivalent or Superior Preservation Analysis* (2014), provided in Appendix T of this Final EIR/EIS.

As discussed in Measures NC-6 (page 3.17-60) and TE-1 (page 3.21-21) in the Recirculated Draft EIR/Supplemental Draft EIS, mitigation is identified, and not

improperly deferred. Improperly deferred mitigation under CEQA exists when a mitigation measure calls for a mitigation plan to be devised on the basis of future studies, but does not identify the *type* of actions that may be incorporated after those studies are complete (*Preserve Wild Santee versus City of Santee* (2012) 210 Cal.App.4th 260; *Endangered Habitats League, Inc. versus County of Orange* (2005) 131 Cal.App.4th 777, 794 [mitigation not improperly deferred as long as agency commits itself to the mitigation and lists the alternative types of mitigation to be considered, analyzed, and possibly incorporated into the mitigation plan]). Here, the mitigation identified in the Recirculated Draft EIR/Supplemental Draft EIS listed the types of mitigation being considered and stipulates that the MCP project will include restoration, enhancement, creation, and/or preservation (for the plants). RCTC indicated in the Recirculated Draft EIR/Supplemental Draft EIS that it would commit to these types of mitigation. The information provided in Measures NC-6 and TE-1 is adequate to inform decision-makers and the public that the resources impacted by any of the MCP Build Alternatives will result in preservation, restoration, or creation, or a combination thereof for mitigation of these impacts. The DBESPs that were prepared after the identification of the preferred alternative clarified and expanded on this framework provided in the Recirculated Draft EIR/Supplemental Draft EIS. As noted in the Master Response cited earlier, the DBESPs for the MCP project are provided in the *Mid County Parkway MSHCP Consistency Determination Including Determination of Biologically Equivalent or Superior Preservation Analysis* (2014), which is provided in Appendix T in the Final EIR/EIS.

IP-6-33

Please refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project and how the MCP project was determined to be consistent with the Western Riverside County MSHCP. That Master Response discusses why the consistency process is conducted for the preferred alternative only. It also discusses the applicability of the Urban/Wildlands Interface Guidelines (in Section 6.1.4 in the Western Riverside County MSHCP) to the MCP project and the measures included in the project to achieve compliance with those Guidelines. As described in that section, Measure NC-5, Conservation Areas, in Section 3.17.4, Avoidance, Minimization, and Mitigation Measures, on page 3.17-58 in the Final EIR/EIS was expanded to be specific as to how the Urban Wildlands Interface Guidelines will be implemented during construction. RCTC did not improperly defer analysis of complying with the MSHCP's Urban/Wildlands Interface Guidelines in Section 6.1.4 of the MSHCP;

rather Measure NC-5 in the Recirculated Draft EIR/Supplemental Draft EIS stated that the project would be designed and constructed to comply with these guidelines. Now that the MSHCP Consistency Determination and DBESP provided in Appendix T of this Final EIR/EIS is complete, Section 4.7 of that document provides the specific measures that RCTC will ensure are included in the design and construction specifications for the MCP project.

IP-6-34

Please refer to Section S.5.1.7, Compliance with the Urban/Wildlands Interface Guidelines in Section 6.1.4 in the Western Riverside County MSHCP, on page S-6, for discussion regarding the applicability of the Urban Wildlands Interface Guidelines (in Section 6.1.4 in the Western Riverside County MSHCP) to the MCP project and the measures included in the project to achieve compliance with those Guidelines. As described in that section, Measure NC-5, Conservation Areas, in Section 3.17.4, Avoidance, Minimization, and Mitigation Measures, on page 3.17-65 in the Final EIR/EIS, was expanded to be specific as to how the Urban Wildlands Interface Guidelines will be implemented during construction.

The project-related NPDES requirements and proposed BMPs for the Build Alternatives are discussed in detail in Section 3.10, Water Quality and Storm Water Runoff, in the Final EIR/EIS. Specifically, the NPDES requirements are discussed in Section 3.10, starting on page 3.10-1, and the BMPs are discussed in Section 3.10.3, Environmental Consequences, starting on page 3.10-17. As described in Section 3.10.3, there is substantial evidence supporting the conclusions that the MCP project will comply with the NPDES requirements construction activities, groundwater dewatering, and implementation of BMPs would comply with the requirements of the Caltrans MS4 Permit (Order No. 2012-0011-DWQ, NPDES No. CAS000003, if the MCP is adopted as a state highway), the Riverside County MS4 Permit (Order No. R8-2010-003, NPDES No. CAS618033, if the MCP is a local highway and not adopted as a state highway), the Construction General Permit (Order No. 2009-0009-DWQ, NPDES No. CAS000002), and the De Minimus Permit (Order No. R8- 2009-0003 NPDES No. CAG998001, regardless of whether the MCP project is a state or local highway). The BMPs included in the Build Alternatives are also discussed in Section 2.3.2.12, Runoff Management/Water Quality Best Management Practices, starting on page 2-45 in the Final EIR/EIS. Proposed treatment BMPs include infiltration swales and infiltration basins. Refer also to Measures WQ-1 (National Pollutant Discharge Elimination System Permits), WQ-2 (National Pollutant Discharge Elimination System CAG998001), and WQ-3 (Design Pollution Prevention and Treatment Best Management Practices), which are included in the

Environmental Commitments Record (Appendix F of this Final EIR/EIS). RCTC is required to implement these measures as part of the MCP project.

RCTC did not improperly defer analysis of complying with the requirements regarding toxics included in MSHCP's Urban/Wildlands Interface Guidelines in Section 6.1.4 of the MSHCP; again, Measure NC-5 of the Recirculated Draft EIR/Supplemental Draft EIS stated that the project would be designed and constructed to comply with these guidelines. Now that the MSHCP Consistency Determination and DBESP provided in Appendix T of this Final EIR/EIS is complete, Section 4.7 of that document provides the specific measures (Measures 1 and 2) related to toxics that RCTC will ensure are included in the design and construction specifications for the MCP project.

IP-6-35

Please refer to Section S.5.1.7, Compliance with the Urban-Wildlands Interface Guidelines in Section 6.1.4 in the Western Riverside County MSHCP on page S-27, for discussion regarding the applicability of the Urban/Wildlands Interface Guidelines (in Section 6.1.4 in the Western Riverside County MSHCP) to the MCP project and the measures included in the project to achieve compliance with those Guidelines. As described in that section, Measure NC-5, Conservation Areas, in Section 3.17.4, Avoidance, Minimization, and Mitigation Measures, on page 3.17-65 in the Final EIR/EIS was expanded to be specific as to how the Urban Wildlands Interface Guidelines will be implemented during construction.

IP-6-36

Wildlife corridors, habitat fragmentation, and compliance with Sections 7.5.1 and 7.5.2 of the Western Riverside County MSHCP are addressed in Section 3.17.2.3, Wildlife Corridors/Habitat Fragmentation, starting on page 3.17-16, and the subsection titled "Wildlife Corridors/Habitat Fragmentation" starting on page 3.17-16 in the Final EIR/EIS. Please also refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project and how the MCP project was determined to be consistent with the Western Riverside County MSHCP.

Please also refer to Section S.5.1.8, Compliance with the Siting and Design Criteria in Sections 7.5.1 and 7.5.2 in the Western Riverside County MSHCP, including Table S.5.1.5, starting on page S-29, for discussion regarding compliance of the MCP project with the provisions of Section 7.5.1 in the Western Riverside County MSHCP, including the feasibility analysis urged by the MSHCP guidelines

concerning less environmentally damaging siting. These sections show that the MCP project fully complies with the Western Riverside County MSHCP, including required surveys, investigations, documentation, and conclusions mandated under Section 7.5.1 of the MSHCP.

IP-6-37

Please refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project and how the MCP project was determined to be consistent with the Western Riverside County MSHCP; wildlife crossings; and the DBESP prepared for the Los Angeles pocket mouse (LAPM). Refer also to the detailed discussion of the MCP project's compliance with the MSHCP requirements for Guidelines for the Siting and Design of Planned Roads within the Criteria Area and PQP Lands (Section 7.5.1 of the MSHCP) and Guidelines for Construction of Wildlife Crossings (Section 7.5.2 of the MSHCP) provided in Section 4.8 of the MSHCP Consistency Determination and DBESP provided in Appendix T of this Final EIR/EIS. With regard to the concerns raised in this comment regarding lack of specificity of the design of any wildlife crossings, please refer to Section 4.8.2 of the MSHCP Consistency Determination and DBESP provided in Appendix T, which provides specific information on wildlife crossings that will be incorporated into the final design plans. Additionally, the wildlife crossing figure in Attachment E in Appendix I in this Final EIR/EIS was updated to provide more specific details of the features that wildlife can use for crossings in relationship to the Western Riverside County MSHCP Conservation Area and Criteria Area. As shown in this figure, the wildlife crossing is large enough (12 feet x 20 feet) to accommodate larger mammals such as deer and coyote, in addition to the small mammal species targeted in the Western Riverside County MSHCP. Those wildlife crossing features were closely coordinated with the USFWS and CDFW during the Joint Project Review process for the MSHCP Consistency Determination.

With regard to the request for inclusion of barriers adjacent to the Core Reserve area for the endangered Stephens' kangaroo rat to prevent roadkill of Stephens' kangaroo rat and other small mammals, please see Section 2.5.6.2, Design Refinements to Reduce Impacts to the Los Angeles Pocket Mouse and other Species Covered Under the Western Riverside County Multiple Species Habitat Conservation Plan, of this Final EIR/EIS, which discusses the addition to the MCP project design of over 5,200 linear feet of retaining walls in areas adjacent to the Core Reserve area for the endangered Stephens' kangaroo rat. These walls help reduce impact to habitat for

small mammal species as well as provide a barrier to keep these animals from entering the MCP right of way.

IP-6-38

Please refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project and how the MCP project was determined to be consistent with the Western Riverside County MSHCP. Section S.5.1 also discusses the DBESPs prepared for the preferred alternative and included in the *Mid County Parkway MSHCP Consistency Determination Including Determination of Biologically Equivalent or Superior Preservation Analysis* (2014) provided in Appendix T of this Final EIR/EIS. Please refer also to response to comment IP-6-39, below, for discussion of why the DBESPs were not prepared until the preferred alternative was identified.

IP-6-39

Measure NC-6 on page 3.17-66 in the Recirculated Draft EIR/Supplemental Draft EIS described how the DBESPs would address the impacts of the Build Alternatives on riparian/riverine resources pursuant to Section 6.1.2 of the Western Riverside County MSHCP. Measure TE-1 on page 3.21-21 in the Recirculated Draft EIR/ Supplemental Draft EIS described how the DBESPs for spreading navarretia, San Jacinto Valley crownscale, least Bell's vireo, and San Bernardino kangaroo rat would be implemented by indicating that off-site preservation would be sought or restoration/enhancement of existing populations would be provided. The information provided in that measure was adequate for the public to understand the framework for how the impacts of the MCP project on those species would be mitigated.

Please refer to Section S.5.1.3, Overview of the Western Riverside County MSHCP Determination for the MCP Project on page S-10, for discussion regarding why the DBESPs were not prepared until the preferred alternative was identified and that the DBESPs for the preferred alternative are included in the Western Riverside County MSHCP Consistency Report, which is provided in Appendix T of this Final EIR/EIS. The specific locations where mitigation would occur were not identified until after the preferred alternative was identified and are provided in the DBESPs for these species.

Additionally, the comment states "This runs contrary to the requirements of CEQA and the MSHCP regarding the proper timeframe for environmental review and disclosure of a Project's impacts. (MBA 2008; MBA 2009)." The reports cited in this comment are DBESP reports prepared for private development projects by MBA.

While those reports fulfill the Western Riverside County MSHCP requirements for those projects, they are not directives as to the proper timeframe for environmental review and disclosure to fulfill obligations under the Western Riverside County MSHCP.

Please also refer to the response to comment IP-6-32, above, regarding why this is not imprudent deferral of mitigation.

IP-6-40

Please refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project, including related to Public/Quasi-Public (PQP) Lands, and how the MCP project was determined to be consistent with the Western Riverside County MSHCP. Please also refer to Section S.5.1.10, Equivalency Analysis for the Project Effect on Public/Quasi-Public Lands on page S-36, for discussion regarding the project effects on PQP Lands and the PQP Equivalency Analysis conducted for the preferred alternative pursuant to Section 3.2.1 of the Western Riverside County MSHCP and described in the Western Riverside County MSHCP.

IP-6-41

Please refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project and how the MCP project was determined to be consistent with the Western Riverside County MSHCP, including that the potential project effects were properly disclosed and evaluated relative to compliance with the Western Riverside County MSHCP, in Sections 3.17 through 3.21 in the Recirculated Draft EIR/ Supplemental Draft EIS. RCTC did not improperly defer analysis of the MSHCP consistency or DBESP, because RCTC committed to complying with the conditions of the MSHCP, as these conditions are the performance standards to which RCTC would mitigate to, consistent with Section 15126.4(a)(1)(B) of the CEQA Guidelines which allows a lead agency to specify performance standards to mitigate significant effects of a project. The MSHCP Consistency Determination and DBESP provided in Appendix T of this Final EIR/EIS provide the specific measures that will be implemented to meet these performance standards.

This comment misstates the role of the USFWS and the California Department of Fish and Wildlife (CDFW) with respect to Western Riverside County MSHCP compliance, in that those agencies do not have the authority to "approve" the Western

Riverside County MSHCP consistency analysis for the MCP project. The Western Riverside County MSHCP provides only for review and comment on the consistency findings of the JPR by those agencies. As discussed in Section 2.4, Agency Coordination and Professional Contacts, in the *Natural Environment Study*, and Section 2.4, Agency Coordination and Professional Contacts, in the *Supplement to the Natural Environment Study*, the MCP project included a great deal of coordination with the wildlife agencies, including regular Resource Agency Coordination meetings (previously the Small Working Group meetings) in the period between the circulation of the Recirculated Draft EIR/Supplemental Draft EIS and completion of the Final EIR/EIS.

IP-6-42

This comment cites the RAND study, which was a conservative study based on data gathered in 2006-2007 before the economic downturn. According to Charles Landry, Executive Director of the Regional Conservation Authority (RCA) (personal communication with Wendy Davis, LSA Associates, Inc. [LSA], August 20, 2013), RCA is in the process of preparing a Nexus study with updated information on plan funding requirements subsequent to the RAND study. The draft Nexus study is scheduled to be completed in 2015. If the Nexus study determines there are any projected Western Riverside County MSHCP funding shortfalls, appropriate recommendations will be provided to ensure that adequate funding is in place to finance the local share of reserve assembly and operation costs.

The rate of acquisition of the Western Riverside County MSHCP Conservation Area is on target for the full Conservation Area to be conserved by the end of the 25 years required under the Western Riverside County MSHCP. In one third of the time, one third of the conservation area has been conserved and/or conditioned for conservation. At the end of 2014 (after 10.5 years of implementing the Western Riverside County MSHCP), 48,268 acres (ac) have been conserved, or about 32 percent of the required conservation obligation of 153,000 ac. Further, as of November 2014, an additional approximate 10,155 acres of land are conditioned to be dedicated to the RCA prior to development, based on commitments made during the JPR/Habitat Acquisition and Negotiation Strategy (HANS) process. This brings the amount of land already conserved or conditioned for conservation to 38 percent of the required total. The Western Riverside County MSHCP is functioning as intended and provides adequate mitigation for direct and cumulative biological impacts to covered species and their habitats within the Plan Area. Based on the most current information available on the Maps and Acquisitions page of the RCA website (http://www.wrc-rca.org/maps_acquisitions.asp, accessed September 24, 2014), there is no evidence to

suggest that RCA will not meet the goals to complete the assembly of the MSHCP reserve by 2029; therefore, there is no factual basis whatsoever to support the statement in this comment that "the reserve design relied upon by the US Fish and Wildlife Service and California Department of Fish and Game in determining the biological impacts would be mitigated below a level of significance cannot be achieved."

Existing and proposed roads, including the MCP, and traffic operating on those roads, that were contemplated in the Western Riverside County MSHCP and the operational effects of roads on covered species (i.e., vehicular deaths as noted in this comment) were included in the takes analyzed in the Western Riverside County MSHCP, the EIR for the Western Riverside County MSHCP, and related documents. Therefore, it is incorrect to say that potential take from vehicle operation was not contemplated in the Western Riverside County MSHCP. Wildlife crossings and other design features have been incorporated in the MCP project to reduce the impacts of the Build Alternatives on Stephens' kangaroo rat, burrowing owl, and other covered species. The subsection titled "Wildlife Corridors/Habitat Fragmentation" starting on page 3.17-24 in the Final EIR/EIS discusses the impacts of the Build Alternatives on wildlife, including road kill.

Please also refer to the responses to comments IP-6-32, IP-36, IP-37, IP-39, and IP-41, above, and to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project, the disclosure of project effects and mitigation for those effects, and how the MCP project was determined to be consistent with the Western Riverside County MSHCP.

IP-6-43

Please refer to the Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan starting on page S-6 which discusses the compliance of the MCP project with the Western Riverside County MSHCP. Section 4.7 (titled "Section 6.1.4 Compliance – Urban/Wildlands Interface Guidelines") in the MSHCP Consistency Determination provided in Appendix T in this Final EIR/EIS addresses the use of pesticide and herbicides as part of the MCP project. As is typical with highway facilities, it is acknowledged that pesticides and herbicides would be used during ongoing maintenance of the MCP facility. All maintenance activities, including activities associated with the use of pesticides and herbicides, would be conducted in compliance with the Caltrans Maintenance Manual. Chapter C2

(December 2010) of that Manual specifically addresses vegetation control. While Chapter C2 does not specifically call out the lands in the Western Riverside County MSHCP, it will protect adjacent lands from the effects of pesticides and herbicides used during maintenance of roads such as the MCP. Some of the sections in Chapter C2 addressing potential effects outside the road right of way, which would apply to lands outside the MCP right of way limits and resources in those lands, include (emphasis added):

- **C2.01 Laws Regarding the Care of Vegetation in California, (A):** Section 384(a) of the Penal Code relates "… to the protection of native trees, shrubs, ferns, herbs, bulbs, cacti, flowers, huckleberry, or redwood greens." This law prohibits negligence including cutting and removing plants growing on state or county highway right of ways, public land, and *land not owned by persons performing such acts* without written permission from the owners (page 4) of the Caltrans Maintenance Manual.
- **C2.03 Development of the Caltrans Vegetation Control Policy:** "Vegetation control" refers to the Integrated Vegetation Management (IVM) treatment of all plants growing within highway right of way, whether native, naturalized, or in landscaped areas. Caltrans controls vegetation on state highway roadsides to maintain visibility of traffic control devices, reduce the risk of fires starting along the roadside, protect pavement surfaces, *control noxious weeds*, prevent erosion, limit storm water pollution, *protect sensitive species*, and improve aesthetics (page 7).
- **C2.08 Disease and Insects:** Corrective actions should be taken where trees and shrubs growing naturally are affected by disease or insect infestations that are detrimental to the health of the trees or *create a significant nuisance to the* traveling public or *adjacent landowner*. Prior to use of chemical means of control, Districts should consider use of natural or biological controls as described in this section. Some level of disease and insect infestation is natural, and does not impair the health of the plants. Control measures should be employed when the infestation threatens the viability of the plant, *or when it threatens adjoining properties* (page 14).
- **C2.21 Environmental Concerns:** When preparing the District Vegetation Control Plan (VegCon Plan), special consideration shall be given to the possible chemical contamination of surface and groundwater. Maintenance operations shall be conducted with full consideration for potential effects on water quality, air quality, *sensitive species*, and other environmental resources (page 33).

- **C2.22 Toxicity of Chemicals:** Toxicity is the capacity of a material to cause injury or death. The VegCon Plan in the Integrated Maintenance Management System (IMMS) provides site-specific information on school bus stops, certified organic farms, well locations, and *biological resources* including *sensitive resources* (page 33).
- **C2.24 Proper Use and Handling of Pesticides:** Pesticides shall always be used with care. The following guidelines for the use and handling of pesticides will help minimize the likelihood of injury to people and *animals* from exposure to such chemicals (page 37).
- **C2.24.3 Safety Requirements in Loading and Using Pesticides, (G):** Pesticide applications must be confined to the target area. When weather conditions are not favorable and *spray drift may move outside the target area, spray operations shall be discontinued immediately* (page 39).
- **C2.25 Considerations in Planning a Chemical Vegetation Control Program, (A) Considerations in the Planning Stage:** Districts should consider the following when planning their chemical vegetation control programs: (9) *Adjacent land use* and (10) *Environmentally sensitive areas* (page 40).
- **C2.27 Pesticide Spraying Operations:** ...Planning is required to ensure that spray operations are safe for the applicator, the support crew, and the traveling public. During spray operations, the applicator shall also consider the residual qualities of herbicides being used, constantly *evaluating adjacent land use*, and making conscious decisions during applications to avoid adversely impacting crops, livestock, and *the environment*....Care must be exercised in filling spray tanks and washing equipment to ensure that pesticides do not move off target and *harm desirable plant and animal life, or cause environmental damage* (page 45).

The following was inserted after the first paragraph in the subsection titled "Toxics" on page 3.17-38 in the Final EIR/EIS:

> "During operation and maintenance of the MCP facility, pesticides and/or herbicides may be used to control vegetation and pests within the facility right of way as part of ongoing regular maintenance activities. The application of pesticides and herbicides will comply with existing laws and regulations and will be conducted consistent with Chapter C2, Vegetation Control (2010), in Volume 1 of the Caltrans Maintenance Manual. Those requirements include appropriate control of pesticides and herbicides to avoid drifting of sprays or other materials to property outside the MCP facility right of way limits and to avoid effects on plants and animals outside the right of way. As a

> result, the use of pesticides and herbicides during project operations would not result in substantial impacts on biological resources on adjacent properties because the pesticides and herbicides will remain within the MCP facility right of way."

The following was inserted as the second paragraph in the subsection titled "Invasives" on page 3.17-41 in the Final EIR/EIS:

> "During operation and maintenance of the MCP facility, the application of pesticides and herbicides will comply with existing laws and regulations and Chapter C2, Vegetation Control (2010), in Volume 1 of the Caltrans Maintenance Manual, to avoid drifting of sprays or other materials to property outside the MCP facility right of way limits and to avoid effects on plants and animals outside the right of way."

The following was inserted as the third paragraph in Section 3.17.4 on page 3.17-41:

> "During operation of the MCP facility, the application of pesticides and herbicides would comply with existing laws and regulations and Chapter C2, Vegetation Control (2010), in Volume 1 of the Caltrans Maintenance Manual, to avoid drifting of sprays or other materials to property outside the MCP facility right of way limits and to avoid effects on plants and animals outside the right of way, including existing and proposed conservation areas adjacent to the project right of way limits within the project footprint and in the immediately surrounding areas and will designate those areas on the project."

IP-6-44

This comment is correct in that the biological study area shown on Figure 3.17-2 (Stephens' Kangaroo Rat Reserves) on page 3.17-9 in the Final EIR/EIS does include part of an SKR core reserve area. However, as shown on that figure and indicated in the note on the figure, the maximum disturbance limits of the Build Alternatives do not result in direct impacts to the SKR reserve lands. To clarify this, the first sentence in the first paragraph in the subsection titled "Habitat Conservation Plan for Stephens' Kangaroo Rat" on page 3.17-55 in Section 3.17.3.1, Permanent Impacts, was revised to read (changes shown in italics): "The MCP project is *in the vicinity of* the Habitat Conservation Plan Area for the Stephens' Kangaroo Rat fee area. *Specifically, the BSA includes part of one* core reserve. *However, Alternative 4 Modified, Alternative 5 Modified, and Alternative 9 Modified will not directly impact that core reserve*

because the proposed right of way for these alternatives does not encroach into the reserve."

Please also refer to Section S.5.3, Master Response Related to the Stephens' Kangaroo Rat, on page S-38, for discussion regarding the project consistency with the HCP for SKR, the project effects on SKR and how the potential take of SKR under the Preferred Alternative has been addressed.

IP-6-45

As discussed in Section 2.5.6.1, Alignment Refinement in the Vicinity of the San Jacinto Wildlife Area, of this Final EIR/EIS, a 1.5-mile segment of the MCP project in the vicinity of the San Jacinto Wildlife Area has been realigned to fully avoid the San Jacinto Wildlife Area. Therefore, the 3.4 acres of land anticipated to be acquired from this Core Reserve area for the endangered Stephens' kangaroo rat that was disclosed in the Recirculated Draft EIR/Supplemental Draft EIS is no longer required for the MCP project, thereby eliminating the need for the proposed Mitigation Measure LU-6 that provided for acquisition of replacement lands at a 2:1 ratio.

Please also refer to:

- Section S.5.3, Master Response Related to the Stephens' Kangaroo Rat, on page S-44, for discussion regarding the project effects on SKR and how the potential take of SKR under the Build Alternatives has been addressed.
- Section S.5.1.10, Equivalency Analysis for the Project Effect on Public/Quasi-Public Lands on page S-36, for discussion regarding the effects of the MCP project on PQP Lands.

IP-6-46

This comment refers the reader to later comments regarding SKR. Please refer to the responses to comments IP-6-90 through IP-6-92 for the responses to the individual CBD/SBVAS/SC's comments regarding those concerns.

IP-6-47

As discussed in Section 2.5.6.1, Alignment Refinement in the Vicinity of the San Jacinto Wildlife Area, of this Final EIR/EIS, a 1.5-mile segment of the MCP project in the vicinity of the San Jacinto Wildlife Area has been realigned to fully avoid the San Jacinto Wildlife Area. Therefore, the 3.4 acres of land anticipated to be acquired from the San Jacinto Wildlife Area that was disclosed in the Recirculated Draft EIR/Supplemental Draft EIS is no longer required for the MCP project, thereby eliminating the need for the proposed Mitigation Measure LU-6 that provided for acquisition of replacement lands at a 2:1 ratio.

IP-6-48

Please refer to Section S.5.1.6, Compliance with the Additional Survey Needs and Procedures in the Western Riverside County MSHCP, on page S-6, for discussion regarding the DBESP process, how biologically equivalent or superior preservation will be achieved for each species addressed in the DBESPs, how specific DBESP documentation is not required to demonstrate compliance with CEQA and NEPA, and why the DBESPs for the MCP project were not completed prior to identification of the preferred alternative. The DBESPs for the species and habitats impacted by the MCP project were prepared for the preferred alternative, including refined mitigation for impacts to natural communities of special concern, and are included in the *Mid County Parkway MSHCP Consistency Determination Including Determination of Biologically Equivalent or Superior Preservation Analysis* (2014) provided in Appendix T in this Final EIR/EIS. Please also refer to the response to comment IP-6-32, above, regarding why this was not improper deferral of mitigation.

IP-6-49

This comment provides a brief summary of the CBD/SBVAS/SC's comments on special-status species other than threatened and endangered species. Please refer to the responses to comments IP-6-50 through IP-6-69 for the responses to the individual CBD/SBVAS/SC's comments regarding those concerns.

IP-6-50

Additional information regarding the species considered absent from the MCP Build Alternatives due to lack of suitable habitat is provided in Appendix N, Regional Species of Concern and Coverage under the Western Riverside County Multiple Species Habitat Conservation Plan, in the Final EIR/EIS. The 2005, 2006, and 2011 animal surveys were conducted in accordance with standard practices and procedures and/or established survey protocols. The standard practice during animal surveys is to note all animal species observed or detected indirectly (e.g., scat, or burrows). Impacts to those species were analyzed.

Section 3.20.2, Affected Environment, on page 3.20-3 in the Final EIR/EIS lists 27 non-listed species for which suitable habitat may be available in the BSA. The third sentence in the second paragraph in the subsection titled "Other Non-Listed Animal Species" on page 3.20-7 in Section 3.20.3.1, Permanent Impacts, in the Final EIR/EIS was revised to read as follows (changes shown in italics): "Although these species have a low to moderate occurrence probability, *and* they were not observed during field studies within the BSA, *the MCP Build Alternatives may indirectly impact these species through the loss of potential habitat (as summarized in Appendix N, Regional*

Species of Concern and Coverage under the Western Riverside County Multiple Species Habitat Conservation Plan). Any potential impacts to these species are not considered substantial because they are widespread in distribution *in relatively common habitats* and are not state or federally listed as threatened or endangered." Impacts to species are based on impacts to habitats. The types of habitats these species are or may be present in the BSA are summarized in the Species Occurrence Table in Appendix N, and impacts to those habitats are summarized in Table 3.17.B in Section 3.17, Natural Communities, of this Final EIR/EIS.

In addition, as a project covered under the Western Riverside County MSHCP, impacts of the MCP project to 13 special-status animal species, listed in the second paragraph in the subsection titled non-listed animal species on page 3.20-7 in this Final EIR/EIS, were analyzed in the Western Riverside County MSHCP EIR/EIS (approved June 17, 2003). The impacts of the MCP Build Alternatives on those animal species and their habitats are evaluated in this Final EIR/EIS as described above based on impact to habitats (refer also to the response to comment IP-6-61, below). The MCP project is a covered project under the Western Riverside County MSHCP. Therefore, the impacts of the MCP project on these species have been adequately addressed in Appendix N in this Final EIR/EIS as well as by demonstrating consistency of the MCP Build Alternative with the Western Riverside County MSHCP. Please refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for additional discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project and how the MCP project was determined to be consistent with the Western Riverside County MSHCP.

Please refer to the table in Appendix N that provides the habitat requirements for all species potentially occurring in the project area. Impacts to those habitats are summarized in Table 3.17.B in Section 3.1, Natural Communities. The Western Riverside County MSHCP does not require additional surveys of covered species unless the need for surveys is specifically identified in the Western Riverside County MSHCP. The first paragraph in the subsection titled "Western Riverside County MSHCP" in Section 3.17.1.1, Habitat Conservation Plans, Natural Communities Conservation Plans, and Wildlife Areas, on page 3.17-1 in the Final EIR/EIS, discusses take and coverage under the MSHCP. Please also refer to the response to comment IP-6-63, below, for additional information regarding significance determinations for projects covered under a Natural Community Conservation Plan (NCCP), such as the Western Riverside MSHCP.

As described in the subsection titled "Bat Species" on page 3.20-6 in Section 3.20.3.1, Permanent Impacts, in the Final EIR/EIS, focused surveys for maternity bat roosts will be conducted prior to construction. As discussed above, impacts to non-listed species not covered under the Western Riverside County MSHCP were considered in the analysis and are assessed based on potential impacts to the habitats these species use. The impact analysis was based on project impacts on habitats (which is based on identifying all plant and animal species detected during field surveys and knowledge of habitat requirements of non-listed special status species). There is no legal requirement to conduct additional surveys beyond the surveys already conducted in order to evaluate impacts. Focused surveys were conducted according to the established guidelines and protocols required under the Western Riverside County MSHCP. Wildlife agencies determined which focused surveys would be needed to meet the terms of the Western Riverside County MSHCP. There are no survey protocols for non-listed species with potential habitat that are not covered under the Western Riverside County MSHCP. Based on impacts to habitats, impacts to these other non-listed species not covered under the Western Riverside County MSHCP were then determined to be not significant under CEQA. Therefore, any potential impacts to these species would not require any additional mitigation beyond what is described in the Final EIR/EIS.

IP-6-51

Please refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project, including consideration of project effects on Swainson's hawk, arroyo toad, bald eagle, and southwestern willow flycatcher (which are all species covered under the Western Riverside County MSHCP), and how those impacts of the MCP project were adequately addressed by demonstrating consistency with the Western Riverside County MSHCP, as discussed in Section 3.21.3.1, Permanent Impacts, starting on page 3.21-5 in the Final EIR/EIS. Therefore, the analysis was not incomplete and fully complies with CEQA.

IP-6-52

Please refer to the response to comment IP-6-51, above. The second sentence in the first paragraph in the subsection titled "Bald Eagle" in Section 3.21.3.1, Permanent Impacts, on page 3.21-13 in the Final EIR/EIS was replaced with the following: "The bald eagle may winter at Lake Perris because this species preys primarily on fish and waterfowl. The MCP Build Alternatives will not result in any impacts to foraging

habitat at Lake Perris because suitable foraging habitat at Lake Perris for the eagle would not be disturbed by the project."

IP-6-53

As discussed in the subsection titled "Bald Eagle" on page 3.21-13 in Section 3.21.3.1, Permanent Impacts, no bald eagle nesting or foraging habitat was located in the BSA for the MCP Build Alternatives. Therefore, the MCP project would not impact bald eagles, and the requirements of the Migratory Bird Treaty Act are satisfied with respect to bald eagles.

IP-6-54a

Please refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project regarding the burrowing owl and how the MCP project was determined to be consistent with the Western Riverside County MSHCP. Please also refer to the subsection titled "DBESP for the Burrowing Owl," on page S-25, for discussion regarding the DBESP prepared to address the project effects on the burrowing owl and measures to address those effects.

Specific measures include:

- Preconstruction burrowing owl surveys will be conducted within 120 days prior to ground disturbance in all areas of suitable habitat to avoid take of burrowing owls and occupied burrowing owl nests.
- Preconstruction surveys will follow accepted MSHCP survey protocols.
- Take of active burrowing owl nests will be avoided.
- If burrowing owls are identified during the preconstruction surveys and cannot be avoided, a burrowing owl relocation/translocation plan will be prepared based on the measures outlined in the August 2014 DBESP for submittal to the wildlife agencies for approval 60–90 days prior to ground-disturbing activities. Relocation standards for both passive and active relocation are included in Section 4.6.1.1 of the Burrowing Owl DBESP (August 2014) and will be used for any unavoidable relocations.

IP-6-54b

Measures to mitigate direct and indirect effects to burrowing owls are described on page 77 in the MSHCP Consistency Determination and DBESP in Appendix T, in this Final EIR/EIS. Please also refer to the MSHCP Consistency Determination provided in Appendix T in this Final EIR/EIS and the Master Response Related to the

Western Riverside County Multiple Species Habitat Conservation Plan starting on page S-6 which describe the compliance of the MCP project with the Western Riverside County MSHCP regarding the burrowing owl, including compliance with the Urban/Wildlife Interface Guidelines.

IP-6-55

Measures to minimize project effects on the burrowing owl are discussed in the Section 3.20.4, Avoidance, Minimization, and/or Mitigation Measures, starting on page 3.20-10 in the Final EIR/EIS. The last sentence in the first paragraph in the subsection titled "Burrowing Owl" in Section 3.20.4 was intended to inform the public that RCTC has made an ongoing effort to reduce the project impact to burrowing owl including minimizing the project footprint during preliminary design, which contributed to minimizing project effects on the owl. Please also refer to the subsection titled "DBESP for the Burrowing Owl," on page S-25, for discussion regarding the DBESP prepared to address the project effects on the burrowing owl and measures to address those effects. Measures to mitigate direct and indirect effects to burrowing owls are described on page 77 of Appendix T, MSHCP Consistency Determination and DBESP, in this Final EIR/EIS. The detailed relocation/ translocation plan described in the DBESP for burrowing owls contains numerous measures to protect this species prior to the start of construction of the MCP project.

IP-6-56

Areas of potential burrowing owl habitat were identified as part of the focused surveys conducted during the field surveys as required by the burrowing owl survey instructions for the Western Riverside County MSHCP. However, the collection of biological field data is subject to environmental factors that cannot be controlled or reliably predicted. Consequently, environmental conditions such as the location of potential burrowing owl habitat or of active burrows may change over time. As a result, areas within the footprint of the identified preferred alternative will be reevaluated to determine where the preconstruction surveys will be conducted, as is required by the burrowing owl survey instructions for the Western Riverside County MSHCP. This survey methodology for burrowing owl is also accepted by the California Burrowing Owl Consortium and the CDFW (please see survey guidelines posted on CDFW's website at https://www.dfg.ca.gov/wildlife/nongame/ survey_monitor.html; accessed September 24, 2014). Please also refer to the subsection titled "DBESP for the Burrowing Owl," on page S-25, for discussion regarding the DBESP prepared to address the project effects on the burrowing owl and measures to address those effects. Although only 3.1 acres of occupied habitat were identified in the surveys conducted for the NES (2008) and Supplemental NES

(2012), Measure AS-1 in Section 3.20.4 of the Final EIR/EIS requires preconstruction surveys for burrowing owl in any area identified as potential burrowing owl habitat. By implementing a conservative approach to preconstruction surveys, Measure AS-1 will ensure that impacts to burrowing owl are avoided and minimized.

IP-6-57

Please refer to the responses to comments IP-6-55 and IP-6-56, above, for discussion regarding mitigation for potential project effects on the burrowing owl. Please also refer to the subsection titled "DBESP for the Burrowing Owl," on page S-25, for discussion regarding the DBESP prepared to address the project effects on the burrowing owl and measures to address those effects.

The Recirculated Draft EIR/Supplemental Draft EIS included extensive information on how any impacts of the MCP project on burrowing owl would be offset. Mitigation Measures AS-I, AS-2, and AS-3 (starting on page 3.20.12 in the Final EIR/EIS) require conducting a preconstruction survey; ensuring take of active nests is avoided; and preparation and, as needed, implementation of a Relocation/Translocation Plan. Details of the burrowing owl Relocation and Translocation Plan were not included in the Recirculated Draft EIR/Supplemental Draft EIS because the preferred alternative had not yet been selected. That plan is now included for the preferred alternative in the DBESP for the owl provided in the subsection titled "DBESP for the Burrowing Owl," in the *Mid County Parkway MSHCP Consistency Determination Including Determination of Biologically Equivalent or Superior Preservation Analysis* (Consistency Determination) in Appendix T in the Final EIR/EIS. The detailed relocation/translocation plan described in the DBESP for burrowing owls (pages 77-85 of Appendix T, MSHCP Consistency Determination and DBESP, in this Final EIR/EIS) contains numerous measures to protect this species prior to the start of construction of the MCP project. These measures have been concurred upon by the USFWS and CDFW as part of their concurrence on the MSHCP Consistency Determination and DBESP.

IP-6-58

Please refer to the subsection titled "DBESP for the Los Angeles Pocket Mouse" on page S-23, for discussion regarding the DBESP prepared to address the project effects on the Los Angeles pocket mouse (LAPM) and measures to address those effects. The DBESP identifies measures that will be biologically (e.g., functionally) equivalent or that have superior preservation to the existing conditions for the LAPM. The DBESP for the LAPM is provided in the Consistency Determination provided in Appendix T in this Final EIR/EIS.

Direct effects to LAPM will occur within the project footprint. Based on compliance with the Urban/Wildlife Interface Guidelines of the Western Riverside County MSHCP, indirect impacts to LAPM outside the project footprint will be minimal. The project footprint includes the entire area within the right of way, including permanent and temporary impacts.

It should be noted that redesign of a project, even at the preliminary stages, is avoidance and/or minimization. Once the project is redesigned, the redesigned project is the proposed project and, therefore, that minimization or avoidance effect is already accounted for in the project design evaluated in the environmental analyses in the technical studies and the environmental document.

The second paragraph in Section 3.20.4, Avoidance, Minimization, and/or Mitigation Measures was intended to inform the public that RCTC has made an ongoing effort to reduce the project impacts, including to LAPM. Additionally, the following text was added to Section 2.5.6.2, Design Refinements to Reduce Impacts to the Los Angeles Pocket Mouse and other Species Covered Under the Western Riverside County Multiple Species Habitat Conservation Plan, in this Final EIR/EIS to describe the more recent minimization efforts to LAPM:

> "The MCP alignment between approximately Antelope Road to the west and Bernasconi Road on the east would result in permanent impacts to Los Angeles pocket mouse habitat. RCTC evaluated design features that would reduce the acreage of impacts to that habitat after the identification of Alternative 9 Modified as the preferred alternative. Based on that evaluation, RCTC identified three retaining walls, shown on Figure 2.5.a, that would reduce the impacts of the MCP on Los Angeles pocket mouse habitat. Those walls total 5,203 linear feet of retaining walls along the north side of the MCP (3,122 feet, 1,484 feet, and 597 feet). The use of those retaining walls would result in a reduction of over 23 acres of Los Angeles pocket mouse habitat impacted by Alternative 9 Modified (original impact of 44.07 acres reduced to 20.85 acres). Because these walls would reduce impacts on that habitat, RCTC and FHWA have incorporated those three retaining walls into the design of Alternative 9 Modified. Therefore, the preferred alternative identified in the Checkpoint 3 LEDPA process now includes those retaining walls."

As stated above in response to similar comments expressing concern about deferral of analysis, RCTC did not improperly defer analysis of the MSHCP consistency determination or DBESP, because RCTC committed to complying with the conditions of the MSHCP, as these conditions are the performance standards to which RCTC would mitigate to, consistent with Section 15126.4(a)(1)(B) of the CEQA Guidelines which allows a Lead Agency to specify performance standards to mitigate significant effects of a project. The MSHCP Consistency Determination and DBESP for LAPM provided in Appendix T of this Final EIR/EIS provide the specific measures that will be implemented to meet these performance standards.

IP-6-59

The 2007 bat habitat suitability assessment determined that no signs of bats were observed. However, because bat roosting changes seasonally, additional surveys are warranted prior to construction. As required in Measure AS-5 on page 3.20-16 in Section 3.20.4, Avoidance, Minimization, and/or Mitigation Measures, in the Final EIR/EIS, additional maternity roosting surveys will be conducted between May 1 and August 31 (not June as shown previously; refer to the response to comment IP-6-60, below) prior to construction to determine if any structures are being used maternally at that time. Any potentially suitable roosting habitat will be subject to nighttime surveys consisting of structure inspection, sampling, exit counts, and acoustical monitoring. Because bat roosting changes seasonally and construction will not occur in the immediate future, an updated bat habitat suitability assessment, focused surveys, and site-specific mitigation measures will be required prior to construction. These requirements specified in the Recirculated DEIR/Supplemental DEIS (refer to Measures AS-5, AS-6, and AS-7 starting on page 3.20-14 in the Recirculated Draft EIR/Supplemental Draft EIS) provided the public sufficient information to understand the potential impacts of the project on bats.

IP-6-60

As discussed in the second sentence in the subsection titled "Bat Species" on page 3.20-6 in Section 3.20.3.1, Permanent Impacts, in the Final EIR/EIS, because only a small part of any bridge or culvert structure greater than 48 inches in diameter would be affected by project construction, only a small part of the areas potentially used as bat roosting habitat may be permanently altered by the widening of existing structures (culverts greater than 48 inches in diameter and bridges). In addition, it is important to note that locations of bat maternity roosts can change seasonally and, therefore, it will be appropriate for surveys to be conducted prior to construction to determine where there are active maternity roosts. Mitigation for the MCP project impacts to bats were disclosed to the public in Measures AS-5, AS-6, and AS-7

starting on page 3.20-12 in the Recirculated Draft EIR/Supplemental Draft EIS. That information includes identifying potential impacts to maternity roosts, the timing of preconstruction surveys, reporting requirements, and details regarding how the project has committed to following requirements from a qualified bat biologist, including typical avoidance and minimization measures for maternity roosts, which may change seasonally.

The survey window identified in the second paragraph in the subsection titled "Bat Species" on page 3.20-6 and in Measure AS-5 was updated with a broader survey window than the previously identified survey window in June. The text in the last paragraph in the "Bat Species" subsection was revised to read (revisions shown in *italics*): "Bat maternity roosts change seasonally; therefore, maternity roosting surveys will be conducted *between May 1 and August 31* prior to construction at larger culverts and bridges to determine the location of active maternity roosts."

The first sentence in Measure AS-5 on page 3.20-16 in the Final EIR/EIS was revised to read (changes shown in italics): "*Between May 1 and August 31* prior to any site preparation…"

This timing of bat surveys between May 1 and August 31 prior to any construction activities is sufficient to determine the locations that would require installation of exclusionary devices during the following September/October (as described in Measure AS-6 on page 3.20-16 in the Final EIR/EIS). Measures AS-6 and AS-7 are specific requirements that will be triggered if a bat colony is identified during preconstruction surveys.

Because bat roosting changes seasonally and construction will not occur in the immediate future, an updated bat habitat suitability assessment, focused surveys, and site-specific mitigation measures will be required prior to construction. These requirements are specified in Measures AS-5, AS-6, and AS-7 starting on page 3.20-16 in the Final EIR/EIS.

This comment states that "Reliance on these future surveys, removal, relocation, and potential construction of new habitat, without presenting evidence of the measures' potential for success or enforceable performance standards, is insufficient to ensure the impacts from the MCP project on bat species are adequately addressed". Section 15151 (Standards of Adequacy of an EIR) in the CEQA Guidelines states that, "An EIR should be prepared with a sufficient degree of analysis to provide decisionmakers with information which enables them to make a decision which intelligently takes account of environmental consequences". Because the analysis approach for bat species in Section 3.20 of the Recirculated Draft EIR/Supplemental Draft EIS took a

conservative approach by assuming that bats could be present wherever there is suitable habitat and provided measures for pre-construction surveys, removal, relocation, and potential construction of new habitat, the public was provided sufficient information to understand the MCP project's potential effects on bats, and what measures would be implemented to protect bats, should they be determined to be present prior to the start of construction.

The proposed mitigation measures for bats, in particular construction of new habitat (roosting structures), does not have the potential for significant environmental impacts because these structures are small and designed to blend into the existing environment.

IP-6-61

Please refer to the response to comment IP-6-50 and revised text provided in subsection titled "Other Non-Listed Animal Species" on page 3.20-7 in the Final EIR/EIS for discussion regarding other non-listed animal species that are not covered under the Western Riverside County MSHCP. Impacts to species are quantified based on habitats used by those species. Impacts to species are summarized in the table in Appendix N, Regional Species of Concern and Coverage under the Western Riverside County Multiple Species Habitat Conservation Plan, in the Final EIR/EIS. Impacts to habitats are summarized in Table 3.17.B, Impacts to Land Cover Categories in the Final EIR/EIS. No additional mitigation is proposed because the impacts to non-listed species are not considered significant under CEQA, based on the analysis of habitat impacts. No measures are, therefore, warranted specifically for these species beyond the avoidance and minimization measures already discussed for avoiding take of nests and maternity bat colonies, and providing wildlife crossings under the MCP facility and barriers to restrict wildlife from entering the facility right of way. Please refer also to Section S.5.1, Master Response Related to the Western Riverside County Habitat Conservation Plan, starting on page S.5-6 which discusses the *Mid County Parkway MSHCP Consistency Determination Including Determination of Biologically Equivalent or Superior Preservation Analysis* (Consistency Determination), provided in Appendix T of this Final EIR/EIS. The Consistency Determination also discusses and includes the DBESPs and the measures to address project impacts on the species covered by those DBESPs and why the Consistency Determination and the DBESPs are an appropriate and adequate way to detail the measures to address the effects of the preferred alternative on species covered by the Western Riverside County MSHCP.

Please also refer to Section IV, Biological Resources, in Chapter 4, California Environmental Quality Act Evaluation, which discusses the potential impacts of the MCP Build Alternative on biological resources, including the level of significance of those impacts and rneasures to address those effects.

IP-6-62

This comment provides a brief summary of the CBD/SBVAS/SC's comments on special-status plant species including the assessment of project effects on those species and mitigation to address those effects. Please refer to the responses to comments IP-6-63 through IP-6-69 for the responses to the individual CBD/SBVAS/SC's comments.

IP-6-63

The impacts of the MCP Build Alternatives to plant species covered by the Western Riverside County MSHCP were evaluated in Section 3.19, Plants, in the EIR/EIS and are mitigated by the commitments RCTC has made in the DBESPs for the covered plant species affected by the project, as provided in Appendix T of this Final EIR/EIS. Even though the Western Riverside County MSHCP requires surveys and analysis of impacts to individual species only within designated survey areas, any impacts to these species outside of the survey areas are also covered through Western Riverside County MSHCP participation and compliance without the need for additional analysis.

Please also refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project and how the MCP project was determined to be consistent with the Western Riverside County MSHCP.

IP-6-64

As noted in the response to comment IP-6-63, above, project impacts to plant species covered by the Western Riverside County MSHCP were evaluated in Section 3.19, Plants, in the EIR/EIS and are mitigated by RCTC's participation in the Western Riverside County MSHCP (i.e., RCTC's $153 million funding commitment) and compliance with the specific requirements of the Western Riverside County MSHCP for the plants affected by the project (see discussion of plant species in Appendix T of this Final EIR/EIS). The Western Riverside County MSHCP provides a plan-wide analysis of, and mitigation for, the remaining covered species, including Peirson's milkvetch, Plummer's mariposa lily, Parry's spineflower, long-spined spineflower, and San Bernardino aster, without the need for project-specific focused surveys.

Please refer to the responses to comments IP-6-65 and IP-6-66 for discussion regarding chaparral sand-verbena and Robinson's pepper-grass, respectively.

IP-6-65

As noted in this comment, the potential project impacts to chaparral sand verbena were analyzed based on the results of previous surveys that covered most of the potentially suitable habitat within the BSA (*San Jacinto River Maintenance Project - Results of Habitat Suitability Assessments and Focused Surveys for MSHCP Narrow Endemic and Criteria Area Plants. Riverside, California.* LSA 2004), as well as observation of habitat conditions in surveyed and unsurveyed areas throughout the BSA. As discussed in the fifth paragraph in Section 3.19.2, Affected Environment, on page 3.19-1 in Section 3.19, Plant Species, in the Final EIR/EIS, a few individuals of this species may occur in unsurveyed habitat. However, given that this species is fairly widespread; is reported from western Riverside County as well as parts of Imperial, Los Angeles, San Bernardino, San Diego, and Ventura Counties; and is not listed as threatened or endangered, impacts to any individuals that may occur would not be considered significant under CEQA. Therefore, the available information was considered sufficient to determine that the MCP project would not result in substantial impacts on this species, without the need for additional surveys.

IP-6-66

Although Robinson's peppergrass is on the California Native Plant Society (CNPS) List 1B (indicating that it is considered rare, threatened, or endangered in California and elsewhere), it is not listed by the state or federal government as rare, threatened, or endangered, and does not warrant the same degree of consideration as a listed species. The CNPS is a private organization that promotes native plant appreciation, research, and conservation in California. Its rankings of plant species (e.g., List 1B) can serve as a resource in evaluating potential project effects on a species, but are not official state designations of rarity status.

Surveys for this species would only be necessary if project impacts to the species (if present) would be considered significant under CEQA. Given that this species is relatively widespread (occurring throughout non-desert areas of southern California, as shown on the CNPS' Rare and Endangered Plant inventory website at http://www.rareplants.cnps.org/detail/1322.html; accessed September 24, 2014) in relatively common habitats (chaparral and coastal sage scrub), and given that the project would impact a relatively small area (less than 100 acres of Riversidean upland sage scrub as noted in Table 3.17.B of the Final EIR/EIS) of potential habitat, the impacts to this plant species would not be significant under CEQA. Therefore,

surveys are not needed to support the conclusion in the Final EIR/EIS that there will not be significant impacts on this species under CEQA even if the approximately 100 acres of the cited habitats did support this species.

The last sentence in the last paragraph in Section 3.19.2, Affected Environment, on page 3.19-4 in the Final EIR/EIS, was modified for clarification as follows (changes shown in italics): "Given that this species is not listed as threatened or endangered, is relatively widespread in the region, and occupies relatively common habitats, *and, as described later, given that the MCP project would impact a relatively small area (less than 100 ac) of potential habitat, impacts to the species (if present) would not be considered substantial. As a result,* focused surveys *for this species* were not conducted. *In addition, since the circulation of the Recirculated Draft EIR/ Supplemental Draft EIS, the California Native Plant Society (CNPS) has downgraded the rarity status of this species from List 1B to List 4. List 4 is a watch list for plant species that are monitored by the CNPS but that are not considered sensitive. The table in Appendix N, "Regional Species of Concern and Coverage under the Western Riverside County MHSCP" was updated to reflect that change in the rarity status for Robinson's pepper-grass."*

IP-6-67

This comment provides a brief summary of the CBD/SBVAS/SC's comments on the adequacy of mitigation for project effects on special-status plant species. Please refer to the responses to comments IP-6-68 and IP-6-69 for the responses to the individual CBD/SBVAS/SC's comments regarding those concerns.

IP-6-68

Concerning Measure NC-2 in the Recirculated Draft EIR/Supplemental Draft EIS which addresses the designation of environmentally sensitive areas (ESAs), this comment states that "These environmentally sensitive area designations should be completed and included in the DEIR/DEIS at this stage in the environmental review process to comply with CEQA's goal of early and thorough disclosure." The specific locations of ESAs will be determined during final design because the current 35 percent level design plans do not provide this level of detail (i.e., as shown on the Conceptual Plans provided in Appendix I, Attachment H of this Final EIR/EIS, the 35 percent design plans show only basic project features such as the project right of way, cut/fill line, and roadway geometrics). Delineation of ESA's cannot be done until more precise design necessary for the MCP project to be constructed is completed. The 35 percent design level involves developing basic design deliverables (i.e., plan/profile sheets, typical sections, major work items identified and located)

applicable to all alternatives studied in a Draft EIR/EIS. It is not reasonable to prepare a greater level of design until a decision is made on a preferred alternative and a Record of Decision is approved by FHWA. Because of the conservative assumptions made at the 35 percent design level for the MCP (e.g., all areas within the right of way footprint are considered to be impacted even if no actual grading or other disturbance would occur), all potential impacts of the project have been disclosed in the Final EIR/EIS and actual impacts may be less once the project is constructed. As discussed below, the text of Measure NC-2 was updated to provide as much detail as possible at this stage of project design.

The comment further states that "...it does not specify what would happen if an environmentally sensitive area is delineated that cannot be feasibly avoided." As discussed below, the text of Measure NC-2 has been updated to discuss what would occur in the event that an ESA was breached and damage occurred within the ESA.

The following was inserted following the second paragraph in Section 3.17.3.1, Permanent Impacts, on page 3.17-17 in the Final EIR/EIS:

> "As noted above, to assess the most conservative (i.e., worst-case) permanent impacts of the MCP Build Alternatives, this analysis assumed that all natural communities within the right of way footprint established for the project would be permanently impacted. However, the total acres of impacts to each natural community within the right of way footprint may be reduced after the completion of the EIR/EIS process and prior to construction based on:
>
> - Refinement of the project disturbance and grading limits during final design which will, in part, focus on avoiding natural communities within the right of way footprint but outside the disturbance and grading limits, where that avoidance would not compromise the design of the facility or the safety of the construction operations and workers.
> - Completion of the permitting processes for the Section 404 permit from the USACE, the Section 1602 Agreement for Streambed Alteration from the CDFW, and the Section 401 water quality certification from the Santa Ana Regional Water Quality Control Board (RWQCB), which are anticipated to include mitigation requirements that would reduce the project effects in the right of way footprint on protected waters and other riparian features (refer to Section 3.18, Wetlands and Other Waters, later in this EIR/EIS,

for further discussion regarding project effects on waters and the permitting requirements for the project)."

As described later in Section 3.17.4, Avoidance, Minimization, and Mitigation Measures, Measure NC-2 requires the identification of ESAs on the project plans to avoid impacts to natural communities and special-status plant species that would be within the right of way footprint but outside the project disturbance and grading limits based on project refinements as a result of the activities described above. Because those activities would be largely conducted after the completion of the EIR/EIS process, it is not reasonably foreseeable at this time to identify ESAs within the right of way footprint that would be outside the disturbance and grading limits. As a result, as noted above, the project effects on natural communities and special-status plant species reported in this Final EIR/EIS are the most conservative (worst-case) and will be reduced prior to construction as a result of the activities described above."

Measure NC-2 on starting on page 3.17-61 was amended to include the following language regarding the designation and protection of ESAs:

NC-2 **"Environmentally Sensitive Areas**. During final design, the RCTC Project Engineer and RCTC Project Biologist will coordinate to identify areas within the project right of way footprint but outside the project disturbance and grading limits which include, but are not limited to, riparian/riverine vegetation, San Jacinto River alkali communities, and areas with long-term conservation values for the San Jacinto Valley crownscale, spreading navarretia, Coulter's goldfields, smooth tarplant, least Bell's vireo, burrowing owl, Los Angeles pocket mouse, San Bernardino kangaroo rat, and protected waters. Those areas will be designated by the RCTC Project Engineer on the project plans and specifications as environmentally sensitive areas (ESAs).

The RCTC Project Engineer will label each ESA on the project plans and specifications as an ESA but will not identify the specific biological resources within each ESA.

The RCTC Project Engineer will ensure that the project plans and specifications include the following specific requirements of and directions for the Construction Contractor and the RCTC Project Biologist regarding the ESAs:

- Prior to any site preparation, grading, clearing, or construction, the Construction Contractor will be required to hold training sessions

conducted by the RCTC Project Biologist to ensure that all construction workers understand the purpose of, and requirements and restrictions related to, the ESAs.

- Prior to any site preparation, grading, clearing, or construction, the RCTC Resident Engineer will require the Construction Contractor, assisted by the RCTC Project Biologist, to install highly visible barriers (such as orange construction fencing) around all designated ESAs.
- No disturbance, grading, staging, parking, materials or equipment storage, fill structures, dumping, or other construction-related activities will be permitted within or immediately adjacent to the ESAs at any time.
- All construction equipment will be operated and all construction activities will be conducted at all times in a manner so as to prevent accidental damage to or intrusion into ESAs.
- No construction equipment or worker vehicles are to enter any ESA at any time.
- The Construction Contractor must maintain all ESA barriers throughout all the site preparation, disturbance, grading, and construction activities in the vicinity of the ESAs.
- The RCTC Project Biologist will verify the integrity of the ESA barriers on a regular basis (no less than once every 2 weeks and more often if needed) and will report the need for any repair or replacement of barriers to the RCTC Resident Engineer that day.
- The RCTC Resident Engineer and RCTC Project Biologist will require the Construction Contractor to repair damaged or replace missing ESA barriers within 24 hours of being notified of the status of the ESA barriers needing repair or replacement.
- During all site preparation, clearing, disturbance, and construction activities, the RCTC Project Engineer will require the Construction Contractor to ensure that equipment maintenance, site lighting, equipment and materials staging, and equipment and worker vehicles are limited to designated areas away from ESAs.
- In the event that an ESA barrier is breached by any construction worker, equipment, or activity, the Construction Contractor is to cease work in that area immediately and report the breach to the RCTC Resident Engineer immediately.

- The RCTC Resident Engineer and RCTC Project Biologist will review the breach and will assess the effects of the breach on the resource protected by that ESA. Any breached areas will be restored to the original condition. The RCTC Resident Engineer and RCTC Project Biologist will coordinate with the applicable resource agencies (USACE, CDFW, or RCA) to determine if additional mitigation would be required.
- When all construction activities in the vicinity of an ESA are complete and there will be no more construction activity in that area, the RCTC Resident Engineer and the RCTC Project Biologist will direct the Construction Contractor to remove the ESA barrier at that location."

IP-6-69

Please refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project and how the MCP project was determined to be consistent with the Western Riverside County MSHCP. That section specifically discusses the DBESP process, how biologically equivalent or superior preservation will be achieved for each species addressed in the DBESPs, how specific DBESP documentation is not required to demonstrate compliance with CEQA and NEPA, and why the DBESPs were not completed prior to identification of the preferred alternative.

IP-6-70

Impacts to listed species discussed in Section 3.21.3, Environmental Consequences, in the Final EIR/EIS include all impacts to potentially occupied habitat of listed species, not only those within the designated survey areas, as summarized in Table 3.21.B (Impacts to Threatened and Endangered Species) on page 3.21-7 and Figure 3.21.1 (Critical Habitat Areas and Listed Species) on page 3.21-9 in the Final EIR/EIS. As shown in Table 3.21.B, the MCP project will not impact any USFWS designated critical habitat for California gnatcatcher or least Bell's vireo. Therefore, analysis regarding impacts to habitat that is critical to the survival and recovery of the California gnatcatcher is not required for the MCP project. Impacts to the species discussed in Section 3.21.3.1, Permanent Impacts, on page 3.21-6 in the Final EIR/EIS include all impacts to potentially occupied habitat of listed species, not only those within the designated survey areas (please note the difference in acreage impacts to SBKR in Table 3.21.B, Impacts to Threatened and Endangered Species, compared to Table 3.17.G, Impacts to Habitat Suitable for Long-Term Conservation of Additional Survey Species). Compliance with the Federal Endangered Species Act,

including potential impacts of the MCP on California gnatcatcher, are addressed through compliance with the Western Riverside County MSHCP. Refer to Section S.5.1, Master Response Related to the Western Riverside County MSHCP, on page S-6, for further discussion.

Consistent with the intent of NEPA and CEQA to provide relevant information in the EIR/EIS, Sections 3.17 through 3.21 in the Final EIR/EIS summarize key information from the *Supplement to the Natural Environment Study* and the *Natural Environment Study* related to existing conditions, impacts and measures to address impacts of the MCP Build Alternatives on biological resources. Those reports are referenced in the Final EIR/EIS and were available as reference material during the public review period for the Recirculated Draft EIR/Supplemental Draft SEIS. In addition, these reports, as well as other technical reports in support of the EIR/EIS listed in Appendix H, List of Technical Studies in the Final EIR/EIS, are included in the administrative record for the MCP project.

IP-6-71

Please refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project and how the MCP project was determined to be consistent with the Western Riverside County MSHCP. That section includes discussion of the DBESP prepared for the San Jacinto Valley crownscale, which is provided in the Consistency Determination in Appendix T in the Final EIR/EIS.

IP-6-72

This comment correctly notes that the USFWS proposed critical habitat for the San Jacinto Valley crownscale on April 16, 2012. In their final determination published on April 14, 2013, the USFWS did not designate any critical habitat for this species. As a result, the MCP Build Alternatives would not result in impacts to designated critical habitat for this species, and there is no need to further address impacts to critical habitat for this species in the Final EIR/EIS. The following parts of the Final EIR/EIS were revised to indicate that there is currently no designated critical habitat for San Jacinto Valley crownscale:

- Fifth paragraph in Section 3.21.2, Affected Environment, on page 3.21-5
- Table 3.21.A (page 3.21-3) and footnote 1 on Table 3.21.A (page 3.21-4)
- Third paragraph in the subsection titled "San Jacinto Valley crownscale" in Section 3.21.3.1, Permanent Impacts, on page 3.21-6
- Table 3.21.B on page 3.21-7

- Figure 3.21.1 on page 3.21-8
- Fourth paragraph in Section 3.21.4, Avoidance, Minimization, and/or Mitigation Measures, on page 3.21-20

Please also refer to the subsection titled "DBESP for CASSA Plant Species" on page S-20, for discussion regarding the DBESP prepared for the San Jacinto Valley crownscale. That DBESP is provided in the MSHCP Consistency Determination in Appendix T in the Final EIR/EIS.

IP-6-73

The first part of this comment lists plant and animal species, including San Jacinto Valley crownscale, which may experience indirect edge effects as a result of the MCP Build Alternatives but does not raise specific concerns regarding those potential impacts. Indirect effects to all threatened and endangered Species, including San Jacinto Valley crownscale, were discussed in a separate section on indirect effects beginning on page 3.21-15 in the Recirculated Draft EIR/Supplemental Draft EIS. Please refer to Section S.5.1.7, Compliance with the Urban/Wildlands Interface Guidelines in Section 6.1.4 in the Western Riverside County MSHCP on page S-27, for discussion regarding how edge effects of the MCP Build Alternatives would be addressed based on compliance with the Western Riverside County MSHCP Urban/Wildlands Interface Guidelines.

The comment later focuses on indirect effects related to hydrology. To provide further clarification on indirect effects related to hydrology, additional discussion of potential changes in hydrology was added to the third paragraph in the subsection titled "Indirect Effects (All Threatened and Endangered Species)" on page 3.21-16 in Section 3.21.3.1, Permanent Impacts, in the Final EIR/EIS, based on the discussion of natural and beneficial floodplain values in Section 3.9.3.1 starting on page 3.9-24 in Section 3.9.3.1 in the Final EIR/EIS. That cited paragraph in Section 3.21.3.1 on page 3.21-17 now reads (changes shown in *italics*):

> "Indirect effects on spreading navarretia could result from localized increases in water velocity following major floods due to changes in river hydraulics caused by placement of bridge columns, abutments, and fill. *The 4,321 ft long San Jacinto River Bridge would be on columns across the floodplain. The San Jacinto River Bridge Design Variation would consist of a 1,941 ft long bridge on columns, with 1,849 linear feet of fill on either side. Neither design option would result in a longitudinal encroachment in the floodplain. Although the fill for the design variation would be within the mapped 100-year*

floodplain, it would not substantially modify the hydrology or hydraulics of the River. This is because the existing Ramona Expressway bridge currently constrains the 10- and 25-year flows of the San Jacinto River, and during 100-year events, the River flows over the top of the existing bridge. The existing Ramona Expressway Bridge will remain in place, still providing control to the movement of water. Because of the control provided by the existing bridge, the 1,849 ft of fill associated with the SJRB DV would result in negligible changes to the water surface elevation associated with the 100-year event. Moreover, there would be no changes to the floodplain limits downstream and very limited changes upstream, such that the total floodplain area would not be substantially modified. The existing bridge would also remain in place and control water movement for the longer bridge option. As a result, neither bridge design would result in substantial changes to the existing conditions relative to floodplain area and flow characteristics, including the velocity of flow. Because of the negligible changes in velocity *and floodplain area* anticipated, substantial indirect effects on the plant species would not be expected. Refer to *Section 3.9.3.1, Permanent Impacts, for additional discussion of bridge impacts.*"

For additional information regarding the MCP crossing of the San Jacinto River, please refer to Section S.5.3.5, Master Response Related to the San Jacinto River Bridges Base Case and Design Variation, on page S-53, for discussion regarding the Base Case and Design Variation for the bridges crossing the San Jacinto River under all three Build Alternatives.

IP-6-74

Please refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project and how the MCP project was determined to be consistent with the Western Riverside County MSHCP. That section specifically discusses the DBESP process, how biologically equivalent or superior preservation will be achieved for each species addressed in the DBESPs, how the specific DBESP documentation is not required to demonstrate compliance with CEQA and NEPA, and why the DBESPs were not completed prior to identification of the preferred alternative.

As discussed in Section 4.2, Section 6.1.3 Compliance – Narrow Endemic Plant Species Survey Area (NEPSSA), in the MSHCP Consistency Determination and DBESP provided in Appendix T of this Final EIR/EIS, the MCP Build Alternatives would impact 0.36 acre of San Jacinto Valley crownscale habitat with long-term conservation value. The DBESP for the San Jacinto Valley crownscale is achieved by providing replacement acres of 6 acres of land with occupied habitat for San Jacinto Valley crownscale, Coulter's goldfields, and smooth tarplant in either the Hemet vernal pool area or the San Jacinto River floodplain near Lakeview as shown on Figures 17a and17b in the MSHCP Consistency Determination and DBESP provided in Appendix T in this Final EIR/EIS. In addition, 12 acres within the 74 acres of alkali floodplain habitat to be provided will be enhanced for rare plants, as described in Appendix A, MSHCP Mitigation Matrix, in the Addendum to the MSHCP Consistency Determination and Determination of Biologically Equivalent or Superior Preservation Analysis, also provided in Appendix T.

IP-6-75

Please refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project and how the MCP project was determined to be consistent with the Western Riverside County MSHCP. That section specifically discusses the DBESP prepared to address the project effects on spreading navarretia and measures to address those effects which demonstrate that biologically equivalent or superior conservation for these species will be achieved. As stated in Section 4.2, Section 6.1.3 Compliance – Narrow Endemic Plant Species Survey Area (NEPSSA), in the MSHCP Consistency Determination and DBESP provided in Appendix T of this Final EIR/EIS, there will be 1.09 acres of spreading navarretia habitat with long-term conservation value impacted by the MCP project. The DBESP for spreading navarretia is achieved by providing replacement acreage of 3.3 acres of lands with suitable or occupied habitat for spreading navarretia.

IP-6-76

Please refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project (including plant species such as spreading navarretia), and how the MCP project was determined to be consistent with the Western Riverside County MSHCP with regard to the specific concerns regarding impacts to habitat outside the Western Riverside County MSHCP-designated habitat areas. Even though the

Western Riverside County MSHCP requires surveys and analysis of impacts to individual species only within designated survey areas, any impacts to these species outside of the survey areas are also covered through the mitigation commitments provided in the DBESP for spreading navarretia and other NEPSSA species (see Appendix T of this Final EIR/EIS). Given that the Western Riverside County MSHCP survey area for spreading navarretia includes all areas of proposed critical habitat of this species within the BSA, as well as habitat considered important for surveys based on analyses for the Western Riverside County MSHCP, few if any individuals of this species are likely to occur in the BSA outside the areas already surveyed.

Please also refer to the response to comment IP-6-63, above, for additional discussion regarding potential project effects outside the required Western Riverside County MSHCP survey areas.

IP-6-77

Based on the current knowledge of the life history, biology, and ecology of the species and the requirements of the habitat to sustain the essential life history functions of the species, the USFWS has defined the primary constituent elements for this species within designated critical habitat that are essential for the conservation of the species. The primary constituent elements described by USFWS for this species are summarized on the last paragraph on page 81 in Section 4.1.1.1, Survey Results, in the *Supplement to the Natural Environment Study.*

The factors used to determine the 1.09 acres of spreading navarretia critical habitat with primary constituent elements are discussed in the fourth paragraph in Section 4.1.1.3, Project Impacts, on page 83 in the *Supplement to the Natural Environment Study*. As noted in that paragraph, the primary constituent elements identified are ephemeral wetlands and their local watersheds, while parts of designated critical habitat lacking primary constituent elements consist primarily of a dense cover of nonnative grasses and forbs. USFWS designations of critical habitat do not mean that every square inch of land within an area mapped as critical habitat is actually suitable habitat for a given species, in this case spreading navarretia. Developed land, roads, farmlands, and other land that does not have the primary constituent elements for spreading navarretia are appropriate to exclude from any calculations of impacts to critical habitat. As documented in the Biological Opinion provided in Appendix W in the Final EIR/EIS, the USFWS has concurred with the assessment of impacts of the MCP project to designated critical habitat for spreading navarretia.

It is important to note that the designation of critical habitat is considered in the NEPA analysis provided in Section 3.21, Threatened and Endangered Species, in the Final EIR/EIS. Assessment of the significance of project effects to critical habitat under CEQA is not required. However, Section IV, Biological Resources, in Chapter 4, California Environmental Quality Act Evaluation, in the Final EIR/EIS does assess project effects on threatened and endangered species.

IP-6-78

Please refer to the response to comment IP-6-73 for discussion regarding indirect effects on spreading navarretia.

IP-6-79

Please refer to Section S.5.1.3, Overview of the Western Riverside County MSHCP Consistency Determination for the MCP project on page S-10, for discussion regarding the DBESP process, how biologically equivalent or superior preservation has been achieved for each species addressed in the DBESPs, how the specific DBESP documentation is not required to demonstrate compliance with CEQA and NEPA, and why DBESPs were not completed prior to the identification of the preferred alternative. Please refer to Section S.5.19 for specific discussion of the DBESP for spreading navarretia.

IP-6-80

As shown on Figure 3.17.1 on page 3.17-5 in the Final EIR/EIS, the eastern end of the project alignment is within Proposed Core 3, not Proposed Core 5, in the Western Riverside County MSHCP. Although the Figure on page 3-25 of the Western Riverside County MSHCP shows Proposed Core 3 as extending just west of SR-79, the details of Proposed Core 3 described on page 3-65 in the Western Riverside County MSHCP describe Proposed Core 3 as extending to just west of State Street (which is nearly 2 miles east of the project limits of MCP). The arroyo toad is not included in the planning species for Proposed Core 3. In addition, the arroyo toad is a covered species under the Western Riverside County MSHCP that does not require focused surveys. Please refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project, covered species such as the arroyo toad, and how the MCP project was determined to be consistent with the Western Riverside County MSHCP.

Discussion of known locations of the arroyo toad in relation to the footprints of the MCP Build Alternatives is provided in the subsection titled "Arroyo Toad" on

page 3.21-12 in Section 3.21.3.1, Permanent Impacts, in the Final EIR/EIS. Based on the information and analysis in Section 3.21, Threatened and Endangered Species, in the Final EIR/EIS, this species has been adequately addressed for CEQA and NEPA purposes. New CNDDB searches (September 2013) were reviewed for arroyo toad locations. No locations closer than the locations discussed in the Recirculated Draft EIR/Supplemental Draft EIS were found in those searches. As a result, these locations are the closest locations of any arroyo toad observations to the MCP project alignments. The fact that the closest locations are at least 15 miles from the MCP project alignments and there have not been any more recent closer observations provide substantial evidence that there will be no effect to the arroyo toad as a result of the MCP project.

IP-6-81

Please refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project, covered species such as the arroyo toad, and how the MCP project was determined to be consistent with the Western Riverside County MSHCP. Because the nearest arroyo toad sighting was 15 miles from the BSA, the MCP Build Alternatives will not result in indirect edge effects on this species.

IP-6-82

Please refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project, covered species such as the California gnatcatcher, and how the MCP project was determined to be consistent with the Western Riverside County MSHCP.

Habitat fragmentation associated with covered activities in the Western Riverside County MSHCP such as the MCP project were addressed in the Final EIR/EIS (June 2003) for the Western Riverside County MSHCP where it states "However, the pattern of allowable development may result in fragmentation of habitats that may reduce the value of undeveloped areas for certain suites of species. For the purpose of this analysis, it is assumed that 40 percent of natural vegetation communities would be conserved within the Rural designated areas. This is based on the assumption that approximately 60 percent of rural areas would be developed or disturbed" (page 4.1-135 of the Final EIR/EIS for the Western Riverside County MSHCP). Mitigation for these habitat fragmentation impacts was stated as follows "With the combination of

impact reduction features incorporated into the Proposed Project [MSHCP], including reserve configuration, adaptive management and monitoring, and species survey and avoidance/minimization policies, the Project's impacts to Listed Covered Species would be less than significant." (page 4.1-145 of the Final EIR/EIS for the Western Riverside County MSHCP). Therefore, habitat fragmentation for California coastal gnatcatcher resulting from the MCP project is mitigated by the project's consistency with the Western Riverside County MSHCP.

Section 7 consultation was conducted with the USFWS for project impacts to the California gnatcatcher. The USFWS issued the Biological Opinion on February 11, 2014. The Biological Opinion is provided in Appendix W in this Final EIR/EIS.

IP-6-83

It is not required by CEQA, or even feasible, to perform every biological resources survey on the day the NOP is released as requested in this comment. Surveys must be conducted at appropriate times of the day/year for each species; in addition, for large projects, surveying may take several days due to the size of the BSA. As discussed in Section 4.3.3.1, Survey Results, in the *Supplement to the Natural Environment Study*, focused surveys for the least Bell's vireo (LBV) were conducted in 2005 and 2006. Those surveys were conducted throughout suitable riparian habitat identified as part of the vegetation mapping and wetland delineation and were conducted according to the currently accepted protocols (USFWS January 19, 2001, *Least Bell's Vireo Survey Guidelines*) and are documented in Appendix H, Focused Riparian Bird Survey Report 2006 Eastern Portion, in the 2008 Draft EIR/EIS. Additional observations of LBV subsequent to those focused surveys were also identified as impacted by the MCP project. The survey protocols for covered species in the Western Riverside County MSHCP (http://rctlma.org/Portals/1/EPD/consultant/wrmshcp_survey_guide_protocols.pdf) do not stipulate a time period for which surveys are no longer considered valid. In addition, as stated on page 3.21-2 of the Final EIR/EIS, MCP project representatives met with Karin Cleary-Rose (USFWS) on February 22, 2011, to verify that there were no outstanding questions relative to use of the 2005-2007 species survey data. Ms. Cleary-Rose confirmed that the 2005-07 survey data would be sufficient for preparing the MSHCP consistency analysis.

The project impacts to LBV include the 3.66 acres of riparian scrub and riparian forest areas surrounding the observation of LBV (refer to Figure 3.21.1, Critical Habitat Areas and Listed Species, on page 3.21-9 in Section 3.21.3.1, Permanent Impacts, in the Final EIR/EIS and Figure 4.7, Least Bell's Vireo Locations, in Section

4.3.3.1, Survey Results, in the *Supplement to the Natural Environment Study*). Impacts to riparian/riverine areas that may provide additional habitat for riparian species will be mitigated as described in the first two paragraphs of the subsection titled "Compliance with the Western Riverside County MCHCP Policies for the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools" on page 3.17-18 in Section 3.17.3.1 in the Final EIR/EIS. Therefore, as a project covered under the Western Riverside County MSHCP, project impacts to LBV and its habitat have been adequately addressed based on the evaluation of impacts in Section 3.17 in the Final EIR/EIS and the *Supplement to the Natural Environment Study* and by demonstrating consistency with the Western Riverside County MSHCP based on the mitigation commitments included in the DBESPs for both areas of long-term conservation value for LBV and for riparian/riverine areas. Please also refer to subsection titled "DBESP for Riparian/Riverine Impacts" on page S-16. The mitigation for the project effects on riparian/riverine resources would also benefit LBV, which uses these habitats.

IP-6-84

Table 3.21.B (Impacts to Threatened and Endangered Species) on page 3.21-7 in Section 3.21, Threatened and Endangered Species, in the Final EIR/EIS shows the impacts of the MCP project to LBV-occupied habitat. That occupied habitat is suitable for nesting <u>and</u> foraging. For clarification, the fifth sentence in the first paragraph in the subsection titled "Least Bell's Vireo" on page 3.21-13 in Section 3.21.3.1, Permanent Impacts, was revised to read (changes shown in *italics*): "Project impacts to the least Bell's vireo will occur *through the* loss of *suitable* nesting *and foraging* habitat within the project footprint."

IP-6-85

All riparian scrub and riparian forest contiguous with the observed LBV sighting is considered to be permanently impacted. For clarification, the second sentence in the first paragraph in the subsection titled "Indirect Effects (All Threatened and Endangered Species)" on page 3.21-16 in the Final EIR/EIS was revised to read: "Indirect impacts on the remaining threatened and endangered species and critical habitats discussed above *are included in the permanent impact calculations and* may result from edge effects such as..."

IP-6-86

Please refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to

the MCP project and how the MCP project was determined to be consistent with the Western Riverside County MSHCP, including discussion regarding the DBESP process, how biologically equivalent or superior preservation will be achieved for each species addressed in the DBESPs, how the specific DBESP documentation is not required to demonstrate compliance with CEQA and NEPA, why DBESPs were not completed prior to identification of the preferred alternative, and the DBESP prepared for the LBV. Mitigation for least Bell's vireo (LBV) is described in Table 5 of the DBESP for riparian/riverine habitats in the MSHCP Consistency Determination and DBESP provided in Appendix T of this Final EIR/EIS, where it states that "Same off-site mitigation can be used for riparian as long as the acreage is all suitable for occupied by LBV; otherwise a total of an additional 11acres for LBV will be acquired."

Refer also to response to comment IP-6-84, which provides clarification of the loss of foraging, in addition to nesting, habitat.

IP-6-87

Please refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project, including regarding animal plant species such as the southwestern willow flycatcher (SWWF) covered under the Western Riverside County MSHCP, and how the MCP project was determined to be consistent with the Western Riverside County MSHCP. Section 3.21 in the Final EIR/EIS and the *Supplement to the Natural Environment Study* evaluate the project effects on threatened and endangered animal species. Therefore, the potential impacts of the MCP project to SWWF foraging habitat have been adequately based on the evaluation of impacts in Section 3.21 in the Final EIR/EIS and the *Supplement to the Natural Environment Study* and addressed by demonstrating consistency with the Western Riverside County MSHCP.

For clarification, the first paragraph in the subsection titled "Southwestern Willow Flycatcher" on page 3.21-14 in Section 3.21.3.1, Permanent Impacts, in the Final EIR/EIS was revised to read (changes shown in *italics*): All the MCP Build Alternatives may result in the loss of potential foraging habitat used by this subspecies during migration. *However, it should be noted that this subspecies is essentially unknown as a migrant in California, with the vast majority of migrant willow flycatchers assumed to belong to the northwestern subspecies E. t. brewsteri (the two are indistinguishable under normal field conditions). Also, virtually any wooded habitat can serve as habitat for this species during migration, so the riparian*

forest and riparian scrub within the BSA is not special in this regard. No nesting pairs of southwestern willow flycatcher were observed within the BSA *and there appears to be no suitable nesting habitat available, as surface water is typically not present in summer in association with riparian woodland or scrub. There were no proven observations of southwestern willow flycatcher so no direct impacts to this subspecies are anticipated.*"

That paragraph states that "Under Section 7 of FESA, formal consultation with the USFWS was not required for this species because the MCP Build Alternatives would have "no effect" to southwestern willow flycatcher." As a result, no consultation was conducted with USFWS under Section 7 for the southwestern willow flycatcher.

As a project covered under the Western Riverside County MSHCP, the impacts of the MCP project on the SWWF were first analyzed in the Western Riverside County MSHCP EIR/EIS (approved June 17, 2003). The MCP project is a covered project under the Western Riverside County MSHCP. The Western Riverside County MSHCP provides a comprehensive, habitat-based approach to the protection of covered species by focusing on conservation and management of lands essential for their long-term conservation. In addition to addressing effects of individual projects, as a regional plan, the Western Riverside County MSHCP provides mitigation for direct, indirect, and cumulative impacts to covered species and their habitats.

The biological studies for the MCP project (see Supplemental NES, 2011) confirmed that there is no habitat suitable for long-term conservation value for the SWWF flycatcher that would be directly impacted within the footprints of the MCP Build Alternatives. Project consistency with the Western Riverside County MSHCP ensures that cumulative and indirect impacts to covered species, including the SWWF are effectively mitigated. Therefore, the potential impacts of the MCP project to SWWF foraging habitat for the migratory SWWF (as described in the subsection titled "Southwestern Willow Flycatcher" in Section 3.21.3.1, Permanent Impacts, on page 3.21-14 in the Final EIR/EIS) have been adequately addressed by demonstrating consistency with the Western Riverside County MSHCP, particularly by mitigation commitments in the DBESP for impacts to riparian/riverine habitat, as discussed in the *Mid County Parkway MSHCP Consistency Determination Including Determination of Biologically Equivalent or Superior Preservation Analysis*, in Appendix T of the Final EIR/EIS.

IP-6-88

As discussed in the first paragraph in the subsection titled "San Bernardino Kangaroo Rat" beginning on page 3.21-13 and in the subsection titled "Indirect Effects (All Threatened and Endangered Species)" beginning on page 3.21-16 in Section 3.21.3.1, Permanent Impacts, the MCP project will result in direct and indirect impacts to San Bernardino kangaroo rat (SBKR), including impacts to occupied SBKR habitat, and USFWS designated critical habitat for SBKR. All suitable habitat contiguous with occupied SKBR habitat is considered to be permanently impacted. Refer also to response to comment IP-6-85 for revisions made to the first paragraph in the subsection titled "Indirect Effects (All Threatened and Endangered Species)" on page 3.21-16 in the Final EIR/EIS.

IP-6-89

Section 7 consultation was conducted with the USFWS for project impacts to SBKR, occupied SBKR habitat, and USFWS-designated critical habitat for the SBKR, and a Biological Opinion was received. The Biological Opinion is provided in Appendix W, in this Final EIR/EIS. Please refer to the response to comment IP-6-82 for a summary of the Biological Opinion.

Please refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project and how the MCP project was determined to be consistent with the Western Riverside County MSHCP, including discussion regarding the DBESP process, how biologically equivalent or superior preservation has been achieved for each species addressed in the DBESPs, how the specific DBESP documentation is not required to demonstrate compliance with CEQA and NEPA, and why DBESPs were not completed prior to identification of the preferred alternative. Refer to the subsection titled "DBESP for the San Bernardino Kangaroo Rat," on page S-22 for the DBESP prepared for the SBKR. As stated in Section 4.4.1, DBESP for San Bernardino Kangaroo Rat, in the MSHCP Consistency Determination and DBESP provided in Appendix T of this Final EIR/EIS, in order to provide equivalent and superior mitigation for the MCP project's 1.29 acres of impacts, RCTC will acquire and conserve 4 acres (represents a 3.1:1 ratio) of off-site mitigation lands.

IP-6-90

The range of potentially suitable habitat for SKR was discussed in the subsection titled "Stephens' Kangaroo Rat" starting on page 3.21-14 in the Recirculated Draft EIR/Supplemental Draft EIS in order to disclose the worst-case potential impacts of the MCP to that species. Please refer to Section S.5.3, Master Response Related to the Stephens' Kangaroo Rat, on page S-22, for discussion regarding the project effects on SKR and how the potential take of SKR under the preferred alternative has been addressed under the SKR HCP and the Western Riverside County MSHCP.

IP-6-91

As discussed in the subsection titled "Indirect Effects (All Threatened and Endangered Species)" starting on page 3.21-16 in Section 3.21.3.1, Project Impacts, in the Final EIR/EIS, the MCP project will result in a number of indirect impacts to potential SKR habitat. All potential coastal sage scrub and nonnative grassland communities are considered potential SKR habitat, as addressed in Table 3.21.B. on page 3.21-7 in the Final EIR/EIS. As discussed in the response to comment IP-6-85, the text in the second paragraph of that subsection, "Indirect Effects (All Threatened and Endangered Species)," on page 3.21-16 was clarified. Please refer to the response to comment IP-6-85 for that refined language.

Projects outside the reserves are covered under the HCP for SKR, and no additional minimization measures regarding edge effects are required under the HCP for SKR. Measures for edge effects are required under the Western Riverside County MSHCP and compliance with those measures for the MCP project is discussed in the following Final EIR/EIS sections:

- Subsection titled "Compliance with the Western Riverside County MSHCP Urban/Wildlands Interface Guidelines" starting on page 3.17-36
- Subsection titled "Habitat Conservation Plan for the Stephens' Kangaroo Rat" on page 3.17-55

Please also refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project and how the MCP project was determined to be consistent with the Western Riverside County MSHCP, including discussion of the Urban/Wildland Guidelines and revisions made to Measure NC-5, Conservation Areas, to be more specific regarding those Guidelines.

IP-6-92

Please refer to Section S.5.3, Master Response Related to the Stephens' Kangaroo Rat, on page S-22, for discussion regarding the project effects on SKR and how the potential take of SKR under the Build Alternatives has been addressed. Refer also to the Biological Opinion issued by the USFWS on February 11, 2015, which is provided in Appendix W of this Final EIR/EIS.

IP-6-93

The analysis provided in Section 3.22, Invasive Species, in the Final EIR/EIS was sufficient to identify the large quantity and types of invasive species currently present in the BSA. In addition, that analysis identified that invasive species are already a substantial concern in the BSA for the MCP project.

Executive Order (EO) 13112 requires federal agencies to combat the spread or introduction of invasive species. Measure U&ES-6 on page 3.5-13 in Section 3.5, Utilities/Emergency Services, and Measures IS-1 through IS-6 starting on page 3.22-3 in Section 3.22 in the Final EIR/EIS are included in the Build Alternatives to comply with the requirements of EO 13112 regarding the spread and introduction of invasive species. Those measures require the use of native plants for landscaping/revegetation areas, prohibitions on the use of any invasive species in plant/seed mixes, requirements to clean construction equipment prior to entering or leaving a construction area, covering truck loads carrying plant materials from the construction areas, inspection of borrow material, and control and removal of noxious weeds from the construction areas. These measures comply with the requirements of EO 13112 to combat the introduction and/or spread of invasive species. Please refer to the response to comment IP-6-97 for refinements made to Measures IS-1 to further clarify the types of invasive species that will not be used in the project landscaping/ revegetation.

IP-6-94

The 2007 update to the California Invasive Plant Council (Cal-IPC) Invasive Plant Inventory added five species that are invasive in the southwest region of California. Of these, two are rated "limited" (Japanese brome and common pokeweed) for potential ecological impact and three are rated "moderate" (silver wattle, annual false-brome, and yellow toadflax). Because none of these species were found in the BSA, they would not have been included in impacts analysis in Section 3.22, Invasive Species, in the Final EIR/EIS. Even if present, their presence would not have changed the conclusions or measures in Section 3.22 in the Final EIR/EIS because the conclusions and measures identified for the invasive species discussed in the Final

EIR/EIS would be applicable to other invasive species, such as those added in the 2007 updated inventory. As a result, no changes were made to Section 3.22 in response to this comment.

IP-6-95

The potential for increased fire frequency to cause type conversion and the spread of invasive species is discussed in Section 3.17, Natural Communities, on page 3.17-21 in the Final EIR/EIS. That sections notes: "Increased fire frequency may result in type conversion of native habitats and an increase in the number of exotic plant species." Similar language was added to Section 3.22.3.1, Permanent Impacts, on page 3.22-2 in the Final EIR/EIS, which now reads (changes shown in *italics*): "During the operation of the MCP facility, vehicles using the facility may also spread invasive species. These impacts would be minimal because areas adjacent to the facility will be landscaped with native species that should outcompete the invasive species. *Increased fire frequency from use of the MCP facility may result in type conversion of native habitats and spread of exotic species. Mitigation Measures provided in Section 3.5, Utilities/Emergency Services, combined with Mitigation Measures IS-1 through IS-6 provided below, will avoid or reduce the impact of fire and type conversion.*"

The second paragraph of Section 3.22.4, Avoidance, Minimization, and/or Mitigation Measures, on page 3.22-3 in the Final EIR/EIS was modified to read (changes shown in *italics*): "To avoid adverse impacts during operation of the facility, Measures *U&E-3 and U&ES-6*, provided in Section 3.5, Utilities/Emergency Services, will also be implemented to further prevent the spread of invasive species within the MCP facility right of way by *providing for access to the existing fire road grid and* complying with fuel modification requirements."

IP-6-96

Measure IS-5 on page 3.22-5 in Section 3.22.4, Avoidance, Minimization, and Mitigation Measures, in the Final EIR/EIS was refined to read as follows (changes shown in italics):

> "**IS-5 Inspected Material.** During all site preparation, disturbance, grading, and construction activities, the RCTC Resident Engineer will require the Construction Contractor *to* implement procedures to ensure that if material is obtained from a borrow site, the material is inspected for the presence of noxious weeds and invasive plants to ensure that material imported to the project site does not contain noxious weeds or invasive plants.

> *The Project Biologist will conduct a site visit to proposed borrow sites to document whether any species identified on the CAL-IPC list (current at the time borrow sites are proposed) are present at the borrow site. If CAL-IPC species are found within the borrow site, the top 6 inches of topsoil from the borrow site must be set aside and not used as borrow/fill material for the project.* The RCTC Resident Engineer will require the Construction Contractor to provide written documentation of the procedures *for conducting the site visits, documenting/verifying the presence/absence of CAL-IPC species, and documenting/verifying that the top 6 inches of topsoil are moved and not included in borrow material when CAL-IPC species are documented on the borrow site,* and the implementation of those procedures whenever borrow material *is proposed to be* brought to the project site."

By ensuring that no invasive species are contained within the borrow material for the MCP project; Measure IS-5 reduces impacts related to invasive plant species to below a level of significance under CEQA.

IP-6-97

Please refer to the response to comment IP-6-94, which discusses the mitigation measures included in the project to avoid the introduction and/or spread of invasive species. The second paragraph in Measure IS-1 on page 3.22-3 in the Final EIR/EIS was revised to read as follows (changes shown in italics): "...The RCTC Resident Engineer and the Construction Contractor will ensure that the invasive plant species listed in *Table 6-2 in* the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) *and in the most up-to-date Cal-IPC Invasive Plant Inventory* are not planted within the project limits." This will avoid a significant impact under CEQA by not planting these species as part of the MCP project.

IP-6-98

The potential risk of spreading invasive species is expressly acknowledged in the last sentence in the fifth paragraph in the subsection titled "Riparian/Riverine and Vernal Pools" on page 3.17-18 in Section 3.17, Natural Communities, in the Final EIR/EIS as follows "Increased fire frequency may result in type conversion of native habitats and an increase in the number of exotic plant species."

To explicitly address those potential impacts, the following was inserted as the last sentence in the last paragraph in the subsection titled "Build Alternatives" on page

3.22-2 in Section 3.22.3.1, Permanent Impacts, in the Final EIR/EIS: "Increased fire frequency from use of the MCP facility may result in type conversion of native habitats and spread of exotic species. Measures provided in Section 3.5, Utilities/Emergency Services, combined with Mitigation Measures IS-1 through IS-6 provided below, will avoid or reduce the impact of fire and type conversion related to invasive species as a result of the construction and operation of the MCP Build Alternatives."

The second paragraph in Section 3.22.4, Avoidance, Minimization, and/or Mitigation Measures, on page 3.22-3 in the Final EIR/EIS was revised to read: (changes shown in italics): "To avoid adverse impacts during operation of the facility, Measures *U&E-3 and U&ES-6*, provided in Section 3.5, Utilities/Emergency Services, will also be implemented to further prevent the spread of invasive species within the MCP facility right of way by *providing for access to the existing fire road grid and* complying with fuel modification requirements."

IP-6-99

The analysis in Section 3.22.3, Environmental Consequences, on page 3.22-2 in the Final EIR/EIS describes the range of potential impacts related to invasive species during site preparation, grading, and construction. The measures in Section 3.22.4, Avoidance, Minimization, and Mitigation Measures, starting on page 3.22-3, and Measures U&E-3 and U&ES-6, in Section 3.5, Utilities/Emergency Services, starting on page 3.5-1 in the Final EIR/EIS provide measures that mitigate the potential permanent and temporary impacts related to invasive species. Those measures focus on avoiding the introduction or spreading of invasive species in the project area during both construction and long-term operations.

Refer also to responses to comments IP-6-96, IP-6-97, and IP-6-98, above, for additional discussion regarding invasive species.

IP-6-100a

This comment provides a brief summary of the CBD/SBVAS/SC's comments on the adequacy of analysis of greenhouse gas (GHG) emissions. Please refer to the responses to comments IP-6-102 through IP-6-110 for the responses to the individual CBD/SBVAS/SC's comments regarding those concerns.

Please refer to Section 4.5.1.6, CEQA Conclusion, regarding the significance determinations of the impacts of the MCP Build Alternatives related to greenhouse gas emissions. The analysis supporting those determinations and the determinations themselves were documented in the "Recirculated Sections of Chapter 4.0 (III, Air Quality; VII, Greenhouse Gases; 4.5, Climate Change; and Table 4.10)" circulated for

public review in January 2014. The information in the "Recirculated Sections of Chapter 4.0 (III, Air Quality; VII, Greenhouse Gases; 4.5, Climate Change; and Table 4.10)" is included in those sections of this Final EIR/EIS. As discussed in Section VII, Greenhouse Gas Emissions, in Chapter 4, California Environmental Quality Act Evaluation, in the Final EIR/EIS, it was concluded that "...the proposed project would result in a significant unavoidable impact due to the generation of GHG emissions." It further concluded that "By adding emissions to the project area that would not be generated under the No Build Alternatives, the MCP project could delay the state's goal of reducing the GHG emissions to 1990 levels by 2020. Therefore, the proposed project would conflict with the emission reduction goals in Assembly Bill 32."

IP-6-100b

This comment provides a brief summary of the risks that global warming poses to California and the GHG emissions reduction targets that were established by Executive Order S-3-05. It does not provide any comments specific to the MCP project or the environmental document for the MCP project.

IP-6-100c

Please refer to the response to comment IP-6-100b, above.

IP-6-100d

This comment provides a brief summary of Senate Bill 97 and the Governor's Office of Planning and Research's guidelines for calculating, mitigating, and determining the significance of a project's GHG emissions. Please refer to the responses to comments IP-6-102 through IP-6-110, below, for a description

Please also refer to Section 4.5.1.6, CEQA Conclusion, regarding the significance determinations of the impacts of the MCP Build Alternatives related to GHG emissions. The analysis supporting those determinations and the determinations themselves were documented in the "Recirculated Sections of Chapter 4.0 (III, Air Quality; VII, Greenhouse Gases; 4.5, Climate Change; and Table 4.10)" circulated for public review in January 2014. The information in the "Recirculated Sections of Chapter 4.0 (III, Air Quality; VII, Greenhouse Gases; 4.5, Climate Change; and Table 4.10)" is included in those sections of this Final EIR/EIS.

IP-6-100e

This comment states that climate change is a cumulative effects problem. Please refer to the responses to comments IP-6-102 through IP-6-110, below, for a description of the GHG emissions calculations, mitigation measures, and the determination of the

significance of the GHG emissions impacts of the MCP Build Alternatives after mitigation.

IP-6-100f

This comment provides a summary of the California Air Pollution Control Officers Association (CAPCOA) *CEQA & Climate Change* white paper. Please refer to the responses to comments IP-6-102 through IP-6-110 for a description of the GHG emissions calculations, mitigation measures, and the determination of the significance of the GHG emissions impacts of the MCP Build Alternatives after mitigation.

IP-6-100g

This comment discusses the California Air Resources Board's interim significance thresholds for GHG emissions. The comment further states that a threshold trending towards zero is most appropriate because the residential, industrial, and commercial sectors, together with transportation, represent approximately 80 percent of the statewide GHG emissions. It does not provide any comments specific to the MCP project or the environmental document for the MCP project. Please refer to the responses to comments IP-6-102 through IP-6-110, below, for a description of the GHG emissions calculations, mitigation measures, and the determination of the significance of the GHG emissions impacts of the MCP Build Alternatives after mitigation.

IP-6-101

This comment provides a brief summary of the CBD/SBVAS/SC's comments on the lack of a significance determination of GHG impacts in the Recirculated Draft EIR/Supplemental Draft EIS. Please refer to the responses to comments IP-6-102 and IP-6-103 for responses to those specific comments on the GHG emission significance determination under CEQA.

IP-6-102

As described in the response to comment IP-6-100a, above, Section VII, Greenhouse Gas Emissions, in Chapter 4, California Environmental Quality Act Evaluation, in the Final EIR/EIS, it was concluded that the MCP project would result in a significant unavoidable impact due to the generation of GHG emissions. It was further concluded that the long-term increase in GHG emissions under the MCP Build Alternatives would conflict with the reduction goals of Executive Order S-3-05.

The comment references letters from the Office of the Attorney General requesting that four development projects quantify their GHG emissions and determine significance. Please note that the Attorney General's requests of certain specific projects do not establish a legal requirement under CEQA or any other law.

Please refer to Section 4.5.1.6, CEQA Conclusion on page 4-132, in the Final EIR/EIS regarding the significance determinations of the impacts of the MCP Build Alternatives related to greenhouse gas (GHG) emissions. The analysis supporting those determinations and the determinations themselves were documented in the "Recirculated Sections of Chapter 4.0 (III, Air Quality; VII, Greenhouse Gases; 4.5, Climate Change; and Table 4.10)" circulated for public review in January 2014. As discussed in Section VII, Greenhouse Gas Emissions, in Chapter 4 in the Final EIR/EIS, the construction and operation of the MCP project would result in significant effects related to GHG emissions if it generates GHG emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHG. Based on those thresholds, Section VII concluded that the MCP project would result in a significant unavoidable impact due to the generation of GHG emissions and that the long-term increase in GHG emissions under the MCP Build Alternatives would conflict with the reduction goals of Executive Order S-3-05.The information in the "Recirculated Sections of Chapter 4.0 (III, Air Quality; VII, Greenhouse Gases; 4.5, Climate Change; and Table 4.10)" is included in those sections of this Final EIR/EIS. Those analyses conclude that, even with mitigation, the MCP Build Alternatives would result in significant unavoidable adverse impacts related to GHG emissions. Accordingly, RCTC has reached a significance conclusion regarding GHG impacts, as requested in this comment.

IP-6-103

Please refer to the response to comment IP-6-102, above, which discusses the revised climate change analysis under CEQA and the conclusion that, even with mitigation, the MCP Build Alternatives would result in significant unavoidable adverse impacts related to GHG emissions. The following text responds to the comments regarding thresholds for GHG emissions; please note that the information below is provided in response to those comments, but that the analysis in Section 4.5.1.6 in the Final EIR/EIS (refer to response to comment IP-6-102, above) used a specific threshold for the GHG emissions associated with the MCP Build Alternatives as described in the response to comment IP-6-102, above. This comment references GHG emission thresholds that were established by the Bay Area Air Quality Management District (BAAQMD). These thresholds were ordered set aside by an Alameda Superior Court Judge in 2012. BAAQMD "…no longer recommend[s] that these Thresholds be used as a general measure of project's significant air quality impacts." (http://www.baaqmd.gov/Divisions/Planning-and-Research/CEQA-

GUIDELINES/Updated-CEQA-Guidelines.aspx). Therefore, those thresholds were not used for the proposed MCP project.

This comment letter also addresses GHG emission thresholds that were established by the South Coast Air Quality Management District (SCAQMD 2011) and California Air Resources Board (*Preliminary Draft Staff Proposal- Recommended Approaches for Setting Interim Significance Thresholds for Greenhouse Gases under the California Environmental Quality Act*, 2008). These thresholds are intended to be used for commercial, residential, and industrial facilities and not for highways. Therefore, these thresholds were not used for the proposed MCP project.

The operational GHG emissions for the No Build Alternatives and the Build Alternatives were quantified using the EMFAC2007 emission model. The operational GHG emissions are listed in Tables 3.14.T through 3.14.V in Section 3.14.3.1, Permanent Impacts, starting on page 3.14-12 in the Final EIR/EIS. In addition, Section 4.5.2.2, on page 4-109 of the Recirculated Draft EIR/Supplemental Draft EIS, stated the following:

> "The existing conditions plus MCP project alternatives would result in a 5 percent reduction in CO_2 emissions within the region when compared to the existing conditions. However, as discussed above, the MCP project would result in a small increase (less than 1 percent) in CO_2 emissions within the region in 2020 and 2040 when compared to the 2020 and 2040 without project conditions."

In the "Recirculated Sections of Chapter 4.0 (III: Air Quality; VII: Greenhouse Gases; 4.5, Climate Change; and Table 4.10)", RCTC determined that "By adding emissions to the project area that would not be generated under the no-build conditions, the proposed build alternatives could delay the State's goal of reducing the GHG emissions to 1990 levels by 2020. Therefore, the proposed project would conflict with the emission reduction goals in AB 32."

The construction GHG emissions were calculated using the Sacramento Metropolitan Air Quality Management District's (SMAQMD) Road Construction Emission Model. That model is recommended by Caltrans and the South Coast Air Quality Management District (SCAQMD) for calculating short-term construction emissions from road projects.[1] The construction of the MCP preferred alternative (Alternative 9 Modified with the SJRB DV) would generate up to 17,910 metric tons of CO_2.

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[1] www.aqmd-gov/ceqa/models.html.

To provide clarification on the conclusions regarding construction GHG emissions, Section 4.5.1.4, Construction Emissions, beginning on page 4-130 in the Final EIR/EIS, was revised using the following information from the "Recirculated Sections of Chapter 4.0 (III: Air Quality; VII: Greenhouse Gases; 4.5, Climate Change; and Table 4.10)":

"4.5.1.4 Construction Emissions

Greenhouse gas emissions for transportation projects can be divided into those produced during construction and those produced during operations. Construction GHG emissions include emissions produced as a result of material processing, emissions produced by on-site construction equipment, and emissions arising from traffic delays due to construction. These emissions will be provided at different levels throughout the construction phase; their frequency and occurrence can be reduced through innovations in plans and specifications and by implementing better traffic management during construction phases. The maximum amounts of construction-related emissions during a peak construction day for the MCP project are presented in Table 4.5.B. The emissions presented below are based on the best information available at the time of these calculations and assume that the schedule for all improvements is anticipated to take approximately 48 months, beginning in 2016 and ending in 2020. The construction emissions were estimated for the project using the Sacramento Metropolitan Air Quality Management District's (SMAQMD's) Road Construction Emissions Model, Version 7.1.4, a model approved for use within the South Coast Air Basin by the SCAQMD. The project schedule and disturbed area would be similar for all the Build Alternatives; therefore, the emissions listed in Table 4.5.B would apply to Alternatives 4 Modified, 5 Modified, and 9 Modified.

Table 4.5.B Maximum Project Construction Greenhouse Gas Emissions

Project Phases	CO_2 (lbs/day)
Grubbing/Land Clearing (lbs/day)	18,741.0
Grading/Excavation (lbs/day)	48,844.7
Drainage/Utilities/Sub-Grade (lbs/day)	19,564.1
Paving (lbs/day)	12,330.7
Haul Trucks	15,621.7
Maximum (lbs/day)	64,466.4
Total (metric tons/construction project)	20,251.0

Source: LSA Associates, Inc. (November 2014).
CO_2 = carbon dioxide
lbs/day = pounds per day

> The construction emissions listed in Table 4.5.B include emissions generated by material deliveries, worker trips, soil import and export, water trucks, generators, pumps, signal boards, and off-road equipment such as graders, scrapers, and loaders."

IP-6-104

Please refer to the responses to comments IP-6-102 and IP-6-103 for discussion of where the operational and construction GHG emissions are discussed in the Final EIR/EIS and the *Air Quality Analysis*. Following Caltrans' guidance, the construction GHG emissions were calculated using the SMAQMD Road Construction Emission Model. That model calculates the construction emissions associated with the construction vehicles and machinery, the transport of building materials and water, and haul truck and employee trips. The summary of the model and the model inputs (included in Attachment A of the Recirculated Sections of Chapter 4 of the Draft EIR) lists the haul truck trips, equipment, water trucks, soil disturbance, and employee trips associated with construction of the MCP project. Emissions associated with outsourced activities or contractors would be accounted for in these calculations. Therefore, the construction emission analysis meets the requirements of California Office of Planning and Research's *Technical Advisory, CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act Review* (June 17, 2008).

In its *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act*, the California Air Pollution Control Officers Association (CAPCOA, 2008) stated that the information needed to characterize GHG emissions from manufacture, transport, and end-of-life of construction materials would be speculative at the CEQA analysis level. Therefore, the analysis for the MCP project did not assess lifecycle GHG emissions.

Please also refer to the response to comment Int-1-26, in Appendix V of this Final EIR/EIS, which provides additional discussion on why the calculation of life-cycle emissions would be speculative.

Section 3.16.3.2, on page 3.16-4 in the Final EIR/EIS, was revised to read as follows:

> (Changes shown in *italics*): "*Lighting will be provided at the system and service interchanges, at exit and entrance ramps, and at island noses. However, there will be no lighting on the mainline MCP*

> *facility. As a result, for* this type of project, it is assumed that the energy consumption by vehicles is much larger than the incremental change in electrical energy consumption for any additional lighting (i.e., roadway lighting), which is expected to be minimal. Therefore, energy used from lighting would not have an impact on the environment."

As a result, therefore, the electricity consumption and other energy demands, including water consumption, of the MCP project would have no impact on the long-term GHG analysis. However, as described in the 2014 recirculated GHG emissions analysis, the GHG impacts of the MCP project as a whole would be significant and unavoidable under CEQA.

According to the Center for Climate and Energy Solutions,[1] the incomplete combustion of fossil fuels, primarily from diesel vehicles, is the only transportation-related source of black carbon. As shown in Tables 3.14.T through 3.14.V, starting on page 3.14-36 in the Final EIR/EIS in Section 3.14.3.1, Permanent Impacts, the MCP project would reduce the emissions of diesel particulates in the project area under the Existing (2008) conditions (greater than 5 percent). In 2020 and 2040, when compared to the no build conditions, the Build Alternatives would result in a small increase in diesel particulates (less than 0.5 percent). As shown in Table 7 of *A technology-based global inventory of black and organic carbon emissions from combustion* (Bond T. et al, 2004), the emissions of black carbon from on-road vehicles is a specific fraction of diesel particulate matter that is independent of the vehicle speed. Therefore, the percentage change in black carbon due to the proposed project would be the same as the change in diesel particulates (less than 0.5 percent).

The air quality analysis for the MCP project was prepared using Caltrans-adopted protocols and guidance (Caltrans SER, EIR/EIS Annotated Outline, October 1, 2012).

The last paragraph in Section 5.2.2, Alternative Fuels and Equipment, on page 42 in the Caltrans Activities to Address Climate Change – Reducing Greenhouse Gas Emissions and Adapting to Impacts (Caltrans, April 2013) states:

> "Reducing black carbon particle emissions is also thought to help curb climate change effects, although there is uncertainty about the magnitude of these benefits."

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[1] Center for Climate and Energy Solutions. Website: http://www.c2es.org/docUploads/what-is-black-carbon.pdf (accessed April 26, 2013).

State and national GHG inventories do not yet include black carbon due to ongoing work resolving the precise global warming potential of black carbon. Guidance for CEQA documents does not yet include black carbon. In addition, the SCAQMD has not established any significance thresholds for black carbon. Therefore, it would be speculative to determine the potential significance or health impacts of the short- and long-term black carbon emissions of the MCP Build Alternatives. The potential short-term (construction) and long-term health risks associated with diesel particulates are summarized in Tables 4.111.G and 4.111.H in the Final EIR/EIS.

IP-6-105

Please refer to the response to comment IP-6-104, above, for discussion regarding black carbon. The health effects of the construction and operational diesel emissions are discussed in Section III.b (on page 4-14) and summarized in Tables 4.III.G (page 4-24) and 4.III.H (page 4-25) in Chapter 4 in the Final EIR/EIS.

IP-6-106

Please refer to the response to comment IP-6-104 for discussion regarding black carbon and why diesel particulate matter is an appropriate surrogate for the analysis of black carbon.

While this comment is correct in stating there are technologies available to reduce black carbon (*Controlling Particulate Emissions from Diesel Vehicles*, Walker 2004), RCTC does not have the authority to require that on-road vehicles implement those technologies. The California Air Resources Board (ARB) is the only state agency that has the authority to implement new on-road exhaust standards/control measures and the United States Environmental Protection Agency is the only federal agency with similar authority. As a result, measures regarding new on-road exhaust standards and/or control measures would be infeasible for RCTC to implement.

IP-6-107

Please refer to the response to comment IP-6-104, above, for discussion regarding black carbon and why the analysis that was conducted is sufficient to disclose potential black carbon emissions. Therefore, the methodology proposed in this comment was not used.

IP-6-108

Please refer to the responses to comments IP-6-103 and IP-6-104, above, for where operational and construction GHG emissions are discussed in the Final EIR/EIS. According to page 135 of the Caltrans EIR/EIS Annotated Outline August 2013 (this is the guidance used by FHWA and Caltrans for addressing NEPA on projects requiring federal approval in California), the construction emissions include material

processing and handling (concrete/asphalt mixing, aggregate handling, etc.), on-site equipment exhaust, and traffic delays. Those emissions include emissions generated by workers commuting to and from the project site and vehicles transporting soil and building materials. Lifecycle emissions associated with the manufacture of the building materials are the responsibility of the manufacturer (e.g., the cement plants and metal refineries). The construction emissions include the use of trucks to transport water to the project site. However, lifecycle emissions associated with the treatment and transport of water throughout the state are the responsibility of the water utility.

As discussed in FHWA's *Handbook for Estimating Greenhouse Gases for Integration into the Planning Process* published in 2014 (http://www.fhwa.dot.gov/environment/climate_change/mitigation/publications_and_tools/ghg_handbook/chapter08.cfm#sec8.1), neither lifecycle emissions nor construction and maintenance emissions have comprehensive, agreed-upon methodologies that are widely accepted for use in transportation planning. In addition, the construction contractor, manufacturers, and source of building materials are currently unknown. Therefore, absent standard methodologies for analysis, it would be speculative to attempt to estimate the lifecycle emissions associated with the MCP project. However, as stated in Section 4.5.1.6, CEQA Conclusion, of the Final EIR/EIS, if available, local materials will be used for project construction and demolished construction materials will be reused/recycled.

Please refer to the response to comment IP-6-104, above, for discussion regarding black carbon. Similar to on-road emission, the primary source of black carbon from construction equipment is the incomplete combination of fossil finds, primarily from diesel vehicles. State and national GHG inventories do not yet include black carbon due to ongoing work resolving the precise global warming potential of black carbon. Guidance for CEQA documents does not yet include black carbon. In addition, the SCAQMD has not established any significance thresholds for black carbon. Therefore, it would be speculative to determine the potential significance of the short- and long-term black carbon emissions of the MCP Build Alternatives.

IP-6-109

This comment raises concerns regarding the quantification of contributors to GHG impacts similar to comment IP-6-103 and concerns on the lack of a lifecycle emission analysis similar to comment IP-6-108. While concrete production may account for 3 percent of California's GHG emissions (*Reducing Greenhouse Gas Emissions through Product Life Cycle Optimization, Ernest Orlando Lawrence Berkeley*

National Laboratory, Environmental Energy Technologies Division, Masanet et al., 2005) and the transport of water throughout the state is very energy intensive (*California's Water – Energy Relationship,* California Energy Commission 2005), lifecycle emissions associated with the manufacture of the building materials were not included in the construction emissions because in its *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act*, the California Air Pollution Control Officers Association (CAPCOA, 2008) stated that the information needed to characterize GHG emissions from manufacture, transport, and end-of-life of construction materials would be speculative at the CEQA analysis level. Therefore, the analysis for the MCP project did not assess lifecycle GHG emissions. Please refer to the response to comment Int-1-26, in Appendix V of this Final EIR/EIS, and the responses to comments IP-6-103, IP-6-104, and IP-6-108, above, regarding these concerns.

Please refer to the response to comment IP-6-102, above, which discusses the revised climate change analysis under CEQA and the conclusion that, even with mitigation, the MCP Build Alternatives would result in significant unavoidable adverse impacts related to GHG emissions. The following text responds to the comments regarding thresholds for GHG emissions; please note that the information below is provided in response to those comments, but that the analysis in Section 4.5.1.6 in the Final EIR/EIS (refer to response to comment IP-6-102, above) assumes a specific threshold for the GHG emission associated with the MCP Build Alternatives.

Please also refer to the response to comment IP-6-104, above, for a description of what was included in the construction emissions calculations. The construction model summary, included in Attachment A in the "Recirculated Sections of Chapter 4," lists the haul truck trips, construction equipment, water trucks, soil disturbance, and employee trips associated with each phase of the construction of the MCP project.

Greenhouse gas emissions from water transport needed for project construction were included in the analysis. Please see the reference to "water trucks" under Section 4.5.2.1, Construction Emissions, in the Final EIR/EIS.

IP-6-110

The comment states that the Recirculated Draft EIR/Supplemental Draft EIS did not analyze and adopt all feasible mitigation measures to reduce cumulatively significant GHG emissions. Please refer to the response to comment IP-6-102, above, for a description of the CEQA thresholds of significance RCTC used the GHG analysis and a summary of the short-term construction and long-term operational GHG emissions of the MCP Build Alternatives.

The California Attorney General's Office published mitigation measures in *Addressing Climate Change at the Project Level* (January 1, 2010). In addition, Appendix B of the CAPCOA White Paper on CEQA and Climate Change (2008) *Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act,* that is referenced in this comment includes mitigation measures designed to reduce a project's GHG impacts. However, the majority of these measures are designed for residential and commercial developments and are, therefore, not applicable to a highway construction project. The comment does not identify any specific measures that the commenter believes should be incorporated in the project. However, the following measures, designed to reduce construction activities could be applied to the proposed project:

MM C-3 Local Building Materials – Use locally made building materials for construction of the project and associated infrastructure.

MM C-4 Recycle Demolished Construction Material – Recycle/reuse demolished construction material.

Section 4.5.1.6, CEQA Conclusion, beginning on page 4-132 in the Final EIR/EIS, was revised to include the following two measures:

- If available for purchase within Riverside County, locally made building materials will be used for construction of the project and associated infrastructure.
- Demolished and waste construction materials will be reused/recycled to the extent possible prior to consideration of disposal of those materials in approved landfills.

These measures will be enforced through their inclusion in the Plans, Specifications, and Estimates for the MCP project that will be used to solicit bids from prospective construction contractors.

These measures, when added to Measures AQ-2 and AQ-3 described in Section 3.14.4 in the Final EIR/EIS, would reduce the GHG emissions generated by the on-site construction equipment. However, as shown in Table 4.5.C in the Final EIR/EIS, 98 to 99 percent of the emissions of the Build Alternatives would be generated by operational emissions from on-road vehicles. Therefore, these mitigation measures would not measurably reduce the emissions listed in Table 4.5.C. As a result, the MCP Build Alternatives would result in a significant unavoidable adverse impact under CEQA related to the generation of GHG emissions after mitigation.

Please note that the enforcement mechanism for ensuring that the avoidance, minimization, and mitigation measures incorporated in the MCP project as documented in Chapter 3, Affected Environment, Environmental Consequences, and

Avoidance, Minimization, and Mitigation Measures, in the Final EIR/EIS, are properly implemented in the Environmental Commitments Record (ECR) provided in Appendix F in this Final EIR/EIS. The ECR will provide RCTC a mechanism to ensure that the Project Engineers and Construction Contractors are aware of the specific requirements of each measure, the party responsible for implementing each measure, and the timing of the implementation of each measure. The ECR will include specific documentation confirming the implementation of each measure. The ECR serves the same function as a Mitigation Monitoring and Reporting Plan (MMRP) under CEQA.

The comment states that "...the project takes credit for significant reductions through the presumed effectiveness of future statewide measures and on state regulatory action." All the State's approved emissions controls are incorporated into the EMFAC model as part of all future model year emissions calculations. The same emissions controls were included in analyses of the No Build and the Build Alternatives. As a result, the MCP project did not inappropriately "take credit" for any State measures or regulatory actions.

IP-6-111

The comment asserts that the data used in the air quality analysis is out of date without specifying the data in question. The data presented in the Recirculated Draft EIR/Supplemental Draft EIS to analyze air quality impacts is based on the *Air Quality Study* that was completed in 2012, less than 1 year before the circulation of that environmental document. The traffic data that was the primary source of information for the air quality calculations was updated by VRPA in April 2011 for the Modified MCP Build Alternatives. The *Air Quality Study* includes a number of appendices with supporting calculations and other data; therefore, the conclusions in the study which were then incorporated into the Recirculated Draft EIR/Supplemental Draft EIS are not "inadequately substantiated" as this comment asserts.

Please refer to the response to comment IP-6-2 for a detailed discussion regarding the history of planning and environmental studies for a broad range of transportation improvements in a large geographic area described as western Riverside County. That process resulted in the identification of the need for a west-east freeway, referred to as the MCP project, in western Riverside County. The comment requests that the following measures be considered to reduce the regional vehicle miles traveled (VMT) and vehicle hours traveled (VHT):

- **HOV Lanes:** High occupancy vehicle (HOV) lanes can reduce VMT in corridors with very high traffic volumes and high levels of congestion in the general purpose travel lanes, such as the segment of State Route 91 (SR-91) from approximately State Route 55 (SR-55) in Orange County to I-15 in Riverside County. There is no comparable high traffic volume, congested, east-west corridor in western Riverside County where HOV lanes would be an appropriate measure to reduce air quality impacts. While the MCP facility could be constructed with only HOV lanes (and no general purpose lanes), that type of facility would likely not effectively serve the east-west demand in this part of western Riverside County. Adding HOV lanes to an existing facility such as Ramona Expressway could serve some of the identified east-west demand, but like an HOV lane-only facility, would not effectively serve the majority of the east-west demand in this part of western Riverside County.
- **Park-and-Ride Facilities:** Park-and-ride facilities are very effective in supporting shared ride travel modes (carpools, vanpools, local and express bus, commuter rail) but because they are dependent on the availability of shared ride modes, they do not themselves result in substantial changes in VMT or levels of congestion. Park-and-ride facilities are provided throughout Riverside County by the RCTC. There are two existing park-and-ride facilities in this part of western Riverside County:
    - In Perris near Redlands Avenue/I-215, approximately 4.5 miles south of the western terminus of the MCP Build Alternatives.
    - In San Jacinto near 1st Street/SR-79, approximately 3.5 miles southeast of the eastern terminus of the MCP Build Alternatives.

  Existing shared ride modes in the Perris and San Jacinto areas are local and commuter bus and Dial-a-Ride services offered by the Riverside Transit Agency (RTA), regional commuter rail service offered by RCTC, Amtrak rail service, and carpool and vanpool commuter assistance programs offered by RCTC (http://www.RCTA.org and http://www.riversidetransit.com, sites accessed August 14, 2013). Additional park-and-ride facilities in this part of Riverside County would typically be provided based on the routes of local and commuter bus services, the locations of commuter rail stations, and in the vicinity of major freeway interchanges. As a result, providing park-and-rides as an alternative to the MCP facility would not effectively serve the majority of the east-west demand in this part of western Riverside County.

- **Improvements to Public Transportation Infrastructure:** Please refer to the response to comment IP-6-13 for discussion of why transit services and the Transit Oasis concept would not meet the regional travel demand served by the MCP project and, therefore, would not be reasonable alternatives to the MCP project. Please refer to the response to comment IP-6-5, which discusses the planned Perris Valley Line, the Downtown Perris Station, and the South Perris Station, and why those improvements would not effectively serve the east-west demand in western Riverside County.

Ozone (O_3) is not a directly emitted pollutant from project sources; it is formed in the atmosphere through chemical reactions of reactive organic gases (ROG) and nitrogen oxides (NO_X) in the presence of sunlight. It is not possible to calculate ozone emissions; because O_3 is formed from ROG and NO_X, effects related to ROG and NO_X are used to assess the potential for ozone effects. Therefore, the potential O_3 impact of a project is evaluated by calculating its ROG and NO_X emissions. ROG and NO_X emissions were calculated for the No Build and Build Alternatives. The operational emissions are listed in Tables 3.14.T through 3.14.V in Section 3.14.3.1, Permanent Impacts, starting on page 3.14-36 in the Final EIR/EIS. The construction emissions were calculated using the SMAQMD Road Construction Emission Model. The construction emissions are included in Section 4.5.2.1, Construction Emissions, in this Final EIR/EIS. The change in the ROG and NO_X emissions would exceed the SCAQMD significance thresholds under CEQA. As discussed above, ROG and NO_X are precursors to O_3. Therefore, although the SCAQMD has not set a CEQA significance threshold for O_3, the MCP Build Alternatives could result in a significant O_3 impact under CEQA. The effects discussed in this response to comment IP-6-111 are the same effects that are reported in Chapter 4 in the EIR/EIS; they are not new significant impacts.

Please also refer to the response to comment IP-6-103 for additional discussion regarding construction emissions.

IP-6-112

The carbon monoxide (CO) analysis for the MCP Build Alternatives was prepared following the Caltrans Transportation Project-Level Carbon Monoxide Protocol (CO Protocol, University of California, Davis, December 1997). One aspect of that analysis involved comparing traffic conditions at the intersections in the project area to the intersections that were evaluated as part of the *CO Attainment Plan* (SCAQMD, 1997). Based on the CO Protocol, if the traffic conditions in the project area with the project are the same or better than those evaluated as part of the *CO*

Attainment Plan, the CO Protocol indicates that the CO concentrations in the project area would not exceed the federal or state standards.

For clarification, the fourth and fifth bullet points in the discussion of Level 7 on page 3.14-15, in Section 3.14.3.1, Permanent Impacts, in the Final EIR/EIS were revised to read as follows:

- Because the intersection traffic volumes are lower for the MCP project than for the intersections in the attainment plan, the percentages of vehicles operating in cold start mode are the same or lower for the intersections under study compared to those used for the intersections in the attainment plan.
- The project intersections are located in a primarily residential area. As a result, the percentage of heavy-duty gas trucks utilizing the project intersections is not anticipated to be higher than the percentages used for the intersections in the attainment plan analysis because those intersections are from highly urbanized areas in Los Angeles County such as Century City.

IP-6-113

The comment states that the Recirculated Draft EIR/Supplemental Draft EIS relied on the project's inclusion in the FTIP and RTP to support its claim of regional air quality conformity. Please refer to the CO hot-spot analysis beginning on page 3.14-13 and the particulate matter (PM) hot-spot analysis beginning on page 3.14-19 in Section 3.14.3.1, Permanent Impacts, in the Final EIR/EIS for a description of how the MCP project would not contribute to a CO, particulate matter less than 2.5 microns in size ($PM_{2.5}$), or particulate matter less than 10 microns in size (PM_{10}) hot-spot. These hot-spot analyses, along with the proposed project's inclusion in the FTIP and RTP, demonstrate that the MCP project meets the federal Transportation Conformity requirements.

The comment also states that the air quality analysis failed to analyze other significance thresholds, such as exposure to sensitive receptors, violations of the 1-hour or 8-hour thresholds, and contributions to cumulatively significant impacts. Section 3.25.3, on page 3.25-13 of the Recirculated Draft EIR/Supplemental Draft EIS, stated the following:

> "The analysis of air quality provided in Section 3.14 of this EIR/EIS is a cumulative analysis in that it considers the emissions of traffic generated by future planned land uses and the effects of other future planned transportation improvements. As discussed in Section 3.14, the Build Alternatives would help to improve traffic flow and reduce congestion on road links in the project vicinity. The MCP project

> would not contribute to cumulative air quality impacts because it would not violate any air quality standard, would not contribute substantially to an existing or projected air quality violation for carbon monoxide (CO), particulate matter less than 2.5 microns in size ($PM_{2.5}$), or particulate matter less than 10 microns in size (PM_{10}), would not result in an adverse impact related to Mobile Source Air Toxics (MSATs) or air toxics, and would not expose sensitive receptors to substantial pollutant concentrations."

This comment notes that the *Air Quality Analysis* was not provided as an attachment to the EIR/EIS but that it was provided on the RCTC website when requested. Hard copies of the technical reports were available for review at the Riverside County Transportation Commission and the California Department of Transportation offices, and at the Moreno Valley, Perris, and San Jacinto Public Libraries during the public review period for the Recirculated Draft EIR/Supplemental Draft EIS starting on January 25, 2013. In addition, at the request of a commenter on February 21, 2013, the technical studies were made available via the RCTC website on February 22, 2013. In addition, as with any public document, RCTC can provide copies to requesting parties upon receipt of a formal request pursuant to the California Public Records Act.

A number of the comments in this letter, including in this part of the letter (e.g., the statement of "scientific accuracy and quality of information is inadequate"), state conclusions or challenges to the information in the Recirculated Draft EIR/ Supplemental Draft EIS without explanations or substantial evidence supporting those statements. Responses to those comments were provided but it should be noted that Section 15204 of the CEQA Guidelines describes how reviews of environmental documents should be conducted and focused. Section 15204(c) specifically states that "Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence." As a result, it should be noted that assertions in this comment letter that specific effects of the MCP project are significant under CEQA do not always include sufficient information to support those assertions as required in Section 15204(c) in the CEQA Guidelines.

IP-6-114

The comment is correct; the 2003 AQMP did replace the 1997 CO Attainment Demonstration, and the SCAQMD did submit a Carbon Monoxide Redesignation Request and Maintenance Plan in 2005. However, those later plans did not include modeling of the CO concentration at the worst-case intersections in the South Coast Air Basin (SCAB). The 1997 Attainment Demonstration included detailed CO hot-spot modeling of the four intersections within the SCAB. This modeling included the level-of-service, vehicle speed, turning movements, and total intersection volumes. This data is required to complete the qualitative CO hot-spot analysis outlined in the Caltrans Transportation Project-Level Carbon Monoxide Protocol (University of California, Davis, December 1997). Therefore, the 1997 CO Attainment Demonstration is the only source of data required by the Caltrans CO Protocol and is the most recent such modeling prepared by the SCAQMD.

The CO analysis for the MCP project was conducted in accordance with the Local Analysis flowchart included in Chapter 4.0 of the CO Protocol. That analysis included a comparison of the traffic, meteorology, and geometry of the intersections in the project area to the four intersections evaluated in the 1997 CO Attainment Demonstration. Based on that analysis, it was determined that the CO concentrations in the project area would be lower than the concentrations near the intersections in the attainment demonstration. Therefore, as stated in Section 4.7.2 of the CO Protocol there is "…no reason to expect higher concentrations at the location under study." Therefore, detailed CO hot spot modeling was not required.

The technical studies cited in this comment as not being "readily available" were, in fact, available at the offices of RCTC and Caltrans District 8, as well as public libraries in the MCP study area throughout the entire public review period beginning on January 25, 2013.

IP-6-115

Please refer to the PM hot-spot analysis beginning on page 3.14-19 in Section 3.14.3.1, Permanent Impacts, in the Final EIR/EIS for a description of how the MCP project would not contribute to a $PM_{2.5}$ or PM_{10} hot-spot. As shown in Tables 3.14.I and 3.14.J in Section 3.14.3.1, when the existing plus project conditions are compared to the existing baseline all the Build Alternatives show a 5 to 6 percent reduction in PM emissions. The increase in future 2020 and 2040 PM emissions, due to regional growth and the proposed project, are more than offset by the reduction in $PM_{2.5}$ and PM_{10} concentrations projected in Tables V-2-16 and V-3-1 in the SCAQMD 2007 *Air Quality Management Plan*. Therefore, it was concluded that the proposed MCP

project would not result in a new exceedance or delay attainment of the PM standards. The PM hot-spot analysis underwent interagency review and consultation with FHWA, EPA, and Caltrans. All three agencies determined that the analysis was adequate and that the Build Alternatives would not contribute to a PM hot-spot (source: SCAG Transportation Conformity Working Group, June 28, 2011, Minutes). The PM hot-spot analysis compares the particulate matter emissions to the existing, opening year (2020), and build-out year (2040) conditions. Therefore, the analysis does not depend on an inflated baseline to mask the impact of the proposed project.

Regarding long-term operational (non-hot spot) emissions, as shown in Tables 4.III.D and 4.III.E in the Recirculated Sections of Chapter 4.0, when the project trips are added to the 2020 and 2040 No Build conditions, the regional emissions increase for all the criteria pollutants, including PM_{10}. The change in PM_{10} emissions would exceed the SCAQMD's CEQA significance thresholds.

The last sentence of this comment questions the use of average daily truck values from the *Traffic Technical Report* to support the air quality analysis. The validity of the *Traffic Technical Report* is discussed in detail in responses to other comments; this comment focuses on two specific issues as discussed in the following paragraphs.

The project description specifically states that one of the purposes of the project is to accommodate Surface Transportation Assistance Act (STAA) National Network trucks. STAA trucks are large trucks that are generally permitted on the federal interstate system and the non-Interstate Federal-aid Primary System (page 1-13 in the Final EIR/EIS). Because the MCP will meet the design standards of these types of facilities, it will be able to accommodate STAA trucks. The presence of STAA trucks was incorporated into the traffic analysis through numerical calculations that describe the expected operating characteristics of road facilities and reflect the mixture of trucks within the traffic stream. While STAA trucks are slightly larger than the largest trucks allowed on conventional roads, their traffic and air quality characteristics are not notably different than those typical large trucks.

This comment further asserts that there is "…inadequate assessment of impacts of the STAA requirement in the MCP project purpose." The Riverside Traffic Analysis Model (RIVTAM) model estimates truck volumes on any given highway segment based on the population and employment characteristics associated with the land use forecasts described above. The STAA requirement in the MCP project purpose statement would provide for a project design that would accommodate the forecasted truck travel demand in the MCP study area; STAA compatible design would not

generate new truck traffic (i.e., the truck demand is driven by the surrounding land use types, not the design of a highway).

The Recirculated Draft EIR/Supplemental Draft EIS did not analyze the direct impacts of the World Logistics Center project because that project would be subject to its own environmental analysis. The traffic impact analysis for the MCP project included assumptions of future development in the eastern part of the City of Moreno Valley, based on the land use assumptions and designations in the adopted City General Plan Land Use Element applicable at the time the modeling inputs were developed. If the City were to approve General Plan Land Use Element amendments to change development densities or land use types in that part of the City, those amendments could result in changes in cumulative traffic conditions. However, it would have been speculative at the time the traffic model inputs were developed for the MCP project to make assumptions for land use densities and types in that area which were not consistent with the adopted General Plan. As described below, certain refinements were made during the development of the model inputs to reflect, in part, land use changes in the local areas (such as for the World Logistics Center) while maintaining control totals for the local subareas in the model areas. A brief description of additional detail regarding the transportation model and the development of traffic forecasts is provided below.

The truck average daily traffic (ADT) volumes in the air quality analysis were obtained from the *Traffic Technical Report* (February 2012). The ADT volumes were developed by applying regionally accepted post-processing methodologies to traffic volumes obtained from the RIVTAM. RIVTAM is a version of the SCAG regional transportation model refined for more detailed analysis in Riverside County. The *Traffic Technical Report* provides a detailed description of the methodology used to determine the 2020 and 2040 with and without traffic forecasts. Pages 2-5 and 2-6 in the *Traffic Technical Report* describe the methodology used for the 2020 traffic forecasts, and page 4-1 in that report describes the methodology used for the 2040 traffic forecasts. In summary, the traffic forecasts for 2020 and 2040 were based on the SCAG regional transportation model, which incorporates land use forecasts from the adopted Riverside County and other local jurisdictions in western Riverside County General Plans. Additional refinements were made to the land use based on discussions with local jurisdictions, but control totals were maintained for local subareas in Riverside County, based on guidance from SCAG. The refinements included the proposed World Logistics Center within the model socio-economic dataset. These refinements and other information regarding the development of the

traffic model forecasts are described in detail in Chapter 4, Future Traffic Forecasts, in the *Traffic Technical Report* (2012).

IP-6-116

The project technical studies listed in Appendix H, List of Technical Studies, including the cited *Air Quality Study* (LSA Associates, Inc. 2012), were made publicly available at RCTC, Caltrans, and the Moreno Valley, Perris, and San Jacinto Public Libraries as indicated in the Notice of Availability provided to this commenter with the compact disc containing the Recirculated Draft EIR/Supplemental Draft EIS on January 25, 2013 (the beginning of the public review period). This commenter requested copies of all the technical studies on February 22, 2013. The technical studies listed in Appendix H were uploaded to the RCTC MCP Project website on February 22, 2013. The supplemental traffic data noted earlier in the response to this comment were included in the *Air Quality Study*. As a result, these studies were made available to the public for review at all times during the public review period.

Please note that the LSA 2011 reference questioned in this comment represents the dates of when the air quality emissions were calculated using the 2011 traffic data for the Modified MCP Build Alternatives and that there was no air quality analysis report prepared in 2011.

IP-6-117

The comment questions the source of the traffic data and emission calculations used in Section 3.14, Air Quality, in the Recirculated Draft EIR/Supplemental Draft EIS. Appendix D in the *Mid County Parkway Air Quality Analysis* (March 2012) includes the supplemental traffic data provided by Iteris along with the regional air quality emission calculations. The date of the Iteris traffic data was erroneously listed in the third paragraph in the subsection titled "Regional Emissions" on page 3.14-36 as May 2012 instead of December 2010 and was corrected to read "December 2010" in the Final EIR/EIS. The LSA May 2011 and LSA 2011 references included in the *Mid County Parkway Air Quality Analysis* represent the dates of when the emissions were calculated, and this information was included in the *Air Quality Study* (LSA Associates, Inc. 2012) that was made available to the public at the start of the public review period on January 25, 2013.

Appendix D in the *Mid County Parkway Air Quality Analysis* (March 2012) includes the supplemental traffic data provided by Iteris along with the regional air quality emission calculations. As discussed in the response to comment IP-6-116, this information was "...reasonably available for inspection by potentially interested parties within the time allowed for comment."

Section 3.14, Air Quality, in the Recirculated Draft EIR/Supplemental Draft EIS referenced three documents: the *Air Quality Analysis*, the *Traffic Analysis*, and the *Supplemental Traffic Analysis*. The *Air Quality Analysis* itself also references the *Traffic Analysis* and the *Supplemental Traffic Analysis*. The cross-references to these technical reports were provided to inform the reader of the source of the discussed information and to indicate those references for readers interested in additional detailed technical information not included in Section 3.14. RCTC believes this type of cross-referencing is useful to the reader and is consistent with the requirements of 40 CFR 1502.21 to make reference material available for inspection by potentially interested persons within the time allowed for comment.

As discussed in the response to comment IP-6-116, above, the project technical studies listed in Appendix H, List of Technical Studies, including the cited *Air Quality Study* (LSA Associates, Inc. 2012), were made publicly available at RCTC, Caltrans, and the Moreno Valley, Perris, and San Jacinto Public Libraries as indicated in the Notice of Availability provided to this commenter with the compact disc containing the Recirculated Draft EIR/Supplemental Draft EIS on January 25, 2013 (the beginning of the public review period). Accordingly, they were readily available for public review at all times during the public comment period for the Recirculated Draft EIR/Supplemental Draft EIS.

IP-6-118

Please refer to the following response to comments:

- IP-6-116, which discusses the availability of the cited technical study during the public review period for the Recirculated Draft EIR/Supplemental Draft EIS.
- IP-6-117, which discusses the sources of the traffic data and regional vehicle emission calculations.
- IP-6-117, which discusses the availability of the cited technical study during the public review period for the Recirculated Draft EIR/Supplemental Draft EIS.

IP-6-119

The Recirculated Draft EIR/Supplemental Draft EIS did state that residences make up the majority of the sensitive receptors in the project area. Please refer to Section 3.14.2.3, Sensitive Receptors, on page 3.14-5 in the Final EIR/EIS, which notes:

> "Land uses considered sensitive receptors include residences, schools, playgrounds, childcare centers, athletic facilities, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes."

However, please refer to Section 3.15.2.1, Surrounding Land Uses, starting on page 3.15-5 in this Final EIR/EIS, which describes land uses in the study area including schools like Val Verde High School. Table 3.15.C, on page 3.15-17, provides the existing monitored noise levels at uses in the project area, including schools. Table 3.15.P shows the interior and exterior monitored noise levels at sensitive uses, including schools. The subsection titled "Noise Abatement Consideration" starting on page 3.15-70 describes the noise barriers considered for each of the Build Alternatives, including barriers considered at schools such as Val Verde High School. Therefore, the Recirculated Draft EIR/Supplemental Draft EIS considered the potential impacts of the MCP project on all the sensitive land uses in the project area.

Tables 4.IIIF and 4.III.G in Revised Section 4.4, III. Air Quality, in the "Recirculated Sections of Chapter 4.0 (III, Air Quality; VII, Greenhouse Gases; 4.5, Climate Change; and Table 4.10)" list the results of the short-term construction and long-term operational health risk assessment modeling. As shown, the MCP Build Alternatives would not result in short- or long-term health impacts and, as a result, no mitigation is required. Therefore, the MCP Build Alternatives would not result in any health impacts at sensitive land uses, including schools, in the project area.

Other schools in the MCP study area (Sierra Vista Elementary School, Lakeside Middle School, Val Verde Elementary School, and Nan Sanders Elementary School) are shown on Figures 3.15.1 and the potential for noise effects at those schools is evaluated in Tables 3.15.C and 3.15.P in Section 3.15, Noise, in the Final EIR/EIS. As shown in those tables, the MCP Build Alternatives would not exceed the exterior noise standards at those schools.

The PM and CO hot-spot analyses prepared for the MCP project are based on the existing emission concentrations in the project area. The peak day emissions used in those analyses typically occur during inversions. Please also refer to the response to comment IP-6-111 for a description of why O_3 was evaluated in the Recirculated Draft EIR/Supplemental Draft EIS, based on O_3 precursors (ROG and NO_X).

IP-6-120

Please refer to the response to comment IP-6-111 for a description of why O_3 was evaluated in the Recirculated Draft EIR/Supplemental Draft EIS, based on O_3 precursors (ROG and NO_X).

IP-6-121

The Recirculated Draft EIR/Supplemental Draft EIS evaluated the worst-case daily conditions for the construction emissions. Extending the construction schedule beyond the 48 months modeled would reduce the areas to be graded or paved per day.

This reduction in construction activity would reduce the daily equipment required and volume of material to be imported or exported on a daily basis. Therefore, extending the construction period would reduce the daily emissions to levels below those listed in Table 3.14.W, on Page 3.14.41 in Section 3.14, Air Quality, in the Final EIR/EIS.

The Recirculated Draft EIR/Supplemental Draft EIS analyzed the impacts of the project as a whole and constructed in a single 4-year phase as currently contemplated by RCTC. As discussed on page 2-53 in Section 2.3.2.18, Construction, in response to public comment on the 2008 Draft EIR/EIS, the Recirculated Draft EIR/Supplemental Draft EIS included a description of a potential phasing plan, as well as a traffic phasing analysis for 2020 and 2030 conditions in addition to the traffic analysis for the build and no build conditions in 2040. The purpose of the traffic phasing analysis was to provide general information on the expected traffic forecasts and roadway improvements that would be provided should the MCP project be built in phases. Because it would be unreasonable for RCTC to attempt to analyze all potential phasing scenarios, page 2-54 of the Recirculated Draft EIR/Supplemental Draft EIS noted that:

> "If after project approval, a decision is made to construct the MCP project in phases, then RCTC would identify the impacts and needed mitigation measures of the first phase and would compare these to the impacts and mitigation measures addressed and committed to in the Final EIR/EIS through an Environmental Revalidation, which would determine whether an EIR Addendum, Supplemental EIR, or Subsequent EIR would be required under CEQA, and whether a Supplemental EIS would be required under NEPA. If new significant impacts or mitigation are identified for the first phase or a subsequent phase, then RCTC would prepare supplemental environmental documentation for approval of that project phase. In addition, the MCP project is considered a "major project" under FHWA guidelines, and it is not unusual for major projects to be constructed in phases due to the size of such a project. If the project is to be constructed in phases, the MCP project phases must meet FHWA Major Project Guidance for operational independence and nonconcurrent construction. This guidance is used to determine if a project can be divided from the scope of work in the NEPA decision document (the Final EIS and Record of Decision) into phases. This determination is made by the FHWA Division Office and the FHWA Project Delivery team prior to initiation of phased construction. Per the Major Project Deliverable

Timeline, the Cost Estimate Review, Financial Plan, and Project Management Plan would be re-submitted, approved and or updated."

IP-6-122

Please refer to the response to comment IP-6-2 for a detailed discussion regarding the history of planning and environmental studies for a broad range of transportation improvements in a large geographic area described as western Riverside County. That process resulted in the identification of the need for an east-west freeway, referred to as the MCP project, in western Riverside County. The alternative means of reducing air quality impacts cited in this comment do not, by themselves, address the need for that east-west facility, as discussed in the response to comment IP-6-111.

IP-6-123

This comment provides a brief summary of the CBD/SBVAS/SC's comments on the adequacy of the traffic impact analysis and mitigation for potential traffic impacts. Please refer to the responses to comments IP-6-124 and IP-6-125 for the responses to the individual CBD/SBVAS/SC's comments regarding those concerns.

IP-6-124

The traffic study area is defined in Section 3.6.2, Affected Environment, starting on page 3.6-1 in Section 3.6, Traffic and Transportation/Pedestrian and Bicycle Facilities, in the Final EIR/EIS, and in Section 2.0, Methodology, starting on page 2-1 in the *Traffic Technical Report* (February 2012). The study area for limited-access road projects including the MCP project typically includes the project interchanges, plus one adjacent intersection on the crossing roads in each direction leading to each of the interchanges. This approach is used to ensure that project effects are analyzed and any needed improvements are identified near the proposed limited access road and its interchanges. In addition, it is typical to include any roads outside the immediate traffic study area that would have the potential for traffic impacts associated with the proposed road. In the case of the MCP project, a number of locations were identified where traffic impacts were analyzed in locations away from the immediate project limits. Those locations included I-215 from Alessandro Boulevard to Nuevo Road, Cajalco Road from I-15 to I-215, and I-15 from Temescal Canyon Road to SR-91. The traffic forecasts used in the MCP project traffic analysis were based on the RIVTAM, which includes all major roads in Riverside County, as well as other main roads throughout southern California. As a result, the traffic study area includes the road segments, intersections, and interchanges that could potentially be adversely affected by the MCP Build Alternatives. This comment does not identify

any specific road segments, intersections, and/or interchanges that the commenter believes should have been included in the traffic study area.

IP-6-125

Some segments of the MCP facility are forecast to carry relatively high volumes of traffic. However, high traffic volumes do not create a traffic impact if sufficient capacity is provided to handle the expected traffic. As shown in Table 3.6.H in Section 3.6 in the Final EIR/EIS, high traffic volumes on the MCP facility in 2020 would result in a.m. and p.m. peak hour levels of service of A and B, and as shown in Table 3.6.K, high traffic volumes in 2040 would result in a.m. and p.m. peak hour levels of service A, B, and C. As a result, as discussed on page 3.6-2, "...whenever traffic operations of LOS E or better are expected with the project, the project is not considered to have a traffic impact."

Pages 3.6-1 through 3.6-7 in Section 3.6.2, Affected Environment, in the Final EIR/EIS describe the criteria used to define the study area and assess the effects of traffic volumes on freeways and other road facilities. The analysis of traffic conditions with the MCP project, as well as comparison of Build and No Build scenarios as provided in Section 3.6.3, Environmental Consequences, starting on page 3.6-23 in the Final EIR/EIS, is consistent with those criteria. The traffic study methodology including definition of the study area was reviewed and concurred upon by Caltrans and the affected local jurisdictions (County of Riverside and Cities of Riverside, Perris, and San Jacinto) prior to initiating the traffic analysis.

Please refer to the response to comment IP-6-124, above, which indicates that the traffic study area includes the road segments, intersections, and interchanges that could potentially be adversely affected by the MCP Build Alternatives.

IP-6-126

The comment states that the MCP Build Alternatives all have the potential to accelerate growth trends in western Riverside County and that growth-inducing impacts must be disclosed and analyzed in the EIR/EIS. Section 3.2, Growth, in the Final EIR/EIS discloses and analyzes the potential growth-related impacts of the MCP project. Even with the economic slowdown that began in 2008, the population in Riverside County is expected to increase over 60 percent (1.3 million people), and growth in employment is expected to rise 80 percent between 2010 and 2035 (SCAG, 2008). Please also refer to the response to comment IP-6-11, which describes information added to Chapter 1.0 in the Final EIR/EIS, to clarify why the growth forecasts in the 2008 RTP were used in the project traffic analysis, how the growth

forecasts changed from the 2008 RTP to the 2012 RTP and the growth forecasts that were used in the traffic modeling for the MCP project.

The comment states that the Recirculated Draft EIR/Supplemental Draft EIS used a 2008 study that could not have incorporated the impacts from the economic recession in its population and employment projections between 2010 and 2035, which were sourced to a 2008 SCAG study. Please note that the cited text does not state that; the cited text says "Even with the economic slowdown that began in 2008, the population in Riverside County is expected to increase over 60 percent (1.3 million people), and growth in employment is expected to rise 80 percent between 2010 and 2035 (SCAG, 2008)." The intent of this sentence was to indicate that, even with the short-term economic slowdown, which began in 2008, by 2035 (27 years after the 2008 study), both population and employment are forecast to increase substantially in western Riverside County. Population and employment projections are developed based on approved land use plans (including General Plans and Specific Plans), which reflect future residential and nonresidential uses in individual jurisdictions. Those approved land use plans are typically forecasted to be built out by some point in the future. The SCAG demographic projections similarly forecast growth to occur at some point in the future. Because the demographic projections are based on adopted land use plans, the effects of short-term events such as the economic downturn tend to be minimized or reduced over the forecast period.

The concern raised in the comment that the MCP project must be growth-inducing because it is "a dramatic expansion of transportation capacity and access to undeveloped areas in western Riverside County" was addressed in the Recirculated Draft EIR/Supplemental Draft EIS in response to CEQA Checklist Question XIII.A on page 4-58, which stated:

> "Areas in this part of western Riverside County and the Cities of Perris and San Jacinto have been planned for growth (land development leading to increased population and employment in the MCP study area), supported by the existing and future transportation infrastructure, including the CETAP corridor (MCP project). The areas compatible with the General Plan Land use designations would not experience unplanned growth effects as a result of the MCP project. However, as discussed in Section 3.2, there is some potential for planned and unplanned growth-related effects where the MCP Build Alternatives do not follow the alignment of the CETAP corridor or the alignments shown in the Circulation Elements in the adopted local

> General Plans. Those potential growth-related effects would largely be at the new service and arterial road interchanges on the MCP facility. Although the existing uses at those locations may be agricultural or vacant, the majority of those interchanges are in areas shown on the General Plans for future commercial, industrial, and residential uses. The potential for the MCP project has been known since the issuance of the Notice of Preparation in 2004. Since that time, there has been no indication of developers intensifying or substantially modifying development proposals, even in the locations of future service and arterial interchanges, in response to a possible future MCP project in that part of western Riverside County. As result, the potential growth-related effects for the MCP Build Alternatives are limited and are less than significant under CEQA."

The information in Section 3.2, Growth, in the Final EIR/EIS is based on an addendum to the *Community Impact Assessment* (CIA Addendum, January 2012), which contained the latest information available from the United States Census and regional planning agencies such as SCAG. The CIA Addendum was provided as part of the project materials that were available to the public during the public review period for the Recirculated Draft EIR/Supplemental Draft EIS. That updated information was inserted following the third sentence in the first paragraph in Section 3.2.2.1, Riverside County, on page 3.2-1 in the Final EIR/EIS (replacing the last four sentences in that paragraph):

> "According to the Western Riverside Council of Governments 2006 indicators, the subregion's population increased by 308,142 persons between 2000 and 2006, reaching a total of 1,497,339 persons. The population in western Riverside County is expected to increase by over 1.3 million between 2010 and 2025, an increase of more than 60 percent. Most of the population growth is expected to stem from domestic migration and high birth rates. Population overall in Riverside County is projected to grow at an annual rate of 3.4 percent, which is much faster than the Southern California regional average rate of 1.25 percent. Furthermore, according to SCAG projections, by 2035, Riverside County is expected to reach a total population of 3,418,623 persons. Growth in employment in Riverside County is expected to occur at a higher rate, approximately 80 percent between 2010 and 2035.

> Riverside County has become more attractive for many new homebuyers. Along with fast urbanization, increasing home prices, and less vacant land in Los Angeles and Orange Counties, many people have moved from surrounding counties to Riverside County, not only for its lower cost of housing, but also for a suburban lifestyle. From 1990 to 2008, the new residential real estate business was booming in Riverside County due to the demand for new housing. During the recession in 2008, the market appeared to bottom out and is currently (2013) showing signs of recovery due to demand and an overwhelming amount of foreclosures. In the long term, the past growth trend is projected to continue."

Please also refer to the response to comment IP-6-128, below, which indicates the MCP Build Alternatives could result in growth inducing effects associated with changes in access in segments of the MCP Build Alternatives not along the original CETAP corridor alignments.

The comment states that other planned projects such as the World Logistics Center, Motte Lakeview Ranch Project, and the potential creation of the City of Lakeview will have a cumulative growth-related effect. The Motte Ranch development referenced in this comment was considered in the cumulative impact analysis as it was one of the areas highlighted as an approved residential development project in Figure 3.25.1, Sheet 2 of 3, in the Recirculated Draft EIR/Supplemental Draft EIS. The comment asserts that the growth-related effects of the Villages of Lakeview project in conjunction with the MCP project are mentioned in the Final EIR/EIS, while the growth-related effects from the World Logistics Center are not mentioned. The comment requests that the cumulative impacts associated with the MCP and the World Logistics Center be included in the Final EIR/EIS. Please refer to the response to comment IP-6-133, below, for discussion regarding projects considered in the cumulative impacts analysis.

IP-6-127

This comment states there will be transit between the MCP project and the World Logistics Center and that the increased access provided by the MCP project will accelerate any cumulative growth-related effects. Please refer to the response to comment IP-6-133, below, for discussion regarding projects considered in the cumulative impacts analysis, including growth-inducing impacts.

Regarding the concern raised in the comment that the World Logistics Center "...would drive traffic to the MCP via Perris Boulevard or the Gilman Springs Road and Bridge Street connection..." this statement is not supported by the information from the Draft EIR for the World Logistics Center. Specifically, page 4.15-32 of that document states:

Truck trips generated by the proposed project would be oriented in the following manner:

- 82 percent to the west via one or more freeways;
- 6 percent to the north via surface streets;
- 9 percent to the east utilizing SR-60 and I-10; and
- 3 percent to the southeast via surface streets.

Daily passenger vehicle traffic will distribute in the following directions:

- 44 percent westbound on SR-60;
- 9 percent eastbound on SR-60 (east of Gilman Springs Road);
- 11 percent to the southeast on Gilman Springs Road;
- 29 percent southwest onto Cactus Avenue; and
- 9 percent north along Theodore Street.

Based on this information, while some traffic might travel to/from the World Logistics Center using the MCP (specifically the 3 percent of the truck trips to the southeast via surface streets and the 11 percent of daily passenger vehicle traffic to the southeast on Gilman Springs Road), the MCP facility has the capacity to handle this traffic based on Table 3.6.K in the Final EIR/EIS for the MCP project which shows that the MCP will operate at no worse than LOS C in the a.m. and p.m. peak hours in 2040.

IP-6-128

This comment claims that the MCP would result in growth-inducing impacts that would affect threatened and endangered species, aquatic resources, cultural resources, and farmlands. This is consistent with the analysis in the subsection titled "Resources of Concern for Growth-Related Effects" starting on page 3.2-14 in Section 3.2, Growth, in the Final EIR/EIS, which calls out these four categories of resources as resources of concern for growth-related effects in the MCP study area. The analysis in that subsection indicates the extent to which the MCP project would contribute to growth-inducing impacts on those resources and measures to avoid or mitigate those

effects are described in Section 3.2.4, Avoidance, Minimization, and Mitigation Measures, starting on page 3.2-19 in Section 3.2.

The analysis in Section 3.2, Growth, in the Final EIR/EIS does conclude the MCP project could result in growth inducing effects as follows:

> "Overall, there is a potential for unplanned and planned growth-related effects in the MCP study area. In areas where MCP Alternatives do not follow the CETAP corridor alignment in the Riverside County General Plan Circulation Element or local General Plan Circulation Elements, there would be unplanned growth-related effects. Any intensification of currently planned land uses would require the approval of the local agency with land use jurisdiction. Areas previously planned for growth in coordination with the planning of the Hemet to Corona/Lake Elsinore CETAP Corridor and areas compatible with existing General Plan Land use designations would be less likely to experience unplanned growth effects." (page 3.2-14 in Section 3.2 in the Final EIR/EIS).

The discussion of whether the MCP project is a sole catalyst of growth effects on farmlands on page 3.2-18 (not page 3.1-18 as cited in the comment) in Section 3.2 was intended as a summary statement acknowledging that the MCP project would not be the only project resulting in growth-related effects on farmlands; the potential for the MCP project itself to impact farmlands is described in the previous paragraphs in the subsection titled "Farmlands" on page 3.2-17. That summary is based on the analysis provided starting on page 3.3-7 in Section 3.3, Farmlands/Timberlands, in the Final EIR/EIS, which clearly describes the unavoidable adverse effects of the MCP project on designated farmlands as:

> "...all MCP Build Alternatives would traverse areas currently being used for a variety of agricultural uses, including grazing, dryland and irrigated farming, orchards, and dairies. Overall, none of the alternatives or associated design variations would have a substantial adverse impact on agricultural lands. This determination is supported by the conclusions derived from the NRCS-CPA-106 forms. The final scoring for each alternative and associated design variations on Form NRCS-CPA-106 is shown in Table 3.3.B. The final score for Alternatives 4 Modified through 9 Modified, with all the design variations, is 137. According to the

> instructions for completing Form NRCS-CPA-106, sites receiving a total score of less than 160 points shall be given a "minimum level of consideration for protection." Therefore, according to the results of Form NRCS-CPA-106, all alternatives and design variations for the MCP project should be given the "minimum level of consideration for protection," and no further alternative analysis is needed for farmland issues under the Farmland Protection Policy Act."

This comment also suggests that other resources will likely be impacted by growth, including noise and light pollution, air quality, and plants and animals. As noted above, Section 3.2 discusses resources of concern (e.g., threatened and endangered species, aquatic resources, cultural resources, and farmlands) from growth-related effects. Those four resources were determined to be of concern due to the adverse and/or irreversible impacts to those resources that would result from the MCP Build Alternatives. Impacts associated with noise, light pollution, air quality, and impacts to other plants and animals are discussed separately in Section 3.15, Noise and Vibration; Section 3.7, Visual/Aesthetics; Section 3.14, Air Quality; Section 3.19, Plant Species; and Section 3.20, Animal Species, in the Final EIR/EIS. The results of the impact analyses in those sections did not indicate those resource categories would be of concern related to impacts associated with growth in the study area.

Section XIII, Population and Housing, in Chapter 4, California Environmental Quality Act Evaluation, in the Final EIR/EIS considered whether the MCP Build Alternatives would result in impacts related to growth. As discussed in that section, the Build Alternatives would result in less than significant impacts under CEQA related to inducing substantial population growth in an area, either directly or indirectly (for example, through extension of roads or other infrastructure). That analysis acknowledges that, based on Section 3.2 in the Final EIR/EIS, and as described earlier in the response to comment IP-6-126, the MCP project would have some influence on the location, amount, rate, or type of growth in most of the MCP study area. That analysis concluded that the potential growth-related effects for the MCP project are less than significant under CEQA.

IP-6-129

Please refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project and how the MCP project was determined to be consistent with the

Western Riverside County MSHCP, including potential project effects on aquatic resources. Please also refer to the subsection titled "DBESP for Riparian/Riverine Impacts" on page S-16, for discussion regarding the DBESP prepared for the project effects on riparian/riverine areas.

Please refer to Section S.5.1.3, Overview of the Western Riverside County MSHCP Consistency Determination for the MCP Project, on page S-10 for discussion regarding why consistency with the Western Riverside County MSHCP and the measures included in the *Mid County Parkway MSHCP Consistency Determination Including Determination of Biologically Equivalent or Superior Preservation Analysis* (Consistency Determination), provided in Appendix T, including measures provided in the DBESPs included in the Consistency Determination, provide adequate mitigation for effects of the MCP Build Alternatives on resources covered in the Western Riverside County MSHCP and are not deferred mitigation.

The preferred alternative includes substantial measures to address impacts on aquatic resources, consistent with the Western Riverside County MSHCP and the CWA. Specifically, Measures WET-1 through WET-3 starting on page 3.18-45 in Section 3.18.4, Avoidance, Minimization, and/or Mitigation Measures, in the Final EIR/EIS provide minimum mitigation ratios, locations, and performance standards the MCP project is committed to provide for impacts to wetlands and other waters, including aquatic resources. In addition, a Conceptual Mitigation Plan was provided in Appendix P, Conceptual Mitigation Plan, in the Recirculated Draft EIR/Supplemental Draft EIS. The Habitat Mitigation and Monitoring Plan (HMMP) for USACE Jurisdictional Waters for the identified preferred alternative replaced the Conceptual Mitigation Plan in Appendix P in this Final EIR/EIS. The measures in Section 3.18 and the compensatory mitigation plan outlined in the HMMP for USACE Jurisdictional Waters will ensure no net loss of wetland functions within the watersheds impacted by the MCP project.

IP-6-130

To clarify the potential growth-related effects of the MCP project on cultural resources, the following was inserted after the first paragraph in the subsection titled "Cultural Resources" on page 3.2-17 in the Final EIR/EIS:

> "As discussed in Section 3.8, Cultural Resources, the Build Alternatives would result in permanent adverse impacts to cultural resources during the project construction. The Build Alternatives are not anticipated to result in impacts during operation of the corridor because access to the corridor will be limited to vehicles traveling on

> the corridor; and pedestrians will not be allowed to walk along the corridor to access areas adjacent to and outside the right of way boundaries for the MCP facility. As a result, the impacts of the MCP project on cultural resources would be limited to the project construction period. Land adjacent to the MCP right of way is privately owned or is within existing public rights of way such as for local roads. While the MCP facility will increase access across this part of western Riverside County, it will not provide direct access to properties outside the right of way except at ramps at local interchanges. Because those local streets are either existing or will be constructed as development occurs in the area, with or without the MCP, access to areas of sensitivity for cultural resources would be available along those local streets. As a result, the availability of the MCP will not result in growth-inducing impacts that would increase access to areas sensitive for cultural resources adjacent to the corridor.

As discussed in the cited section in the Final EIR/EIS, planned and proposed land use projects in unincorporated Riverside County would be required to comply with the Riverside County General Plan policies and the General Plan EIR measures related to cultural resources. Please note that the text in this section does not claim that with compliance with those policies and measures "...these impacts will be minimized." The cited section simply notes that "The County is working closely with area developers to protect cultural resources that may be affected by land development projects..."

The last sentence in the first paragraph in the subsection titled "Cultural Resources" on page 3.2-17 was revised to read (changes shown in italics): "Because *the MCP project would not facilitate or increase access to areas adjacent to the facility right of way and* because development proposals in the area are proceeding irrespective of the MCP project, the MCP project is not anticipated to *result in* growth-related effects on cultural resources."

IP-6-131

The commenter incorrectly claims the analysis associated with growth-related effects of the MCP project and the identified avoidance, minimization, and mitigation measures identified are inadequate. Please refer to the responses to comments IP-6-126 through IP-6-130, for discussion regarding the adequacy of the growth-inducing impacts analysis provided in Section 3.2, Growth, in the Final EIR/EIS.

IP-6-132

This comment provides a brief summary of the CBD/SBVAS/SC's comments on the cumulative impacts analysis. For detailed responses to the comments on those specific topics, please refer to the following responses to comments, below:

> **IP-6-133:** addressing the comment on the scope of the cumulative impacts analysis and cumulatively considerable effects of other projects
>
> **IP-6-134:** addressing reliance on the MSHCP and other measures as improperly skewing baseline impacts
>
> **IP-6-135:** addressing reliance on other future measures considered speculative

The Motte Ranch development referenced in this comment was considered in the cumulative impact analysis as it was one of the areas highlighted as an approved residential development project in Figure 3.25.1, Sheet 2 of 3, in the Recirculated Draft EIR/Supplemental Draft EIS.

IP-6-133

This comment asserts that the cumulative impacts analysis did not include the proposed World Logistics Center and other projects for which the omission "...could considerably increase the MCP's cumulative impacts substantially and an improperly narrow scope of the cumulative impacts analysis area fail to disclose the reasonably foreseeable cumulative impacts of the MCP project."

An EIR must discuss cumulative impacts if the project's incremental effects combined with the effects of other projects are "cumulatively considerable" (*CEQA Guidelines,* Section 151309(a)). This determination is based on an assessment of the project's incremental effects in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects (*CEQA Guidelines,* Section 15064(b)(1)). An EIR discussion of cumulative impacts should be guided by standards of practicality and reasonableness. Although a cumulative impacts analysis is required in an EIR, the EIR discussion of cumulative impacts need not provide the same level and detail as is provided for project-specific effects (*CEQA Guidelines,* Section 15130(b)). A lead agency is not required to provide evidence supporting every fact underlying the EIR discussion of cumulative impacts nor is an exhaustive analysis required (*Association of Irritated Residents versus County of Madera* (2003) 107 Cal. App. 4th 1383, 1404). The evaluation of cumulative impacts in an EIR need not be exhaustive and need only provide such information as is necessary for informed decision-making.

The CEQA baseline for assessing significance of impacts is the environmental setting, or existing conditions, at the time a Notice of Preparation (NOP) is issued, as provided for in Section 15125(a) in the *CEQA Guidelines*. A Supplemental NOP for the MCP project was issued August 3, 2007 prior to the circulation of the original Draft EIR/EIS in October 2008. The preparation of the Recirculated Draft EIR/ Supplemental Draft EIS occurred between 2009 and 2012. The NOP for the World Logistics Center was filed February 22, 2012. As a result, at the time the technical studies and the Recirculated Draft EIR/Supplemental Draft EIS were being prepared for the modified MCP project, the World Logistics Center project had not advanced to a point sufficient for inclusion in the cumulative impacts analysis for the MCP project.

As described in Section 3.25.2, Methodology, on page 3.25-1, in the Final EIR/EIS, the cumulative impact analysis evaluated the effects of the construction and operation of the MCP Build Alternatives to assess whether the direct and indirect project impacts could contribute to cumulative effects to the built and natural environments when combined with other related past, present, and reasonably foreseeable future actions. The potential for the MCP project to contribute to cumulative impacts was identified by considering the impacts of the MCP project and other past, current, or proposed actions in the area to establish whether, in the aggregate, they could result in cumulative environmental impacts.

The cumulative impacts analysis in Section 3.25 in the Final EIR/EIS considered the effects of a large number of development and infrastructure projects along the MCP project alignments (refer to Figure 3.25.1 starting on page 3.25-7, and Section 3.25.4, Identification of Cumulative Plans and Projects, starting on page 3.25-15) and based on adopted General Plans. In mapping the recent and planned projects considered in the cumulative impacts analysis, there was no intent to draw the boundary of the general MCP study area to exclude the World Logistics Center or otherwise exclude it from consideration in the cumulative impacts discussion. The MCP study area for the modified MCP project from I-215 to SR-79 was defined in 2009. The MCP study area was generally defined as the area along both sides of the alignments; however, the specific study area for an individual parameter could be different, depending on the resource or environmental parameter. For example, the traffic study area for regional traffic effects considered the entire SCAG region (and therefore included the area within Moreno Valley where the World Logistics Center is proposed), but the study area for construction related noise or air quality impacts considered much smaller areas, directly adjacent to the MCP alignments. The study area was not

"imprudently limited" because it included an area large enough for consideration of resources of concern such as farmlands, cultural resources, and aquatic resources.

As discussed in Section 3.25.3, Identification of Resources/Issues to Consider for Cumulative Impacts, starting on page 3.25-3, in Section 3.25, Cumulative Impacts, environmental topics for which cumulative effects were not anticipated or for which the impacts were already analyzed in a cumulative context were identified as: land use; consistency with state, regional, and local plans; parks and recreation; environmental justice; utilities/emergency services; hydrology and floodplains; water quality; traffic and transportation; geology, soil, seismic, and topography; hazardous waste and materials; air quality; climate change; noise; and energy. As discussed in Sections 3.1 through 3.22 in the Final EIR/EIS, the MCP project would cause direct or indirect impacts related to a number of environmental topics in the human, physical, and natural environments. As a result, the following environmental topics discussed in those sections in the Final EIR/EIS were considered in the analysis of the potential for the MCP project to contribute to cumulative impacts: growth-related effects; farmlands/timberlands; community impacts/relocations; visual/aesthetics; cultural resources; paleontology; noise; natural communities; wetlands and other waters; plant species; animal species; and threatened and endangered species. The analyses of the potential for the MCP project to contribute to cumulative impacts for those parameters when considered with the effects of other projects are provided in Section 3.25.5, Environmental Consequences, starting on page 3.25-23 in Section 3.25 in the Final EIR/EIS.

The potential for the MCP project to contribute to cumulative effects related to those environmental topics when considered with the effects of other projects based on the information in Section 3.25.5 is summarized in Table IP.6.133. Table IP.6.133 also summarizes the potential effects of the World Logistics Center for those same parameters to assess whether consideration of the effects of that project would change the conclusions regarding the potential for the MCP project to contribute to cumulative impacts when considered with other projects including the World Logistics Center.

As summarized in Table IP.6.133, the Draft EIR for the World Logistics Center determined that project would result in significant and unavoidable adverse impacts under CEQA related to:

- Aesthetics, light and glare, and cumulative aesthetics
- Conversion of farmland and cumulative impacts to farmland
- Consistency with the AQMP

Table IP.6.133 Snmmary of Cumulative Impacts

Environmental Topics	Does the MCP project contribute to cnmulative effects for that topic when considered with the effects of other projects?	Effects of the World Logistics Center for that topic[1]	Do the impacts of the World Logistics Center change the conclusion regarding the potential of the MCP project to contribute to a cumulative effect for that topic?
Direct and Indirect Impacts of the MCP Project		**Significant Unavoidable Adverse Impacts of the World Logistics Center under CEQA**	
Growth-related Effects	No. The MCP project is an integral component of the Riverside County Integrated Project (RCIP) and Riverside County General Plan, and the future growth as projected and planned for in the General Plan reflects the presence of a new major west-east corridor in western Riverside County. No significant and unavoidable impacts under CEQA.	No significant and unavoidable impacts under CEQA.	No. The analysis in the Recirculated Draft EIR/Supplemental Draft EIS determined that the MCP Build Alternatives would not contribute to growth beyond the growth forecast in the adopted General Plans. The World Logistics Center would not result in significant and unavoidable impacts related to growth under CEQA. As a result, the effects of the World Logistics Center would not change the effects of the MCP Build Alternatives related to growth or result in the MCP Build Alternatives contributing to cumulative impacts related to growth.
Farmlands/ Timberlands	Yes. The routing of the MCP Build Alternatives has helped to reduce, but not fully avoid, impacts to agricultural lands; therefore, the MCP Build Alternatives contribute to a cumulative adverse effect of loss of farmlands. The impact to designated farmlands and existing agricultural uses as a result of the MCP project is consistent with the conversion of farmlands contemplated by the County and City General Plans because the MCP project is one of the designated Community and Environmental Transportation Acceptability Process (CETAP) corridors included in the General Plans.	Conversion of farmland and cumulative impacts to farmland.	No. The MCP Build Alternatives and the World Logistics Center would contribute to cumulative impacts associated with the conversion of agricultural land to nonagricultural uses. The Recirculated Draft EIR/Supplemental Draft EIS documented that the MCP Build Alternatives would contribute to cumulative impacts associated with the conversion of agricultural land. As a result, the addition of the impacts of the World Logistics Center related to the conversion of agricultural land would not

Table IP.6.133 Summary of Cumulative Impacts

Environmental Topics	Does the MCP project contribute to cumulative effects for that topic when considered with the effects of other projects?	Effects of the World Logistics Center for that topic[1]	Do the impacts of the World Logistics Center change the conclusion regarding the potential of the MCP project to contribute to a cumulative effect for that topic?
			change the conclusion that the MCP Build Alternatives would contribute to a cumulative adverse impact associated with the conversion of agricultural land.
Community Impacts/ Relocations	No. A sufficient number of comparable replacement dwellings meeting decent, safe, and sanitary standards exist within the cumulative study area to provide adequate relocation opportunities for displaced residents affected by all cumulative projects.	Adverse effects on seven existing rural residences.	No. The MCP Build Alternatives would result in the displacement of residential uses and the occupants of those uses. Based on the availability of replacement dwellings, the MCP Build Alternatives would not contribute to cumulative effects related to the loss of residential uses. The World Logistics Center would result in adverse effects on 7 residences and would not contribute to cumulative effects related to the loss of residential uses. When considered together, the effects of the MCP Build Alternatives and World Logistics Center would not change the conclusion that, with mitigation, the MCP Build Alternatives would not contribute to cumulative impacts related to the loss of residential uses.
Visual/Aesthetics	Yes. Combined with the proposed MCP project, anticipated cumulative impacts to the visual environment include the conversion of open space, rural, and agricultural areas to urbanized residential developments and an increase in light and glare.	Aesthetics, light and glare, and cumulative aesthetics.	No. The MCP Build Alternatives and the World Logistics Center would contribute to cumulative aesthetic, light, and glare impacts. The Recirculated Draft EIR/Supplemental Draft EIS documented that the MCP Build Alternatives

Table IP.6.133 Summary of Cumulative Impacts

Environmental Topics	Does the MCP project contribute to cumulative effects for that topic when considered with the effects of other projects?	Effects of the World Logistics Center for that topic[1]	Do the impacts of the World Logistics Center change the conclusion regarding the potential of the MCP project to contribute to a cumulative effect for that topic?
			would contribute to cumulative aesthetic, light, and glare impacts. As a result, the addition of the aesthetic, light, and glare impacts of the World Logistics Center would not change the conclusion that the MCP Build Alternatives would contribute to a cumulative adverse impact related to aesthetics, light, and glare.
Cultural Resources	Yes. It is expected that the MCP project would affect the identified cultural resources (Sites 33-16598, 33-19862, 33-19863, 33-19864, and 33-19866, and the CBJ Dairy) in a manner that would contribute to significant cumulative effects.	Archaeological and historic resources.	No. The MCP Build Alternatives and the World Logistics Center would contribute to cumulative impacts on cultural resources. The Recirculated Draft EIR/Supplemental Draft EIS documented that the MCP Build Alternatives would contribute to cumulative impacts on cultural resources. As a result, the addition of the impacts of the World Logistics Center on cultural resources would not change the conclusion that the MCP Build Alternatives would contribute to a cumulative adverse impact related to cultural resources.
Paleontology	Combined with the proposed MCP project, anticipated cumulative impacts include the continued destruction and recovery of paleontological resources as a result of excavation associated with construction of other land development and infrastructure projects. However, additional mitigation for cumulative effects to paleontological resources is not warranted because paleontological	No significant and unavoidable impacts under CEQA.	No. The Recirculated Draft EIR/Supplemental Draft EIS documented that the MCP Build Alternatives would contribute to cumulative impacts on paleontological resources. As a result, the addition of any impacts of the World Logistics Center on

Table IP.6.133 Summary of Cumulative Impacts

Environmental Topics	Does the MCP project contribute to cumulative effects for that topic when considered with the effects of other projects?	Effects of the World Logistics Center for that topic[1]	Do the impacts of the World Logistics Center change the conclusion regarding the potential of the MCP project to contribute to a cumulative effect for that topic?
	conditions and finds are localized and specific to each area of development.		paleontological resources would not change the conclusion that the MCP Build Alternatives would contribute to a cumulative adverse impact related to paleontological resources.
Noise	The MCP project would contribute to cumulative noise impacts because, under all MCP Build Alternatives, sensitive receptors would still be exposed to noise levels exceeding the Noise Abatement Criteria (NAC) even after implementation of noise barriers.	No significant and unavoidable impacts under CEQA.	No. The Recirculated Draft EIR/Supplemental Draft EIS documented that the MCP Build Alternatives would contribute to cumulative noise impacts. As a result, the addition of any noise impacts of the World Logistics Center would not change the conclusion that the MCP Build Alternatives would contribute to a cumulative adverse noise impact.
Natural Communities	Combined with cumulative projects, construction of the MCP would contribute to the incremental loss of natural communities in the region; however, the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) provides a comprehensive approach to the regional conservation of natural communities and, as a regional plan, serves to provide mitigation for cumulative impacts to such habitats. The cumulative projects would be consistent with the MSHCP, which would ensure that the cumulative impacts to those habitats are effectively mitigated.	No significant and unavoidable impacts under CEQA.	No. The Recirculated Draft EIR/Supplemental Draft EIS documented that the MCP Build Alternatives would contribute to the incremental loss of natural communities, an impact has been addressed through RCTC's compliance with the Western Riverside County MSHCP process. As a result, the addition of any impacts of the World Logistics Center on natural communities would not change the conclusion that, with mitigation, the MCP Build Alternatives would not contribute to a cumulative adverse impact on natural communities.

Table IP.6.133 Summary of Cumulative Impacts

Environmental Topics	Does the MCP project contribute to cumulative effects for that topic when considered with the effects of other projects?	Effects of the World Logistics Center for that topic[1]	Do the impacts of the World Logistics Center change the conclusion regarding the potential of the MCP project to contribute to a cumulative effect for that topic?
Wetlands and Other Waters	No. Each cumulative project would be required to replace impacted wetlands and nonwetland waters; additional mitigation for cumulative effects of the MCP project is not warranted.	No significant and unavoidable impacts under CEQA.	No. The Recirculated Draft EIR/Supplemental Draft EIS documented that the MCP Build Alternatives would replace impacted waters and, therefore, would not contribute to cumulative impacts on protected waters. As a result, the addition of any impacts of the World Logistics Center on protected waters would not change the conclusion that the MCP Build Alternatives, with mitigation, would not contribute to a cumulative adverse impact on protected waters.
Plant Species	No. Although the MCP Build Alternatives would contribute to the incremental loss of areas of long-term conservation value for smooth tarplant and Coulter's goldfields, they are Covered Species under the Western Riverside County MSHCP. As a regional plan, the Western Riverside County MSHCP serves to provide mitigation for cumulative impacts to sensitive plant species and their habitats. Project consistency with the Western Riverside County MSHCP would ensure that the cumulative impacts are effectively mitigated.	No significant and unavoidable impacts under CEQA.	No. The Recirculated Draft EIR/Supplemental Draft EIS documented that the MCP Build Alternatives would contribute to the incremental loss of areas of long-term conservation value for smooth tarplant and Coulter's goldfields which would be addressed based on RCTC's compliance with the Western Riverside County MSHCP process. As a result, the addition of any impacts of the World Logistics Center on these special interest plant species would not change the conclusion that the MCP Build Alternatives, with mitigation, would not contribute to a cumulative adverse impact on special interest plant species.

Table IP.6.133 Summary of Cumulative Impacts

Environmental Topics	Does the MCP project contribute to cumulative effects for that topic when considered with the effects of other projects?	Effects of the World Logistics Center for that topic[1]	Do the impacts of the World Logistics Center change the conclusion regarding the potential of the MCP project to contribute to a cumulative effect for that topic?
Animal Species	No. Project consistency with the Western Riverside County MSHCP would ensure that the cumulative impacts are effectively mitigated; therefore, additional mitigation for cumulative effects of the MCP project to sensitive animal species is not warranted.	No significant and unavoidable impacts under CEQA.	No. The Recirculated Draft EIR/Supplemental Draft EIS documented that RCTC's compliance with the Western Riverside County MSHCP process would effectively mitigate any contribution of the MCP Build Alternatives to cumulative impacts on special interest animal species. As a result, the addition of any impacts of the World Logistics Center on special interest animal species would not change the conclusion that the MCP Build Alternatives, with mitigation, would not contribute to a cumulative adverse impact on special interest animal species.
Threatened and Endangered Species	No. Although combined with cumulative projects, the MCP Build Alternatives would contribute to the incremental loss of potentially suitable habitat for Stephens' kangaroo rat and California gnatcatcher, and occupied habitat for San Jacinto Valley crownscale, spreading navarettia, San Bernardino kangaroo rat, and least Bell's vireo. Project consistency with the Western Riverside County MSHCP and the Habitat Conservation Plan for the Stephens' Kangaroo Rat would ensure that the cumulative impacts are effectively mitigated.	No significant and unavoidable impacts under CEQA.	No. The Recirculated Draft EIR/Supplemental Draft EIS documented that the MCP Build Alternatives would contribute incrementally to the loss of potentially suitable habitat for several threatened and endangered species which would be addressed based on RCTC's compliance with the Western Riverside County MSHCP process. As a result, the addition of any impacts of the World Logistics Center on threatened and endangered species would not change the conclusion that the MCP Build Alternatives, with mitigation, would not contribute to a cumulative adverse impact on

Table IP.6.133 Summary of Cumulative Impacts

Environmental Topics	Does the MCP project contribute to cumulative effects for that topic when considered with the effects of other projects?	Effects of the World Logistics Center for that topic[1]	Do the impacts of the World Logistics Center change the conclusion regarding the potential of the MCP project to contribute to a cumulative effect for that topic?
			threatened and endangered species.
Significant Adverse Impacts under the California Environmental Quality Act which would occur under the World Logistics Center but not under the MCP project			
Consistency with Local, Regional, and State Plans	No. The MCP Build Alternatives would require amendments to the County and City General Plans to reflect the final MCP alignment, and interchange locations, and to change the land use designations on property that would be acquired for the project to a transportation or public use designation.	Consistency with the AQMP.	No. The Recirculated Draft EIR/Supplemental Draft EIS documented that the MCP Build Alternatives would not contribute to cumulative impacts related to consistency with local, regional, and state plans. As a result, the addition of any impacts of the World Logistics Center related to plan consistency would not change the conclusion that the MCP Build Alternatives, with mitigation, would not contribute to a cumulative adverse impact related to consistency with local, regional, and state plans.
Air Quality	No. The MCP project would not contribute to cumulative air quality impacts because it would not violate any air quality standard, would not contribute substantially to an existing or projected air quality violation for carbon monoxide (CO), particulate matter less than 2.5 microns in size ($PM_{2.5}$), or particulate matter less than 10 microns in size (PM_{10}).	Short- and long-term air quality, and cumulative short- and long-term air quality.	No. Chapter 4 of the Recirculated Draft EIR/Supplemental Draft EIS documented that during construction the MCP Build Alternatives could result in air emissions that would exceed the South Coast Air Quality Management District's significance thresholds for oxides of nitrogen and particulate matter less than 10 microns in size. If construction of the World Logistics Center project occurs concurrently with the construction of the MCP Build Alternatives, there could be as short-term cumulative impact

Table IP.6.133 Summary of Cumulative Impacts

Environmental Topics	Does the MCP project contribute to cumulative effects for that topic when considered with the effects of other projects?	Effects of the World Logistics Center for that topic[1]	Do the impacts of the World Logistics Center change the conclusion regarding the potential of the MCP project to contribute to a cumulative effect for that topic?
			associated with construction emissions. However, the operations of the MCP Build Alternatives would not contribute to cumulative air quality impacts. As a result, the addition of any impacts of the operation of the World Logistics Center related to air quality would not change the conclusion that the operation of the MCP Build Alternatives would not contribute to a cumulative adverse air quality impact.
Health Risk	No. The MCP would not result in a cumulative adverse impact related to Mobile Source Air Toxics (MSATs) or air toxics, and would not expose sensitive receptors to substantial pollutant concentrations.	Operational chronic health risk impacts and cumulative operational chronic health risk impacts.	No. The Final EIR/EIS documents that the MCP Build Alternatives would not contribute to cumulative impacts related to MSATs or air toxics. As a result, the addition of any impacts of the World Logistics Center related to MSATs and air toxics would not change the conclusion that the MCP Build Alternatives would not contribute to a cumulative adverse impact related to MSATs and air toxics.
Climate Change	The MCP project would improve the regional traffic flow; but would increase the total regional vehicle miles traveled. It is too speculative to make a determination regarding the project's direct impact and its contribution on a cumulative scale to climate change.	Greenhouse gas emissions and cumulative greenhouse gas emissions.	No. As discussed in Chapter 4 in the Final EIR/EIS, RCTC has concluded that the MCP Build Alternatives would generate greenhouse gas emissions (GHG) that would be significant and adverse under CEQA. As a result, the addition of any impacts of the World

Table IP.6.133 Summary of Cumulative Impacts

Environmental Topics	Does the MCP project contribute to cumulative effects for that topic when considered with the effects of other projects?	Effects of the World Logistics Center for that topic[1]	Do the impacts of the World Logistics Center change the conclusion regarding the potential of the MCP project to contribute to a cumulative effect for that topic?
			Logistics Center related to GHG emissions would not change the conclusion that the MCP Build Alternatives would contribute to a cumulative adverse impact related to GHG emissions.
Traffic and Circulation	No. The MCP project would have a beneficial effect by improving regional and local mobility.	Traffic/level of service impacts and circulation.	No. The Final EIR/EIS documents that the MCP Build Alternatives would result in beneficial effects related to traffic and circulation. As a result, the addition of any impacts of the World Logistics Center related to traffic and circulation would not change the conclusion that the MCP Build Alternatives would not contribute to a cumulative adverse impact related to traffic and circulation.

1 From Table 1.A in the Draft EIR World Logistics Center Project (February 2013).

- Short- and long-term air quality, and cumulative short- and long-term air quality
- Operational chronic health risk impacts and cumulative operational chronic health risk impacts
- Archeological resources
- Historic resources
- Greenhouse gas emissions and cumulative greenhouse gas emissions
- Adverse effects on seven existing rural residences
- Short- and long-term traffic noise, and cumulative short- and long-term noise
- Traffic/level of service impacts and circulation

The impacts of the World Logistics Center identified as significant and unavoidable under CEQA were assessed to determine if those impacts would result in changes in the conclusions regarding the potential for the MCP project to contribute to

cumulative impacts. As shown in Table IP.6.133, none of the World Logistics Center's significant and unavoidable impacts under CEQA would change the conclusions already identified in the MCP cumulative analysis.

This comment also states that the following categories of impacts under the World Logistics Center would make the impacts of the MCP project cumulatively considerable: natural communities, impacts to plant and animal species, threatened and endangered species, farmland conversion, air quality, and historic and archeological resources. As shown in Table IP.6.133, the Recirculated Draft EIR/Supplemental Draft EIS for the MCP project already disclosed that the Build Alternatives would contribute to cumulative adverse impacts related to all of those categories except air quality. In addition, as shown in Table IP.6.133, the World Logistics Center would result in significant unavoidable adverse impacts under CEQA and, as a result, potential contributions to cumulative impacts, for farmland conversion, and historic and archeological resources. Nonetheless, as shown in Table IP.6.133, the potential contribution of the World Logistics Center to the cumulative impacts for those parameters would not change the amount of contribution to those cumulative impacts by the MCP project or the conclusions regarding the potential contribution of the MCP project to cumulative impacts for those parameters.

As noted in this comment, the World Logistics Center would impact the burrowing owl, but those impacts would be less than significant (and are not shown in Table IP.6.133 because that table summarizes significant avoidable adverse impacts of the World Logistics Center under CEQA) and would not contribute to cumulative impacts on the owl. Table IP.6.133 indicates the MCP project would not contribute to cumulative impacts to animal species after mitigation, including the burrowing owl. As a result, even with consideration of the effects of the World Logistics Center, the potential contribution of the World Logistics Center to the cumulative impacts on the owl would not change the amount of contribution to those cumulative impacts by the MCP project or the conclusions regarding the potential contribution of the MCP to cumulative impacts on the burrowing owl.

IP-6-134

Please refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project and how the MCP project was determined to be consistent with the Western Riverside County MSHCP. That section also discusses impacts on covered

species evaluated in the Western Riverside County MSHCP EIR including natural communities, and plant, animal, and threatened and endangered species. The MCP project consistency with the Western Riverside County MSHCP ensures that cumulative and indirect impacts to those species, their habitats, and other biological resources are effectively mitigated. Please refer also to Section 3.25.4, Identification of Cumulative Plans and Projects, starting on page 3.25-15 in the Final EIR/EIS for discussion of the projects in addition to the Villages of Lakeview and the SR-79 realignment project which were considered in the evaluation of potential cumulative impacts, including cumulative impacts on biological resources. It should be noted that all projects, including the SR-79 projects and land development projects such as the proposed Villages of Lakeview project, within the boundary of the Western Riverside County MSHCP are required to comply with the requirements of the Western Riverside County MSHCP. In addition, transportation and land development projects within the boundary of the HCP for SKR are required to comply with the requirements of that HCP.

IP-6-135

As discussed in Section 3.8, Cultural Resources, in the Final EIR/EIS it was established in the Findings of Effect (FOE) that the MCP Build Alternatives will adversely affect cultural resources. All three Build Alternatives will affect the same cultural resources. The information in Section 3.8 regarding the project effects on cultural resources was used in the evaluation of the potential for cumulative effects on cultural resources as described in Section 3.25.5.5, Cultural Resources, starting on page 3.25-33 in Section 3.25, Cumulative Impacts, in the Final EIR/EIS. The approved Memorandum of Agreement (MOA) for the MCP project (provided in Appendix U in the Final EIR/EIS) was developed based on extensive consultation among the State Historic Preservation Officer, FHWA, Caltrans, RCTC, and the consulting Native American Tribes. The MOA provides specific enforceable measures to mitigate the adverse effects of the MCP project on cultural resources as agreed to by the consulting parties. The completion of the MOA after circulation of the Recirculated Draft EIR/Supplemental Draft EIS and prior to the approval of a Final EIS is consistent with 36 CFR PART 800, which stipulates that federal agencies must conclude the Section 106 process before approving the expenditure of funds on an undertaking or before the issuance of any license, permit, or approval for an undertaking to proceed. For an undertaking that adversely affects historic properties, the final signed MOA that stipulates the resolution of adverse effects concludes the Section 106 process. Detailed measures for the treatment of adverse effects to historic properties were provided in Appendix B, Revised Draft Section 4(f) Evaluation and

in Section 3.8 in the Recirculated Draft EIR/Supplemental Draft EIS. Those sections identified specific measures to address adverse effects at Site P-33-16598. Section 5.6 in Appendix B and Section 3.8 identified specific measures to address adverse effects at Sites P-33-19862, P-33-19863, P-33-19864, and P-33-19866. Therefore, the public had an opportunity to review and comment on these measures (which are now included in the approved MOA) as part of the review of the Recirculated Draft EIR/ Supplemental Draft EIS. Because the measures in the Recirculated Draft EIR/ Supplemental Draft EIS are included in the MOA and the public had the opportunity to review those measures during the public review period for the Recirculated Draft EIR/Supplemental Draft EIS, the inclusion of those measures in the MOA executed after the public review period for the Recirculated Draft EIR/Supplemental Draft EIS does not constitute deferral of mitigation.

IP-6-136

The *Preliminary Geotechnical Design Report* describes fissures associated with tectonic movement or subsidence related to groundwater withdrawal. To provide clarification on the geology setting and potential geologic impacts, the following modifications were made to Section 3.11, Geology/Soils/Seismicity/Topography, in the Final EIR/EIS:

The following was inserted as the last sentence in the second paragraph on page 3.11-1 in Section 3.11.2, Affected Environment: "Figure 3.11.1 shows the regional geologic characteristics in the vicinity of the alignments of the MCP Build Alternatives." New Figure 3.11.1, Regional Geologic Characteristics, was inserted following page 3.11-2. Original Figures 3.11-1 and 3.11-2 were renumbered. This figure provides a regional overview of the rock formations and fault zones in the vicinity of the MCP Build Alternatives but does not substantively change the existing conditions information provided in Section 3.11.2 or the later analyses provided in Section 3.11.3 in the Final EIR/EIS.

The title of Section 3.11.2.2 on page 3.11-7 in the Final EIR/EIS was revised to read (change shown in italics): "Faulting/Seismicity/*Fissures.*" The second sentence in the third paragraph in Section 3.11.2.2 on page 3.11-11 was revised to read (changes shown in italics): "…fault segments and numerous fissures associated with *tectonic* movement *and subsidence related to groundwater withdrawal.*"

The following was inserted as the third bullet point in the second paragraph in Section 3.11.3.1, Permanent Impacts, on page 3.11-14:

> "• *Potential for subsidence and subsidence-related fissures in the eastern part of the study area.*"

The title of the subsection "Faulting/Seismicity" on page 3.11-7 in Section 3.11.3.1 was revised to read (change shown in italics): "Faulting/Seismicity/*Fissures*."

The following was inserted as the last paragraph in the subsection titled "Faulting/Seismicity/Fissures" on page 3.11-15: "The *Preliminary Geotechnical Design Report* describes fissures associated with tectonic movement or subsidence related to groundwater withdrawal. Areas of concern include the eastern part of the MCP alignment. Areas prone to fissuring include the MCP alignment crossing of the Casa Loma Fault near Ramona Expressway east of Warren Road."

These changes do not substantively change the description of the geologic conditions in the MCP study area or the potential effects of seismic conditions in the MCP study area. They simply clarify the relationship of various seismic-related effects including fissures and subsidence associated with existing geologic conditions in the study area.

The third sentence in Measure GEO-1 on page 3.11-19 in Section 3.11.4, Avoidance, Minimization, and/or Mitigation Measures, was revised to read (change shown in italics): "...hazards, such as slope instability, settlement/*subsidence*, liquefaction ..."

The addition of "...subsidence..." does not substantively change the requirements for the content of the Final Geotechnical Report. It adds additional detail on existing geologic/seismic conditions in the MCP study area that need to be addressed in that report during final design.

The analysis in the *Preliminary Geotechnical Design Report* (March 2008) summarized in text, tables, and figures in Section 3.11, Geology/Soils/Seismic/ Topography, in the Final EIR/EIS provides sufficient information to support the conclusions regarding potential effects of the MCP Build Alternatives related to geologic and seismic conditions in the project disturbance limits including faulting, seismicity, and fissures. As required in Measure GEO-1 in Section 3.11, a *Final Geotechnical Report* will be prepared during final design, building on the information in the *Preliminary Geotechnical Report*, and focusing the analysis in that report on the specific geotechnical constraints for the preferred alternative and the specific design features included in the final engineering and design to address those constraints. The *Preliminary Geotechnical Report* identified soil-related constraints and hazards, such as slope instability, settlement, subsidence, liquefaction, or related secondary seismic impacts that would be addressed in the *Final Geotechnical Report* as applicable to the preferred alternative. The *Final Geotechnical Report* will be based in part on the final design of the preferred alternative. Because final design will not begin until the environmental processes under CEQA and NEPA are complete, the *Final Geotechnical Report* will not be initiated until that time.

IP-6-137

This comment provides a brief summary of the CBD/SBVAS/SC's comments on the Section 4(f) analysis in Appendix B in the Recirculated Draft EIR/Supplemental Draft EIS. Please refer to the responses to comments IP-6-138 and IP-6-139 for responses to those comments.

IP-6-138

A significant impact under CEQA does not automatically result in a use, constructive or otherwise, of a Section 4(f) property. Title 23, Section 774, Parks, Recreation Areas, Wildlife and Waterfowl Refuges, and Historic Sites (Section 4[f]) is a federal law (49 United States Code Section 303). As such, definitions of effects related to Section 4(f) are provided in Part 774 and not in State laws or regulations such as CEQA. Section 774.15(a) is very specific in defining when a constructive use would occur as follows: a constructive use occurs when the transportation project does not incorporate land from a Section 4(f) property, but the project's proximity impacts are so severe that the protected activities, features, or attributes that qualify the property for protection under Section 4(f) are substantially impaired. Substantial impairment occurs only when the protected activities, features, or attributes of the property are substantially diminished as noted in Part 774.15(a). The severity of those impacts is defined by whether they substantially diminish the protected activities, features, or attributes of the property and not by whether the project effects are significant under CEQA.

Consistent with Section 774.15(a), there are two key considerations in assessing whether a project impact would constitute a constructive use of a Section 4(f) property:

- What are the protected activities, features, or attributes that qualify the property for protection under Section 4(f)?
- Is the severity of the project effects at that Section 4(f) property sufficient to result in a substantial impairment that would result in a substantial diminishment of the protected activities, features, or attributes that qualify the property for protection under Section 4(f)?

Attachment A, Resources Evaluated Relative to the Requirements of Section 4(f), in Appendix B in the Final EIR/EIS, summarizes the analysis of parks, recreational facilities, wildlife refuges, and historic properties in the vicinity of but outside the permanent footprint/right of way for the Build Alternatives and determined that they did not trigger the requirements for protection under Section 4(f) because:

1. They are not publicly owned;
2. They are not open to the public;
3. They are not eligible historic properties;
4. The project does not permanently use the property and does not hinder the preservation of the property; or
5. The proximity impacts do not result in constructive use.

Table A.1, starting on page A-2 in Appendix B in the Final EIR/EIS, describes a number of resources in the left column including specific activities, features, or attributes that would potentially qualify those properties for protection under the requirements of Section 4(f). The resources listed in that column are all the resources cited in this comment including the San Jacinto Wildlife Area. It also includes the following resources not cited in this comment: Frank Eaton Memorial Park, Copper Creek Park, Nuview Elementary School, Valley View Elementary School, and cultural resources Site P33-11265. The analysis in Table A.1 considered the following potential types of effects at these resources:

- Where is the resource in relation to the right of way limits for the MCP Build Alternatives?
- Is there any permanent use of land from the resource?
- Are there any temporary construction easements (TCEs) proposed at the resource?
- Are there any permanent surface, subsurface, or aerial easements proposed at the resource?
- Is the resource close enough to the right of way limits to experience long- or short-term noise effects?
- Is the resource close enough to the project to experience short- or long-term aesthetics effects?
- Will the resource experience short- or long-term air quality effects?
- Will the resource experience short- or long-term impacts on access to/from the property?
- Is mitigation provided for adverse impacts on the resource related to noise, visual, access, and/or air quality effects?

Based on the analyses described in Table A.1, it was determined that although the MCP Build Alternatives would result in proximity impacts on these resources based on the analyses in Chapter 3, Affected Environment, Environmental Consequences, and Avoidance, Minimization, and Mitigation Measures, in the Final EIR/EIS, those effects would not be severe enough to substantially impair the protected activities,

features, or attributes of the resources. The evaluation of the severity of those effects was not based on whether those effects are significant under CEQA or not but rather on whether the effects are substantial enough to substantially diminish the protected activities, features, or attributes of each resource. As explained in Table A.1, none of the effects of the MCP Build Alternatives would be substantial enough to substantially diminish the protected activities, features, or attributes of each resource. As a result, the MCP Build Alternatives would not result in constructive use under Section 4(f) at these resources and, therefore, would not trigger the requirements for protection under Section 4(f) for those resources.

As discussed in Section 2.5.6.1, Alignment Refinement in the Vicinity of the San Jacinto Wildlife Area, of this Final EIR/EIS, a 1.5-mile segment of the MCP project in the vicinity of the San Jacinto Wildlife Area has been realigned to fully avoid the San Jacinto Wildlife Area. Therefore, the 3.4 acres of land acquisition from the San Jacinto Wildlife Area that were disclosed in the Recirculated Draft EIR/Supplemental Draft EIS were no longer required for the MCP project, thereby eliminating the need for this use of land to be addressed in the Section 4(f) Evaluation in Appendix B.

IP-6-139

The FHWA *Section 4(f) Policy Paper* (July 20, 2012) suggests that potential avoidance alternatives "...should consider the reasonable alternatives that meet the purpose and need of the project. Potential alternatives to avoid the use of Section 4(f) property may include one or more of the following, depending on project context:

- **Location Alternatives:** A location alternative refers to the re-routing of the entire project along a different alignment.
- **Alternative Actions:** An alternative action could be a different mode of transportation, such as rail transit or bus service, or some other action that does not involve construction such as the implementation of transportation management systems or similar measures.
- **Alignment Shifts:** An alignment shift is the re-routing of a portion of the project to a different alignment to avoid a specific resource.
- **Design Changes:** A design change is a modification of the proposed design in a manner that would avoid impacts, such as reducing the planned median width, building a retaining wall, or incorporating design exceptions." (page 12)

The *Section 4(f) Policy Paper* further notes that "An important consideration in identifying potential avoidance alternatives is that they should have a reasonable expectation of serving traffic needs that have been identified in the project purpose and need." (page 13)

Based on the defined project purpose and need, and the guidance in the *Section 4(f) Policy Paper*, a number of alternatives were considered to avoid the use of land from the Multi-Use Prehistoric Site (P-33-16598 [CA-RIV-8712]) as described in Section 4.3, Test for Feasible and Prudent Alternatives, starting on page 4-3 in Appendix B in the Final EIR/EIS. The avoidance alternatives evaluated to avoid the Multi-Use Prehistoric Site were:

- **Alternatives 1A and 1B:** No Project/No Action
- **Avoidance Alternative 1:** Minor Realignment to the North
- **Avoidance Alternative 2:** Substantial Realignment to the North
- **Avoidance Alternative 3, Option A:** Minor Realignment to the South
- **Avoidance Alternative 3, Option B:** Minor Realignment to the South
- **Avoidance Alternative 4:** Substantial Realignment to the South

Alternatives 1A and 1B: No Project/No Action would be within the category of alternative actions suggested in the *Section 4(f) Policy Paper*, Avoidance Alternatives 2 and 4 would be within the category of location alternatives; and Alternatives 1 and 3 would be within the category of alignment shifts. Therefore, a reasonable range of alternatives as suggested in the *Section 4(f) Policy Paper* was evaluated. As discussed in Section 4.5.2, Build Alternatives to Avoid the Use of the Multi-Use Prehistoric Site, starting on page 4-6 in Appendix B in the Final EIR/EIS, all four avoidance Build Alternatives were determined to be feasible. However, Alternatives 1A and 1B: No Project/No Action, and Avoidance Alternatives 2 and 4 were determined not to meet the project purpose, and to compromise the project to a degree that it would be unreasonable to proceed with the project in terms of its stated purpose and need. Avoidance Alternatives 1 and 3 were evaluated in detail and were both determined not to be prudent alternatives to avoid the use of land from the Multi-Use Prehistoric Site. No further alternatives analysis is required to comply with the requirements to evaluate avoidance alternatives under Section 4(f) for the project use of land from the Multi-Use Prehistoric Site.

Based on the defined project purpose and need, and the guidance in the *Section 4(f) Policy Paper*, two alternatives were considered to avoid the use of land from Sites P-33-19862, P-33-19863, P-33-19864, and P-33-19866 as described in Section 5.3, Test for Feasible and Prudent Alternatives, starting on page 5-3 in Appendix B in the Final EIR/EIS. The avoidance alternatives evaluated to avoid the Multi-Use Prehistoric Site were:

- **Alternatives 1A and 1B:** No Project/No Action
- **Avoidance Alternative 1:** Substantial Realignment to the South

Alternatives 1A and 1B: No Project/No Action would be within the category of alternative actions suggested in the *Section 4(f) Policy Paper*, and Avoidance Alternative 1 would be within the category of location alternatives. Therefore, a reasonable range of alternatives as suggested in the *Section 4(f) Policy Paper* was evaluated. As discussed in Section 5.3.2, Avoidance Alternatives for the Use Impacts of the MCP Build Alternatives at Sites P-33-19862, P-33-19863, P-33-19864, and P-33-19866, starting on page 5-3 in Appendix B in the Final EIR/EIS, Avoidance Alternative 1 was determined to be feasible. Alternatives 1A and 1B: No Project/No Action, were determined not to meet the project purpose and to compromise the project to a degree that it would be unreasonable to proceed with the project in terms of its stated purpose and need. Avoidance Alternative 1 was evaluated in detail and was determined not to be a prudent alternative to avoid the use of land from Sites P-33-19862, P-33-19863, P-33-19864, and P-33-19866. No further alternatives analysis is required to comply with the requirements to evaluate a reasonable range of avoidance alternatives under Section 4(f) for the project use of land from Sites P-33-19862, P-33-19863, P-33-19864, and P-33-19866.

As discussed in Section 2.5.6.1, Alignment Refinement in the Vicinity of the San Jacinto Wildlife Area, of this Final EIR/EIS, a 1.5 mile segment of the MCP project in the vicinity of the San Jacinto Wildlife Area has been realigned to fully avoid the San Jacinto Wildlife Area. Therefore, the 3.4 acres of land acquisition from the San Jacinto Wildlife Area that was disclosed in the Recirculated Draft EIR/Supplemental Draft EIS is no longer required for the MCP project, thereby eliminating the need for this use of land to be addressed in the Section 4(f) Evaluation in Appendix B.

This comment also alleges that "The EIR fails to analyze all feasible …mitigation measures to avoid or reduce the impacts of developing parks and wildlands." Section 3.5, All Possible Planning to Minimize Harm, in the *Section 4(f) Policy Paper* (page 19) indicates that avoidance alternatives do not need to be reevaluated as possible measures to avoid or minimize impacts on affected resources so the analyses of avoidance alternatives provided in Appendix B of the Final EIR/EIS are not repeated in this response.

As discussed in Section 4.7, Memorandum of Agreement, in Appendix B, measures to avoid and minimize harm to the Multi-Use Prehistoric Site are provided in detail in the Memorandum of Agreement (MOA), which is provided in Appendix U in this Final EIR/EIS. Measures to avoid and minimize harm to Sites P-33-19862, P-33-19863, P-33-19864, and P-33-19866 are also provided in detail in the MOA as discussed in Section 5.5, Memorandum of Agreement, in Appendix B. The MOA was

developed in consultation between FHWA and Native American Tribal representatives. The measures in the MOA are feasible measures to address the project effects on these two cultural resources sites. This comment does not suggest other feasible measures to avoid or minimize the project effects on those resources. Based on the consultation with the Native American Tribal representatives and the measures included in the MOA, no further mitigation or assessment of potential mitigation/avoidance measures is required for project effects at the Multi-Use Prehistoric Site and Sites P-33-19862, P-33-19863, P-33-19864, and P-33-19866.

IP-6-140

This comment provides a brief summary of the CBD/SBVAS/SC's comments on the adequacy of the noise impact analysis and abatement/mitigation for potential noise impacts. FHWA and Caltrans have established guidelines and criteria for the analysis of potential highway traffic noise impacts. Potential noise impacts and noise abatement measures for the MCP project were evaluated based on the worst-case traffic conditions in accordance with the Caltrans' *Traffic Noise Analysis Protocol* (Caltrans Protocol, May 2011). Worst-case traffic conditions were used to determine the traffic noise impacts. The determination of traffic noise impacts accounts for existing features that would provide noise attenuation such as buildings, berms, and existing walls. The noise barriers were then evaluated to determine if they are feasible (reducing noise levels by 5 dBA or more) and reasonable (cost-effective). The feasible and reasonable noise barriers were then described to property owners located behind the noise barriers to determine if they are or are not in favor of the barriers.

The MCP Build Alternatives would result in a substantial noise increase of 12 A-weighted decibels (dBA) over the existing noise level or a noise level that approaches or exceeds the Noise Abatement Criteria (NAC). However, noise abatement measures were imposed as required by CEQA and the Caltrans Protocol and the findings of the analysis of the noise abatement measures are disclosed in Section 3.15.3.1, Permanent Noise Impacts, in the Final EIR/EIS. Please refer to the responses to comments IP-6-141 and IP-6-142 for the responses to the individual CBD/SBVAS/SC's comments regarding those concerns.

IP-6-141

The *Noise Study Report* (NSR) modeled for the worst-case scenario for noise impacts. The worst-case traffic noise scenario is based on the traffic volume, traffic mix, and vehicle speed. The traffic volume is selected between the peak-hour traffic volume from the traffic study or the worst-case traffic volume. The worst-case traffic volume is the highest traffic volume prior to speed degradation resulting from traffic

congestion (i.e., traffic flowing at 65 mph generates more noise than at 20–35 mph). The traffic mix for each road in the study area is obtained from a number of sources which are compared to each another. Vehicle speeds for each road is based on the posted speed limit. Receptors that represent residences are modeled at the designated frequent human use areas as defined in the Caltrans' *Traffic Noise Analysis Protocol* (May 2011). Frequent human use areas are determined based on the guidance provided in the Caltrans' *Traffic Noise Analysis Protocol*. Frequent human use areas are areas where people are exposed to traffic noise for an extended period of time on a regular basis as defined in the Protocol. These areas include backyards, outdoor seating (e.g., at restaurants), and outdoor-use areas (e.g., playgrounds) up to the third row of parcels within the noise study limits adjacent to the project traffic lanes. Receptors adjacent to the project traffic lanes that represent land uses with no frequent human uses (such as vacant land, agricultural, commercial, and industrial uses) were modeled approximately 100 ft from the edge of the outside traffic lane. The distance between the receptor and edge of the outside traffic lane vary location to location.

Further, the land use area is typically defined by the parcel. Frequent human use areas located beyond the first row of parcels within the noise study limits are identified through site inspection and aerial photo map inspection. The noise study limit is typically 500 ft from the roadway. Frequent human use areas were identified for each parcel based on both site inspection and aerial photo map inspection.

As summarized above, the worst-case traffic condition was used to evaluate traffic noise impacts at receptors in accordance with the guidelines and procedures provided in the Caltrans' *Traffic Noise Analysis Protocol* (Protocol) and the *Technical Noise Supplement* (TeNS). Thus, this comprehensive analysis and the methodology used to calculate potential project impacts are fully supported by substantial evidence, including expert opinion. Nonetheless, and in response to comments, additional long-term operational and short-term construction noise analyses were conducted to provide an even greater level of conservatism and determine the worst-case noise level at specific representative locations within the project area. The results of those supplemental analyses are set forth immediately below:

- For long-term operations, this additional analysis considered representative worst-case locations within the project area and calculated potential noise levels at the property line of receptor parcels closest to the project's lanes of traffic using the FHWA Traffic Noise Model (TNM) version 2.5. For example, representative worst-case locations include the Val Verde Elementary School (Receptor S1-41),

residences west of Evans Road (Receptor S1-416), residences east of Reservoir Road (Receptor S2-71), and residences north of Ramona Expressway (Receptors S3-1 and S3-10). This analysis provides an even greater level of conservatism because the property line is closer to the project's lanes of traffic (i.e., the source of operational noise) than the areas of frequent human use. The results from the supplemental TNM 2.5 noise model, showed that pre-mitigation project traffic noise levels would be as high as 78 dBA L_{eq} and the increase in noise level would range between 2 dBA and 14 dBA, depending on each location. Thus – and even in the unlikely event that residents spend substantial time standing on their property lines immediately adjacent to project traffic – these potential worst-case impacts are still well within the range of pre-mitigation impacts already disclosed for the proposed project. (See Final EIR Tables 3.15V and 3.15W [showing that 2040 pre-mitigation noise levels for Alternative 9 Modified are anticipated to increase by up to 19 dBA].) Thus, this supplemental analysis does not show that any new or substantially more significant impacts will occur. Furthermore, these pre-mitigation impacts would be reduced and avoided to the fullest extent feasible by the noise barriers and other mitigation measures that are already set forth in the EIR. Ultimately, the EIR concludes that operational noise impacts will remain significant and unavoidable even with the imposition of all feasible mitigation.

- Similarly, for short-term construction noise, additional analysis was conducted at representative worst-case locations within the project area that would be closest to either pile driving or blasting (i.e., the project construction activities with the highest instantaneous noise level). For example, representative worst-case locations include the Val Verde Elementary School near the proposed MCP System Interchange, residence at the Placentia Avenue Overcrossing of MCP, residence near the Perris Valley Storm Drain Bridge, and the future residences at the McCanna Hills Development. To make the analysis even more conservative, it was also assumed that other construction activities and equipment would be simultaneously operating either at the construction limit boundary or 1 ft from the property line of the closest receptor parcel. As with operational noise, these layers of worst-case assumptions are highly unlikely to occur, and the Final EIR explained why that is the case. Specifically, road work occurs in specific, discrete, and sequential steps, such that construction noise from one stage would not overlap with noise from the next stage. (See Final EIR § 3.15.3.2.) Under these unlikely conditions, the worst-case noise pre-mitigation levels generated from construction activities (pile driving or blasting occurring simultaneously with other construction activities) at distances immediately adjacent to potential

receptors would be as high as 128 dBA L_{max}. This worst-case pre-mitigation maximum noise level would be intermittent and short-term because neither blasting nor pile-driving generate a sustained, steady noise level and because the majority of construction activities would occur near the center of the construction area (not mere feet from potential receptors). Finally, the EIR already imposes all feasible mitigation for potential construction noise impacts, and specifically limits nighttime construction noise levels, hours and days of operation, and blasting such that post-mitigation construction noise impacts will be less than significant. Thus, this supplemental analysis does not show that any new significant impacts will occur, and merely re-confirms the significance conclusions that are already set forth in the Final EIR.

Ultimately, receptors evaluated in the NSR prepared by the MCP noise experts were selected in accordance with the Caltrans Protocol and the *Technical Noise Supplement* (TeNS, November 2009). In accordance with Section 4.3.1 of the November 2009 TeNS (page 5-2 through 5-6), the receivers were selected at each end of a roadway or highway segment to evaluate the limits of traffic noise impacts. Multiple receivers were selected to evaluate traffic noise impacts within each roadway or highway segment. In addition, where applicable, second and third row receivers were selected to evaluate potential traffic noise impacts further from the road and capture receivers that would benefit from potential noise abatement measures. These receivers represent frequent human use areas and the noise levels reported at these receiver locations reflect worst-case traffic noise conditions. Therefore, receivers selected for evaluation in the noise impact analysis are considered adequate because they are representative of all land uses that would be potentially affected by project-related noise in the area and inclusive of any sensitive receptors along a particular roadway or highway segment.

The information on each receptor includes the land uses they represent, the number of residential units represented, and the NAC used to evaluate potential traffic noise impacts on those land uses. These receivers are shown on scaled aerial photo maps with other project-related information on Figures 3.15.1 through 3.15.5, starting on page 3.15-107 in the Final EIR/EIS. The distance between each receiver can be determined based on the scaled aerial photo map. As shown on these maps, all receivers closest to the MCP facility were analyzed for noise impacts. Therefore, the information on each receiver is fully adequate and sufficient to evaluate impacts, and the CEQA significance conclusions set forth in the Final EIR are fully supported by substantial evidence.

Finally, project-related traffic noise impacts were identified at Val Verde High School. Noise abatement measures were evaluated to determine whether they are feasible and reasonable. The traffic noise impacts were identified based on worst-case traffic conditions, as required by the Caltrans' *Traffic Noise Analysis Protocol*. As shown on Figure 3.15.4 (page 3 of 11) and in Table 3.15.AB of the Final EIR/EIS, noise barrier Alt 9-NB-5 was determined to be feasible and reasonable and will be constructed at Val Verde High School.

IP-6-142

The potential for project-related noise impacts and noise abatement measures addressing those impacts were evaluated in accordance with the Caltrans Protocol. The Caltrans Protocol is required for all federally funded highway projects. Potential traffic noise impacts were evaluated against the NAC, which applies to both daytime and nighttime hours. Because trucks contribute disproportionally to traffic noise (as stated in this comment and noted on page 3.15-67 in the Final EIR/EIS), the FHWA Traffic Noise Model (TNM) Version 2.5 accounts for higher noise emissions generated by medium trucks and heavy trucks. Therefore, the evaluation of potential traffic noise impacts and abatement measures account for higher noise levels generated by trucks. Single high-traffic noise level events generated from motor vehicles occur when road conditions are poor, i.e., potholes, bumps, expansion joints, or other discontinuities. When the proposed project is completed, the MCP will be a new highway without potholes, bumps, or other discontinuities in the road surface and would not generate single high-traffic noise level events. Therefore, no further single-event noise analysis is required.

Noise abatement measures in the form of noise barriers are identified in the *Noise Study Report* (NSR) based on worst-case traffic conditions. The feasibility and reasonableness of noise barriers were then evaluated. As noted in the comment, noise barriers are left undetermined in the Recirculated Draft EIR/Supplemental Draft EIS because further considerations to construct feasible and reasonable noise barriers are required, which include the input of property owners located behind the barriers that would benefit from the barriers and the final project design.

The Caltrans Protocol (page 2.5-26) calls for a survey of benefitted property owners once a preferred alternative is identified. Under this process, for noise barriers adjacent to but outside the state highway right of way, if more than 50 percent of the votes from responding benefited receptors oppose the abatement, the abatement will not be considered reasonable. For owner-occupied dwelling units, the property owner gets one vote. For non-owner-occupied dwelling units, the renter gets 10 percent of

one vote and the owner gets 90 percent of one vote. A new subsection titled "Noise Barrier Survey Public Outreach Efforts" was added on page 3.15-98 in Section 3.15, Noise and Vibration, in the Final EIR/EIS.

For proposed noise barriers on privately owned property, Caltrans requires that 100 percent of the property owners adjacent to that noise barrier approve the installation of that noise barrier at that location. In accordance with Caltrans procedures, RCTC sent certified mail letters in January 2014 to each property owner adjacent to a proposed noise barrier for Alternative 9 Modified (the preferred alternative) to survey the owners on whether they would approve or disapprove of the noise barriers at the locations at or adjacent to their properties. Each letter included a noise barrier survey letter and survey form, a map showing the location of the noise barrier being considered specific to the individual property, and a postage paid return envelope. For the noise barriers proposed on private property (NB-5, NB-50, NB-43, and NB-44), responses in support of the noise barriers were less than 100 percent. Similarly, for the noise barriers that would be located on future State right of way, less than 50 percent of the adjacent property owners support the proposed noise barriers. Therefore, it was not possible to reach a conclusion on whether the noise barriers were reasonable under the "Viewpoints of Benefited Receptors" requirements in Caltrans' *Traffic Noise Analysis Protocol.* However, as Lead Agency under CEQA, RCTC will carry the feasible and reasonable noise barriers forward into final design for the preferred alternative and will continue to work with adjacent property owners to assess their support for those noise barriers. The noise barriers listed in Table 3.15.AB of the Final EIR/EIS will be constructed to provide feasible noise mitigation measures pursuant to Section 15126.4 of the CEQA Guidelines.

IP-6-143

This comment is a summary of the CBD/SBVAS/SC's comments on the noise analysis. Please refer to the responses to comments IP-6-141 and IP-6-142 for discussion regarding those comments.

IP-6-144

CEQA requires a lead agency to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft but before certification of the Final EIR (*CEQA Guidelines,* Section 15088.5(a)). That new information could be:

(1) A new significant environmental impact or a new mitigation measure (15088.5(a)),

(2) A substantial increase in the severity of an environmental impact unless mitigation is adopted to reduce the impact to below a level of significance (15088(b)),
(3) A feasible alternative or mitigation measure considerably different from others previously analyzed that would clearly lessen the environmental effects of the project, but the project proponent's decline to adopt it (15088(c)), or
(4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded (15088.5(d)).

Recirculation under CEQA is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR (15088(b)).

Please refer to the response to comment IP-6-2 for discussion regarding the circulation of the Draft EIR/EIS and the reasons why a Recirculated Draft EIR/Supplemental Draft EIS was prepared and circulated for public review in January 2013. The reasons for possibly preparing and recirculating an additional revised Draft EIR/Draft EIS, as requested in this comment, were reviewed and evaluated as described in the following sections.

Impact Analysis and/or Mitigation. This comment asserts that recirculation of a revised Draft EIR/EIS is needed because the commenters believe the Recirculated Draft EIR/Supplemental Draft EIS (January 2013) did not adequately describe the project itself, identify project effects, and/or provide adequate mitigation for the project impacts. As reflected in the responses to comments received on the Recirculated Draft EIR/Supplemental Draft EIS provided in this appendix and the technical analyses documented throughout the EIR/EIS, the Recirculated Draft EIR/Supplemental Draft EIS as prepared and circulated to the public provided sufficient information to adequately describe the modified project alternatives, and adequately and fully identify and assess the potential impacts of those Build Alternatives, and included mitigation that was sufficiently detailed to adequately avoid, minimize, and/or mitigate those potential impacts.

Significant Impacts. In January 2014, RCTC, as the Lead Agency under CEQA, prepared additional quantitative analysis of the potential construction-related air emissions of the MCP project Build Alternatives and analysis supporting a determination of significance of project-related GHG emissions under CEQA. That analysis is described in detail in a technical memorandum titled "*Updated Mid County Parkway Project Air Quality, Health Risk, and Greenhouse Gas Analyses*" (LSA Associates, Inc., January 17, 2014). A copy of that technical memorandum was

provided as Attachment A to the Recirculated Draft EIR that was circulated for public review on January 29, 2014. RCTC revised the following Sections in Chapter 4, California Environmental Quality Act, in the Recirculated Draft EIR/Supplemental Draft EIS based on those analyses:

- Section 4.4, Responses to Checklist Question III, Air Quality (page 4-9 in the Recirculated Draft EIR/Supplemental Draft EIS)
- Section 4.4, Responses to Checklist Question VII, Greenhouse Gas Emissions (page 4-31 in the Recirculated Draft EIR/Supplemental Draft EIS)
- Section 4.5, Climate Change (page 4-96 in the Recirculated Draft EIR/Supplemental Draft EIS)
- Summary of Impacts for Air Quality and Climate Change in Table 4.10, Summary of Effects by Alternative

The purpose of the revised sections of the Recirculated Draft EIR/Supplemental Draft EIS was to inform decision-makers and the general public of any significant adverse environmental effects associated with the additional air quality and GHG emission analyses conducted for the MCP Build Alternatives and to identify appropriate and feasible mitigation measures. Consistent with Section 15088(c) of the *CEQA Guidelines*, only those sections of the Recirculated Draft EIR/Supplemental Draft EIS that were revised to reflect the additional air quality and GHG emissions analyses were recirculated for public review.

These revised sections of Chapter 4 have been incorporated in this Final EIR/EIS for the MCP project. The 2013 Recirculated Draft EIR/Supplemental Draft EIS was revised based on the "Recirculated Sections of Chapter 4.0 (III, Air Quality; VII, Greenhouse Gases; 4.5, Climate Change; and Table 4.10)" of the Recirculated Draft Environmental Impact Report after those "Recirculated Sections" were circulated for public review in 2014. As a result, the information in the Final EIR/EIS based on the "Recirculated Sections" has already been circulated to the public and recirculation of the EIR/EIS with those revisions is not required.

IP-6-145

Mr. Jonathan Evans and the Center for Biological Diversity were already on the project mailing list as noted on page 7-13 in Chapter 7, Distribution List, in the Final EIR/EIS. His email contact information was added to the RCTC project email distribution list as follows: jevans@biologicaldiversity.org.

The San Bernardino Valley Audubon Society was also already on the distribution list but not at the requested address. The following contact information was added on page 7-15 in Chapter 7 in the Final EIR/EIS to ensure that the Final EIR/EIS and

other related correspondence was sent to the requested San Bernardino Valley Audubon Society mailing address:

San Bernardino Valley Audubon Society
P.O. Box 10973
San Bernardino, California 92423-0973

Mr. Hague and the San Gorgonio Chapter of the Sierra Club were already on the project mailing list at the requested address as noted on page 7-13 in Chapter 7. Therefore, no changes were made to Chapter 7 in response to this comment regarding the Sierra Club contact information.

IP-7

OPTIMUS
BUILDING CORPORATION

April 2, 2013

RECEIVED
APR 08 2013
RIVERSIDE COUNTY
TRANSPORTATION COMMISSION

Riverside County
Transportation Commission
P.O. Box 12008
Riverside, CA 92502-2208

Re: Comments on the Mid-County Parkway EIR

Dear Sirs:

Our company, Optimus Building Corporation ("Optimus"), is proposing an industrial and commercial project on the northeast corner of Interstate 215 and Ramona Expressway in the City of Perris, CA. We are currently processing entitlements with the City of Perris for a Specific Plan Amendment and Site Plan (City Case No. DPR 12-10-0005 and SPA 12-10-0006). The Assessor's Parcel Numbers (APNs) associated with this development are: 314-140-056, 314-170-005, 314-170-013 through 314-170-016; 314-180-001; 314-180-007; 314-180-009 through 314-180-011; 314-180-013; and 314-180-014. Based on the above referenced development Optimus has serious concerns about the Mid-County Parkway ("MCP") that should be addressed in your Final EIR as follows: IP-7-1

1. The Final EIR should clearly state that Patterson Avenue (like other access roads) is subject to the local cities through which it runs; that is, Patterson Avenue is not under the jurisdiction of the RCTC. Any representation of access roads shown on exhibits, such as Exhibit 2.3.1.a, should be noted as conceptual only. In addition, we request that any depiction of Patterson Avenue north of Ramona Expressway be removed. IP-7-2 IP-7-3

2. The amount of interchange right-of-way at Ramona/I-215 should be reduced in order to limit impact on our development site by using retaining walls or other design criteria. IP-7-4

3. Table 3.6.J of the MCP EIR compares the projected level of service for freeway ramps at peak hours for each Alternative in the year 2040. It should be noted that Alternative No. 5 has the least amount of impact to our development. As such, we suggest that RCTC adopt this Alternative as the Preferred Alternative. IP-7-5

OPTIMUS BUILDING CORPORATION
239 Roswell Avenue
Long Beach, CA, USA 90803
Phone: 1 (562) 883-2465
Fax: 1 (562) 433-0035
www.obc.com

4. The proposed EIR should provide a list of development projects in process that are affected by each Alternative (including ours), and provide an analysis of how the MCP will affect the projects in process. IP-7-6

5. Should the MCP and the city of Perris require the taking of a large portion of our development property for road dedication, it will render certain phases and possibly all phases of this property undevelopable. The EIR should mention these implications, in particular the economic and traffic impacts as well as the possible loss of hundreds of local jobs, lost property tax revenues and lost sales tax revenues. IP-7-7

6. Alternative 4 of the MCP proposes several "flyovers" over Ramona Expressway. The Optimus development project proposes to take its primary access for commercial development on Ramona Expressway, thus potentially rendering the commercial aspect of the project undevelopable if Alternative 4 is chosen. The Final EIR should address the land use and economic impacts to those properties along Ramona Expressway affected by Alternative 4. IP-7-8

While Optimus appreciates the importance of the MCP and wants to support this public project, we obviously cannot support a MCP Alternative that adversely impacts our development/project, potentially resulting in an inverse condemnation claim against RCTC should the subject properties become undevelopable. IP-7-9

Thank you for your attention and consideration to the above referenced comments. Should you have any questions or require additional information please do not hesitate to contact me.

Sincere regards,

Gary D Hamro
Optimus Building Corporation
12040 E. Florence Ave
Santa Fe Springs, CA 90670
(562) 237-4071
garyhamro@gmail.com

IP-7-1

This comment provides a brief summary of the Optimus Building Corporation's comment on several property parcels in the City of Perris. Please refer to the responses to comments IP-7-2 through IP-7-9 for the responses to the Optimus Building Corporation's individual comments regarding those concerns.

IP-7-2

The commenter is correct in stating that RCTC does not have jurisdiction over any local roads in Riverside County or incorporated Cities in the County; however, implementing regional transportation facilities is within RCTC's jurisdiction. A key objective regarding the alignment and design for the MCP Build Alternatives was to avoid, minimize, or mitigate impacts to existing and planned local access roads. Throughout the development of the MCP project, RCTC has worked closely with the City of Perris to coordinate the design of the MCP project with local roads under the City's jurisdiction.

Patterson Avenue is a local street in the City of Perris and is under the jurisdiction of that City and not RCTC. The City of Perris General Plan Circulation Element adopted August 26, 2008 (Figure CE-12, City of Perris Future Roadway Network, page 43), shows Patterson Avenue extending north of Ramona Expressway. As a result, Patterson Avenue north of Ramona Expressway was not deleted from the cited figure in response to this comment.

However, the design for the MCP Build Alternatives proposes relocating the join point of Patterson Avenue to Ramona Expressway on the north side of Ramona Expressway instead of eliminating this connection point to minimize impacts on Patterson Avenue and travelers using Patterson Avenue. Caltrans' design standards in the Highway Design Manual (last updated March 7, 2014) require a minimum distance between ramp termini and adjacent intersections, so the modification of the northbound on-ramp at the Interstate 215 (I-215)/Ramona Expressway interchange requires that the access point of Patterson Avenue and Ramona Expressway be relocated east to meet that Caltrans spacing requirement. Any work for the MCP project that requires connections to or modifications to any road facility outside the MCP project (such as for the join point of Patterson Avenue and Ramona Expressway just east of I-215) would be coordinated with the agency with jurisdiction over that road facility, including design review and encroachment permits to enter rights of way other than the MCP right of way.

IP-7-3

Please note that figures such as Figure 2.3.1a show the anticipated maximum disturbance/right of way limits for the MCP improvements, including improvements such as the relocation of the join point between Patterson Avenue to Ramona Expressway. The specific alignments of those improvements are not shown on those figures but would be aligned within the maximum disturbance limits shown on those figures. As a result, they are not "conceptual" improvements as noted in this comment. Further, Patterson Road north of Ramona Expressway is an existing road, which would not be removed by the MCP project. As a result, the alignment of Patterson Road north of Ramona Expressway and south of Harvill Avenue was not deleted from the cited figures in the Final EIR/EIS.

IP-7-4

In the northwest quadrant of the Ramona Expressway/I-215 interchange, the MCP project is designed with slopes rather than retaining walls because slopes are the typical design in areas where there is vacant land with no approved development or protected resources. In the future, if the land use entitlement of the property changes prior to construction of the MCP project, RCTC will work with the local jurisdiction (the City of Perris) to minimize the right of way acquisition impact in that quadrant of the interchange through the use of retaining walls or other design features.

IP-7-5

This commenter's preference for Alternative 5 is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the San Jacinto River Bridge Design Variation (SJRB DV) was identified as the preferred alternative. As explained in Section 2.5.3.1, Analysis of the Alignment Alternatives, starting on page 2-79, Alternative 5 Modified was not selected as the preferred alternative because:

> "Based on the results of the evaluation of the selection criteria for the Build Alternatives summarized in Table 2.5.A [starting on page 2-70], Alternative 9 Modified was recommended to be designated as the preliminary LEDPA alignment in the Final EIR/EIS.
>
> In general, the environmental impacts of Alternative 4 Modified are consistently greater than the impacts of Alternatives 5 Modified and 9 Modified. Based on the key evaluation criteria for the Build Alternatives in Table 2.5.A, the impacts to natural resources are not

substantially different among the Build Alternatives, particularly east of the City of Perris due to the common alignment in that area, and particularly for Alternatives 5 Modified and 9 Modified. Alternative 9 Modified has slightly more total (permanent and temporary) impacts to federal jurisdictional waters than Alternative 5 Modified (0.6 acre), and is ranked slightly higher than Alternative 5 Modified in hydrology impacts (normalized rank score of 8.9 for Alternative 5 Modified and 9.2 for Alternative 9 Modified), but has lower water quality impacts. Alternative 9 Modified has lower impacts to Riversidean upland scrub communities than Alternative 5 Modified (by 2.4 acres), and less impacts to PQP lands.

With respect to land use and socioeconomic impacts, Alternative 9 Modified has substantially fewer business and employee displacements. Although Alternative 9 Modified has the highest residential displacements, it would not result in a disproportionate impact to minority/low income populations, whereas Alternative 5 Modified would result in such impacts because of its impacts to employment-generating land uses. Alternative 9 Modified has the least impacts to designated farmland overall and Prime Farmland, and is the only alternative with no impacts to schools. In City Council Resolution 4428 adopted on June 28, 2011, the City of Perris selected Alternative 9 Modified as its locally preferred alternative. A copy of Resolution 4428 is provided as Attachment J-5, in Attachment J, Supplemental Chapter 5 Attachments. In addition, the City of Perris expressed interest in selecting an alternative that is least impacting to businesses and employment in its community. Finally, Alternative 9 Modified is the most cost-effective Build Alternative, costing $110 million (over 7 percent) less than Alternative 5 Modified and $490 million (30 percent) less than Alternative 4 Modified."

IP-7-6

The commenter requests that the Final EIR/EIS provide a list of development projects in process that are affected by each of the MCP Build Alternatives and provide an analysis of how the MCP project will affect those projects. Future land uses are discussed in Section 3.1.1, Existing and Future Land Use, in the Final EIR/EIS. Table 3.1.A, Proposed Land Uses in the MCP Study Area, lists proposed development projects in the study area, including the proposed industrial/commercial project

referenced in this comment letter (City Case No. DPR-12-10-0005 and SPA 12-10-0006).

With regard to the effects of the MCP project on the parcels owned by the commenter, the first paragraph in the subsection titled "Acquisitions" and Table 3.4.F on page 3.4-34 in the Final EIR/EIS summarize the full and partial property acquisitions under each of the Build Alternatives. A footnote on that page refers the reader to the location of detailed maps showing each full and partial property acquisition under each Build Alternative. The detailed tables and maps in Appendix O, Parcel Acquisitions, were provided specifically to allow readers of the EIR/EIS to locate individual parcels of interest and to determine if those parcels would be full or partial acquisitions or unaffected by the Build Alternatives. Please note that the property acquisition tables and figures in Appendix O focus on providing information on parcels that would be full or partial acquisitions and not on the existing or planned land uses on those parcels. The data used to develop these tables and figures are from the Assessor's parcel rolls which provide information for individual parcels by Assessor's Parcel Number (APN); the data in Appendix O is also presented by APN. The Assessor's Office data are based on the existing land uses and structures on an individual parcel and do not consider future or planned development on those parcels. As a result, information on planned development on individual parcels in the MCP right of way limits is not provided in the Final EIR/EIS.

The anticipated property acquisition for Alternative 9 Modified (the preferred alternative) for the parcels cited in comment IP-7-1 would be as follows:

Assessor's Parcel Number	Anticipated Property Acquisition for Alternative 9 Modified
314-140-056	Full acquisition
314-170-005	Full acquisition
314-170-013	No acquisition
314-170-014	No acquisition
314-170-015	No acquisition
314-170-016	No acquisition
314-180-001	No acquisition
314-180-007	Partial acquisition
314-180-009	Partial acquisition
314-180-0010	Full acquisition
314-180-0011	Partial acquisition
314-180-0013	Partial acquisition
314-180-0014	Partial acquisition

Source: Appendix O of the Final EIR/EIS.

Please note that any full or partial acquisition of land from any property, including property proposed or planned for development, would be conducted consistent with the requirements of the federal Uniform Relocation Act as described in Measure CC-3 on page 3.4-41 in Section 3.4, Community Impacts, in the Final EIR/EIS.

IP-7-7

The comment indicates that if acquisition of some of the land owned by the commenter is acquired for the MCP project, it is possible that certain phases of the proposed use of this land may not be developable. The commenter requests that the EIR/EIS analyze the economic (e.g., loss of jobs, and lost property and sale tax revenues) and traffic impacts. Section 3.4.2, Relocations and Real Property Acquisition, starting on page 3.4-32 in the Final EIR/EIS, specifically addresses the potential effects of full and partial acquisitions of individual parcels including business and employee displacements, and losses of property and sales taxes. The potential traffic impacts of the Build Alternatives are discussed in Section 3.6.3, Environmental Consequences, starting on page 3.6-23 in the Final EIR/EIS.

Because the entitlement process for this proposed development was initiated after the publication of the Supplemental NOP for the MCP Draft EIR/EIS in 2007, this development was not accounted for in the analysis of business relocation impacts of the MCP Build Alternatives in the Recirculated Draft EIR/Supplemental Draft EIS. A *Final Relocation Impact Report* (November 2014) has been prepared for the MCP project, and as discussed in response to comment IP-7-6, several parcels of the parcels referenced in comment IP-7-1 would either be fully or partially acquired for the MCP project. Any acquisition of property from the commenter will be conducted in accordance with the federal Uniform Relocation Act, as stipulated under Measure CC-3 on page 3.4-41 of the Final EIR/EIS.

IP-7-8

The comment notes that if Alternative 4 is selected for implementation, the commercial part of the Optimus development project would be undevelopable due to changes in circulation in that area. The commenter requests that the Final EIR/EIS address land use and economic impacts to those properties along Ramona Expressway affected by Alternative 4. The environmental issues associated with the implementation of the MCP project are analyzed for each Build Alternative, including specific land use, economics and transportation impacts associated with Alternative 4 as discussed in the following sections in the Final EIR/EIS:

- Land use impacts are discussed in the subsections titled "Build Alternatives Existing Land Uses" (page 3.1-37 in the Final EIR/EIS) and "Build Alternatives – General Plan Land Uses" (page 3.1-39 in the Final EIR/EIS).
- Economic impacts are discussed in the subsections titled "Property Taxes" (page 3.4-37 in the Final EIR/EIS) and "Sales Taxes" (page 3.4-39 in the Final EIR/EIS).
- Transportation impacts are discussed in the subsections titled "Build Alternatives" in Sections 3.6.3.1, Permanent Impacts (page 3.6-23 in the Final EIR/EIS), and 3.6.3.2, Temporary Impacts (page 3.6-53 in the Final EIR/EIS).

As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative. As a result, the potential effects of Alternative 4 Modified and Alternative 5 Modified on this property would not occur under the preferred alternative, Alternative 9 Modified.

IP-7-9

This commenter's preference for selection of an alternative that would minimize impacts to this commenter's property and project is noted. As discussed in response to comment IP-7-5, the process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative. As noted above in response to comment IP-7-7, any acquisition of property from the commenter will be conducted in accordance with the Federal Uniform Relocation Act.

IP-8

FRIENDS OF THE NORTHERN SAN JACINTO VALLEY
POST OFFICE BOX 4036
IDYLLWILD, CALIFORNIA 92549

RECEIVED
APR 11 2013
RIVERSIDE COUNTY
TRANSPORTATION COMMISSION

April 8, 2013

Via: U. S. Mail
Email: www.midcountyparkway.org

Ms. Cathy Bechtel
Riverside County Transportation Commission (RCTC)
P.O. Box 12008
Riverside, California 92502

Re: Mid County Parkway – Recirculated Draft Environmental Impact Report / Supplemental Draft Environmental Impact Statement – (SCH 2004111103)

Dear Ms. Bechtel:

The subject NEPA/CEQA document recounts that in 2008 the Draft EIR/EIS (2008 DEIR/DEIS) for the Mid-County Parkway (MCP) was circulated for public review. In 2008 the MCP was proposed as a 32-mile transportation facility between State Highway 79 (SR-79) and Interstate 15 (I-15). Over 3,100 comments were received from 50 public agencies and organizations, 10 large properly owners, 240 individuals and a form letter from over 1,100 individuals nationwide. To address the concerns/issues raised in the public review of the 2008 DEIR/DEIS, the RCTC in 2009, as the Lead Agency under CEQA, in cooperation with Caltrans, developed the current approach for completing the EIR/EIS process for the Project undergoing review.

RCTC modified the MCP project limits from 32 miles (SR-79 to I-15)) to 16 miles (SR-79 to I-215) in order to focus transportation funding where the need is the greatest on the existing Ramona Expressway roadway (I-79 to I-215). This latest approach to the environmental review of the project now brings forward the subject 2013 RDEIR/SDEIS for public review.

Without explanation, the current CEQA/NEPA environmental document advises that public and agency comments submitted for the 2008 DEIR/DEIS will only be included in the MCP administrative record, but no formal responses will be prepared; IP-8-1

only comments received during the public review period of the 2013 RDEIR/SDEIS will be formally responded to in the Final REIR/SEIS. IP-8-1

I. IMPROPER SEGMENTATION

The RCTC eleventh hour segmentation of the Mid County Parkway project into two separate parts is contrary to Guidelines section 15165's requirement for a single program EIR. These errors are prejudicial because the RCTC decision-makers and the public were thereby deprived of the essential information and environmental analysis that CEQA mandates (*Nelson v. County of Kern* (2010) 190 Cal. App. 4th 252, 272). The RCTC further abused its discretion when it failed to address the cumulative effects of the building only half of the MCP on various multiple species habitat conservation plans, climate change and cumulative air quality degradation. (CEQA Guidelines section 15165) IP-8-2

II. FAILURE TO INCLUDE A SUMMARY OF THE REVISIONS MADE TO THE 2008 DEIR/DEIS

The lead agencies failed to comply with CEQA Guidelines section 15088.5 (g) which states. "*When recirculating a revised EIR, either in whole or in part, the lead agency* ***shall, in the revised EIR or by an attachment to the revised EIR, summarize the revisions made to the previously circulated draft EIR***. The failure of the 2013 RDEIR/SDEIS to summarize the revisions made to the 2008 DEIR/DEIS is a fatal flaw and makes the decision to make a blanket refusal to respond to any of the 2008 comments even more egregious. All of those 2008 comments remain "pertinent" if those commenters cannot know if the 2013 REIR/SEIS has made significant change to address those comments and whether those significant changes require further comments or not, without going line by line through the document or being provided with a "track changes" copy of the original document. IP-8-3

The RCTC and FHWA failure to provide responses to pertinent comments previously submitted on the 2008 DEIR/DEIS is also improperly segmenting the public participation process, which is an essential component of the CEQA and NEPA environmental review for this project. The RCTC did not cite and apparently

misconstrued CEQA Guidelines section 15088.5 (f) regarding recirculation of an EIR. Guidelines 15088.5(f) provides: "In no case shall the lead agency fail to respond to **pertinent** comments on **significant** environmental issues." (Emphasis added)

Friends assume the 2013 RDEIR/SDEIS does comply with the definition of a "Recirculation of an EIR Prior to Certification" (Guidelines 15088.5 (a) and that the lead agencies are recirculating the 2008 DEIR/DEIS because significant new information was added to the EIR after public notice was given of the availability of the draft EIR for public review but before certification. As used in section 15088.5, "information" can include changes in the project or environmental setting as well as additional data or other information. New "information" added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation would include, for example, a disclosure that: IP-8-3

(1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

(2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.

(3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.

(4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (Guidelines 15088.5(a) (1-4).

(g) When recirculating a revised EIR, either in whole or in part, the lead agency SHALL in the revised EIR, or by an attachment to the revised EIR, summarize the revisions made to the previously circulated draft EIR." (Guidelines 15088.5 (g)).

(f) The lead agency shall evaluate and respond to comments as provided in [Guidelines] Section 15088. Recirculating an EIR can result in the lead agency receiving more than one set of comments from reviewers. The following are two ways in which

the lead agency may identify the set of comments to which it will respond. This dual approach avoids confusion over whether the lead agency must respond to comments which are duplicates or which are no longer pertinent due to revisions to the EIR. In no case shall the lead agency fail to respond to pertinent comments on significant environmental issues.

(f)(1) When an EIR is substantially revised and the entire document is recirculated, the lead agency may require reviewers to submit new comments and, in such cases, need not respond to those comments received during the earlier circulation period. The lead agency shall advise reviewers.... that although part of the administrative record, the previous comments do not require a written response in the final EIR, and that new comments must be submitted for the revised EIR.

The only reason for the lead agency not to respond to comments on the previous draft EIR, while they must respond to comments on the recirculated draft EIR, is because the lead agency **shall** send a notice of recirculation to every agency, person, or organization that commented on the prior EIR, and such notice shall indicate, at a minimum, whether comments may be submitted only on the recirculated portions of the EIR or on the entire EIR in order to be considered by the agency." (Guidelines 15088.5 (f) (3). IP-8-3

The only reason the lead agencies can decline to respond to the 2008 comments is because they have notified all the previous commenters exactly how their comments have been "responded" to by the lead agency's "significant" changes to the draft EIR in the recirculated EIR. Because the 2013 RDEIR/SDEIS did not include a summary of the revisions made to the 2008 DEIR, the 20013 RDEIR/SDEIS must again be recirculated, with notice to all of the 2008 commenters, and to all of the new 2013 commenters, included in the 2013 RDEIR/SDEIR or by an attachment, a summary of the revisions made to the previously circulated 2008 DEIR/DEIS.

At a minimum, RCTC and FHWA must respond to public and agency comments received on the 2008 DEIR/DEIS that are "pertinent" and applicable to the modified project limits in the 2013 RDEIR/SDEIS. To do otherwise will deprive the public, responsible and trustee agencies from evaluating the extent to which the 2013 RDEIR/SDEIS revisions respond to project issues and significant impacts identified in the 2008 public review of the project.

The Friends prior comments on the Mid County Parkway project have apparently fallen into the RCTC environmental review abyss. We are therefore recounting our earlier comments herein with a plea to the RCTC and FHWA to provide a legally sufficient response to these pertinent comments: (CEQA Guidelines 15088.5) IP-8-3

Friends August 27, 2007 Response letter to the Notice of Preparation for the 2008 DEIR/DEIS

1) "It is particularly important to show the boundaries of the Multiple Species Habitat Conservation Plan (MSHCP) conservation lands at the San Jacinto Wildlife Area and the Lake Mathews MSHCP lands. The DEIR/EIS must adequately inform the public as to the relative impact of the various project alternatives will have on these MSHCP conservation lands. IP-8-4 This analysis also must demonstrate compliance with the requirements of Section 4(f) of the U.S. Department of Transportation Act of 1966, which specifies public-owned parks, recreation areas, wildlife and waterfowl refuges may not be used for projects that us federal funds, unless there is no feasible and prudent alternative to the use of such land. IP-8-5
2) We are also disturbed that the Supplemental NOP Table A indicates consultation and coordination with responsible and trustee agencies for the project will be deferred until identification of a "preferred alternative." Both National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) require consultation/coordination with responsible and trustee agencies to be integrated into the environmental document at the earliest possible time and to the fullest extent possible. The Section 7 consultations for threatened and endangered species with the U.S. Fish and Wildlife Service, as well as the state and federal wildlife agency analysis for the MSHCP consistency determination, must be available for public review in the draft environmental document. To do otherwise will deny both the public and responsible trustee agencies the use and benefit of the information and analysis generated as a result of the NEPA/CEQA process. IP-8-6
3) The NEPA/CEQA document also needs to include a thorough analysis of the Project's impacts on the MSHCP designated conservation lands. We are IP-8-7

particularly concerned about the significant adverse impacts of Parkway noise and light on these sensitive wildlife habitats. Noise and light pollution generated from the Parkway will in large measure render these lands unsuitable for many species, particularly the nocturnal Stephens' kangaroo rat. This would constitute a "Take" of this federally endangered species. Complete avoidance of noise and light intrusion on the MSHCP conservation lands is the preferred mitigation for these impacts. Should the Parkway intrude into or be situated immediately adjacent to MSHCP lands, we recommend consideration of earthen berms of sufficient stature to prevent unwanted noise and light intrusion into these sensitive wildlife conservation lands. IP-8-7

4) We also question the function and the utility of three Parkway interchanges (Reservoir, Town Center Boulevard, and Park Center Boulevard) in the northern San Jacinto Valley. These interchanges are depicted as providing both north and south ingress/egress to the proposed parkway. We are particularly concerned regarding impacts to lands north of the present Ramona Expressway as these lands are either MSHCP Conservation lands or prime agricultural lands. Parkway interchanges at these locations will conflict with current uses in the northern San Jacinto Valley and can only hasten their conversion to urban and commercial uses. The conflict of the proposed interchanges with the San Jacinto Wildlife Area conservation lands and the eventual loss of prime agricultural lands due to the proposed construction of these interchanges is a significant project impact which must be thoroughly analyzed and avoided/mitigated in the NEPA/CEQA document. IP-8-8

5) The Draft EIR/EIS needs to adequately analyze the Parkway crossing at the San Jacinto River. The utility of building a new bridge or alternative reliance on the elevation of the existing Ramona Parkway to accommodate the Parkway across the San Jacinto River floodplain (1975, Riverside County Flood Control Plan) requires specific scrutiny and analysis. In our view, it would be poor public policy to construct a costly bridge structure and then subsequently be required to construct an elevated causeway for flood control purposes, which could also accommodate the future Parkway. The desirability and environmental impacts of IP-8-9

either or both alternative means of crossing the river needs to be clearly disclosed in the Draft EIR/EIS. IP-8-9

6) Our final concern is that the Draft EIR/EIS give required consideration to Global Warming. Climate change and its adverse environmental impacts are accelerating rapidly. In what ways will this Project directly and cumulatively contribute to this adverse environmental impact? How will this Project mitigate for this adverse environmental impact? Clearly, alternative transportation means also need to be considered to address this problem." IP-8-10

Friends January 7, 2009 Comments on the 2008 DEIR/DEIS for the Mid County Parkway Project—SCH 2004111103.

7) "The Friends of the Northern San Jacinto Valley (Friends) August 27, 2007 response comments on the July 2007 Supplemental Notice of Preparation (NOP) for this project noted several deficiencies in the National Environmental Policy Act/California Environmental Quality Act (NEPA/CEQA) public scoping document. We asked that these deficiencies be corrected in the forthcoming Draft EIR/EIS to comply with the requirements of NEPA/CEQA. IP-8-11

8) We indicated it was particularly important to delineate the boundaries of the MSHCP lands of the SJWA and Lake Mathews MSHCP lands. We requested the Draft EIR/EIS adequately inform the public as to the relative impact that project alternatives would have on these important wildlife conservation lands. These largely public lands have been designated for wildlife conservation pursuant to the federal Endangered Species Act (ESA) and the Natural Community Conservation Planning Act (NCCP). In addition, we requested that the subject environmental documents demonstrate compliance with the requirements of Section 4(f) of the U.S. Department of Transportation Act of 1966 which specifies that public owned parks, recreation areas, wildlife or waterfowl refuges may not be used for project which use federal funds, unless there are no feasible alternatives to the use of such land. In addition, the Section 4(f) requirements stipulate that the project includes all possible planning to minimize harm to federal, state or regional wildlife conservation lands resulting from the proposed transportation use. IP-8-12 IP-8-13

9) The Section 4(f) mandate also requires that the subject transportation project include all possible planning to minimize harm to federal, state, and regional wildlife conservation lands. The subject Draft EIR/EIS attempts to quantify the direct impacts of the presented MCP Build Alternatives on endangered species habitat but provides poor consideration of the indirect impact that the MCP will bring about on hundreds of acres of endangered species habitat. The Draft EIR/EIS acknowledges that all the MCP Build Alternatives considered will result in increases traffic noise adjacent to the MCP project alignment. The Friends are particularly concerned that the introduction of new or increased noise and light that the MCP will bring to the designated conservation lands for the Stephens' kangaroo rat (SKR) species. The adverse impacts of noise and light on habitat suitability for Heteromyid species such as the SKR are well documented in the scientific literature. (Brown et al, 1988; Price et al, 1991; Webster, 1962; Webster and Webster, 1971; Webster and Strother, 1972; Webster and Webster, 1975). The failure of the subject environmental document to consider the adverse impacts of noise and light on SKR designated habitats at the SJWA and the Lake Mathews-Estelle Mountain conservation lands must be corrected prior to further consideration of the Draft EIR/EIS. IP-8-14

10) Both NEPA and CEQA require that consultant/coordination with responsible and trustee agencies be integrated into the EIR/EIS document at the earliest possible time and to the fullest extent possible. Neither federal Endangered Species Act, the ESA, Section 7 consultation with the Federal Highway Administration nor the joint state (CA Dept. of Fish and Wildlife)/federal (US Fish and Wildlife Service-USFWS) analysis for the MSHCP/NCCP consistency determination are included in the subject NEPA/CEQA document. Consequently, neither of these pertinent environmental determinations is available for public review. IP-8-15

11) The Friends believe the approval of any of the presently proposed MCP Build Alternatives by the USFWS and the CDFG will cumulatively jeopardize the continued existence of the SKR. We believe the additional direct and indirect incidental take of SKR that the approval of a MCP Build Alternative will sanction must be subject to a cumulative impact analysis. The necessary cumulative evaluation will need to examine past and foreseeable future actions which could IP-8-16

jeopardize SKR conservation. These include: 1) the overlaying of the recently approved MSHCP habitat conservation lands on the same lands previously designated for SKR conservation; 2) the failure of the Riverside County Habitat Conservation Agency (RCHCA) to adequately fund the SKR Habitat Conservation Plan; 3) the RCHCA failure to implement habitat management programs on the designated SKR reserves; 4) the dissolution of the March AFB SKR reserve; and 5) the pending dissolution of the RCHCA; the Joint Powers Agency created to implement the SKR Habitat Conservation Plan. IP-8-16

12) We also believe the Draft EIR/EIS fails to adequately consider the adverse impacts the Mid County Parkway will engender in the area of climate change and cumulative air quality degradation. The Draft EIR/EIS does not properly consider the public health risks of additional air quality degradation. The Draft EIR/EIS does not properly consider the public health risks of additional air quality degradation on present and future residents living within 1,500 feet of the Mid County Parkway." IP-8-17

III. The Mid County Parkway 2013 RDEIR/SDEIS Does Not Adequately Address Section 4(f)

The 2013 RDEIR/SDEIS does not provide the necessary consideration of project impacts to 4(f) resources such as the San Jacinto Wildlife Area (SJWA). As currently designed the Mid County Parkway (MCP) will preclude public access to the 10,000 acre SJWA Davis Road Unit. Davis Road is the only means for the public to access the state-managed wildlife conservation area. The multiple-lane Mid County Parkway will bisect the north/south Davis-Hansen roadway, effectively blocking and precluding public access to the SJWA. IP-8-18 The MCP will introduce additional noise and light pollution into the SJWA lands designated for the conservation of the endangered Stephens' kangaroo rat and numerous other MSHCP covered species. Although these issues have been raised before, the 2013 RDEIR/SDEIS fails to properly address these "constructive use" impacts to the 4(f) lands comprising the SJWA. IP-8-19

In *Brooks v. Volpe,* 460 F. 2nd, 1194(9th Cir. 1972), for example, the court found that a highway encircling a campground was subject to section 4(f) despite the fact that there was no actual use of protected lands. Since then, federal courts have found

constructive use of section 4(f) lands resulting from such impairments as increased noise, unsightliness, and impaired access. See, e.g., *Citizens Against Burlington, Inc. v. Busey,* 938 F. 2d 190, 202 (D.C. Cir 1991) (holding noise from airport expansion would impact nearby park); *Citizen Advocates for Responsible Expansion, Inc. v. Dole,* 770 F2d. 423, 239 (5th Cir. 1985)(holding highway project would cause aesthetic and visual intrusion on protected park and historic buildings); *Monroe County Conservation Council v. Adams,* 566 F.2d 419,424 (2d Cir. 1977) (holding highway would restrict access to park because nearby residents would have to cross four lanes of heavy traffic). IP-8-19

Thank you for your attention to these comments. Should you have any questions, feel free to contact Tom Paulek or Susan Nash at the contact information listed below. The Friends of the Northern San Jacinto Valley wish to be placed on the mailing list for this project. Please mail all notices to the Friends address (P.O. Box 4266, Idyllwild CA 92549; via email Tom Paulek at atpaul44@earthlink.net and Susan Nash at snash22@earthlink.net) IP-8-20

Sincerely,

Tom Paulek

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Conservation Chair
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951-368-4525

Susan Nash

Susan Nash
President
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909-228-6710

This comment letter includes introductory and other information that does not raise specific environmental issues that would require a response under Section 15088 of the State CEQA Guidelines. As a result, those parts of this comment letter were not bracketed, and no responses were provided related to those sections of the letter. However, RCTC has reviewed and responded to all the substantive comments in this comment letter and determined that the sections of this letter that were not bracketed did not make substantive comments that required substantive responses.[1]

IP-8-1

This comment is correct in noting that the Recirculated Draft EIR/Supplemental Draft EIS does not include individual responses to comments received on the Draft EIR/EIS that was circulated for public review on October 10, 2008. As noted in the last paragraph in Section 1.2, Background, on page 1-1 in the Recirculated Draft EIR/Supplemental Draft EIS (and in the last paragraph in Section 5.10, Draft EIR/EIS, on page 5-44 in the Recirculated Draft EIR/Supplemental Draft EIS), responses to the comments on the Draft EIR/EIS were not included in the Recirculated Draft EIR/Supplemental Draft EIS but those comment letters will be part of the administrative record. This is consistent with Section 15088.5(f)(1) of the *California Environmental Quality Act (CEQA) Guidelines* which notes: "When an EIR is substantially revised and the entire document is recirculated, the lead agency may require reviewers to submit new comments and, in such cases, need not respond to those comments received during the earlier circulation period. The lead agency shall advise reviewers, either in the text of the revised EIR or by an attachment to the revised EIR, that although part of the administrative record, the previous comments do not require a written response in the final EIR, and that new comments must be submitted for the revised EIR. The lead agency need only respond to those comments submitted in response to the recirculated revised EIR." Please note that substantive comments received on the Draft EIR/EIS relevant to the shorter 16-mile (mi) long project were considered and addressed in the Recirculated Draft EIR/Supplemental Draft EIS. For clarification, the cited paragraph on page 1-11 in Section 1.2 of the Final EIR/EIS was revised to read as follows (changes shown in italics):

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[1] Section 15088(a) of the CEQA Guidelines notes that "The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response." As noted above, the parts of comment letters that did not raise specific environmental issues are not bracketed as individual comments and responses to those part of the comment letters are not provided.

"On July 8, 2009, the RCTC Board formally took action to refocus the MCP project between I-215 and SR-79. As a result of the RCTC's Board action, a Recirculated Draft EIR/Supplemental Draft EIS *was prepared and circulated for public review in January 2013. The* public and agency comments submitted for the October 2008 Draft EIR/EIS will be included in the MCP Administrative Record, but no formal responses *to those comments were* prepared *consistent with Section 15088.5(f)(2) of the CEQA Guidelines*. However, comments *on the October 2008 Draft EIR/EIS* applicable to the modified MCP project *were* considered in the preparation of *the* Recirculated Draft EIR/ Supplemental Draft EIS.

RCTC and the MCP project team worked closely with FHWA and Caltrans to develop the modified alternatives that were evaluated in the Recirculated Draft EIR/Supplemental Draft EIS in response to RCTC's Board action in July 2009. The following summarizes the main changes from the Build Alternatives evaluated in the Draft EIR/EIS and the modified Build Alternatives evaluated in the Recirculated Draft EIR/Supplemental Draft EIS:

- *The project limits for the Build Alternatives were changed to I-215 in the west and SR-79 in the east. The segment of the original Build Alternatives west of I-215 to I-15 is no longer under consideration as part of the MCP project.*
- *The horizontal alignment for Alternative 9 Modified between Perris Boulevard in the west and the Perris Valley Storm Drain in the east through the City of Perris was shifted approximately 1,000 ft north to avoid Paragon Park.*
- *Alternative 9 Modified includes a local interchange at Redlands Avenue to replace the local interchange previously proposed at Perris Boulevard.*
- *The following improvements to I-215 are included: (1) the addition of one auxiliary lane between the MCP/I-215 systems interchange and the adjacent service interchanges to the north and south to facilitate movement to/from the MCP and I-215; (2) the addition of an operational/mixed flow lane from the MCP to the Van Buren Boulevard interchange to accommodate additional traffic on I-215 as a result of the MCP; (3) the addition of an operational/mixed-*

flow lane from Nuevo Road to the Cajalco-Ramona Expressway to facilitate weaving on I-215 (the previous Build Alternatives included collector-distributor roads and realignment of I-215 to accommodate weaving movements in this segment of I-215); (4) the addition of a new interchange at Placentia Avenue; and (5) modification of the existing interchange at the Cajalco Road/ Ramona Expressway.

The comments received during the public review period *for* the Recirculated Draft EIR/Supplemental Draft EIS *are* formally responded to *in this* Final EIR/EIS. *Refer to Appendix S, Responses to Comments, for copies of the comments received on the Recirculated Draft EIR/Supplemental Draft EIS and responses to those comments.*"

The last paragraph on page 5-49 in Section 5.10 in the Final EIR/EIS was revised to read as follows (changes shown in italics):

"To address the concerns identified above, in spring 2009, RCTC, FWHA, and Caltrans developed an approach to modify the project limits and prepare a Recirculated Draft EIR/Supplemental Draft EIS. The substantive environmental comments received on the Draft EIR/EIS applicable to the modified project limits *were* considered and addressed in *the* Recirculated Draft EIR/Supplemental Draft EIS. Public and agency comments submitted *on* the October 2008 Draft EIR/EIS will be included in the MCP Administrative Record, but no formal responses *to those comment letters were* prepared.

Comments received during the public review period for this Recirculated Draft EIR/Supplemental Draft EIS *are* formally responded to in th*is* Final EIR/EIS, *as described below in Section 5.9, Recirculated Draft EIR/Supplemental Draft EIS.*"

IP-8-2

This comment raises two issues: improper segmentation of the project such that a 32-mile-long project from Interstate 15 (I-15) to State Route 79 (SR-79) was not considered in a single program level EIR, and the need to address the cumulative environmental effects of the shorter, modified MCP project.

Please refer to Section 1.2, Background, starting on page 1-5 in the Final EIR/EIS which describes the history of the proposed MCP project as an alternative evaluated in the program level Tier I Draft EIR/EIS for the Hemet to Corona/Lake Elsinore

(HCLE) Corridor and later at a project level in the 2008 Draft EIR/Draft EIS for the MCP project, prior to RCTC's decision to modify the MCP project to its current limits of Interstate 215 (I-215) to SR-79. As discussed in that section:

- The Riverside County Integrated Project (RCIP) included the Community and Environmental Transportation Acceptability Process (CETAP), which identified the need for two west-east intracounty and two north-south intercounty transportation corridors in western Riverside County.
- Tier 1 (program level) environmental analyses and documentation for the two intracounty corridors was initiated in 2000.
- The study area for the west-east intracounty corridor, referred to as the HCLE Corridor, extended from approximately I-215 on the west to SR-79 on the east as shown on Figure 1.2.1 on page 1-7 in the Recirculated Draft EIR/Supplemental Draft EIS for the MCP project.
- The purpose for the proposed action in the HCLE Corridor was defined as: "...to provide multimodal transportation improvements that will help alleviate future traffic demands and congestion and improve the east-west movement of people and goods across western Riverside County."
- A Draft Tier 1 EIR/EIS for the HCLE Corridor was circulated for public review in 2002; that EIR/EIS provided environmental documentation to support a route location decision for preservation of right of way for future transportation improvements. That route location/right of way preservation could be used for a road/freeway or transit system, or some combination of those types of facilities. That EIR/EIS also evaluated a Transportation Systems Management (TSM) alternative, two No Build Alternatives (2025) and build out of the Riverside County General Plan.
- In June 2003, the RCTC Board approved a staff recommendation to proceed with the accelerated preparation of a *project-level* (emphasis added) environmental document for a west-east alternative that would generally follow the existing alignment of Cajalco Road and Ramona Expressway, known as the MCP

project. This decision was based on the HCLE studies which showed the greatest mobility benefits along this corridor.

- Engineering and environmental studies were initiated by RCTC in 2004 for the MCP project, proposed as a 32-mile-long facility between I-15 and SR-79.
- In October 2008, the Draft EIR/EIS for the MCP project was circulated for public review. The following two key themes emerged in the public review comments:

  1. Concern about the cost of the project and the timing of available funds for the project.
  2. Many comments suggested improving existing facilities rather than building the MCP facility would be a better expenditure of public funds in the west part of the project area between I-15 and I-215. Specifically, many comments noted that in this area, improving existing facilities such as Cajalco Road instead of building the MCP facility would minimize impacts to rural communities and existing habitat reserves.

- In early 2009, RCTC (the lead agency under CEQA), FHWA (the lead agency under NEPA), and Caltrans developed an approach for completing the EIR/EIS process for the MCP project, by modifying the MCP project limits from 32 miles (I-15 to SR-79) to 16 miles (I-215 to SR-79) to focus transportation funding where the need is the greatest, between I-215 and SR-79, near or along existing facilities (i.e., Ramona Expressway).
- The Recirculated Draft EIR/Supplemental Draft EIS for the modified MCP Build Alternatives, between I-215 and SR-79, was circulated in January 2013.

As documented by the above chronology, RCTC's decision to modify the project limits of the MCP project to between I-215 and SR-79 was not an "eleventh hour" decision, nor an abuse of discretion by RCTC; rather, it was the result of an ongoing planning process initiated under the RCIP in 1999 and demonstrates reasoned decision-making based on RCTC's responsibility to plan and implement transportation improvements in a financially sound manner in response to public comments and requests.

Fundamental to the modification of the MCP project purpose statement and alternatives is the tenet that no improvements between I-15 and I-215 are planned, designed, or intended to be implemented as part of the MCP project. It is acknowledged that the need for transportation improvements still exists between I-15 and I-215. The distinct transportation needs between I-15 and I-215 will be addressed, if approved, by improvements to Cajalco Road shown in the adopted County of Riverside General Plan Circulation Element. The Cajalco Road improvements would be subject to a separate environmental review process in the future with Riverside County as the lead agency. The Cajalco Road improvements were analyzed in the cumulative impacts assessment for the MCP project, using the most current information available from the County (as shown on sheet 1 of Figure 3.25.1 on page 3.25-7 in Section 3.25, Cumulative Impacts, in the Final EIR/EIS). In addition, a CETAP Corridor between I-15 and I-215 is included in the SCAG *2012 Regional Transportation Plan/Sustainable Community Strategy* (Project ID No. 3C01MA01) (RTP/SCS) so as to not preclude consideration of transportation improvements to address future needs beyond those being addressed by the Cajalco Road improvements.

The MCP project was not improperly segmented because, as discussed in Section 1.3.2.6, Independent Utility and Logical Termini, on page 1-41 in the Final EIR/EIS, "The proposed project provides logical termini because it connects to major transportation facilities (I-215 and SR-79). The proposed project has logical termini that allow for evaluation of potential environmental effects for a project large enough to address the defined traffic need in the affected part of the study area. It has independent utility because the project is usable and is a reasonable expenditure even if no additional transportation improvements in the area are made. The proposed project does not restrict consideration of alternatives for other reasonably foreseeable transportation improvements." As a result, implementation of the MCP project is not dependent on the implementation of other improvements to the circulation system, such as improvements between I-15 and I-215 and other improvements to the circulation system are not dependent on the MCP. In addition, the highway section is of substantial length (approximately 16 miles) that is sufficient to allow consideration of alternatives. (See *Del Mar Terrance Conservancy, Inc. versus City County* [1992] 10 Cal. App. 4th, 712 [a 1.8-mile segment long enough to meet "substantial length" requirement and allow for consideration of alternatives].) In addition, the 16-mile long segment of the MCP Build Alternatives, including the preferred alternative, is consistent with state, regional, and local transportation goals as described in detail in

Section 3.1.2, Consistency with State, Regional, and Local Plans, on page 3.1-44, in this Final EIR/EIS.

The second part of this comment asserts that the Recirculated Draft EIR/ Supplemental Draft EIS "...failed to address the cumulative effects of building only half the MCP on various multiple species habitat conservation plans, climate change, and cumulative air quality degradation." This comment is incorrect because the potential for the modified Build Alternatives to contribute to cumulative impacts including for MSHCPs, climate change, and air quality was addressed in Section 3.25 of the Recirculated Draft EIR/Supplemental Draft EIS, which is included in Section 3.25 of this Final EIR/EIS.

IP-8-3

The Recirculated Draft EIR/Supplemental Draft EIS provided a summary of the revisions to the previously circulated Draft EIR in Section 2.2.1.1, Development of the Modified MCP Alternatives. This section describes the changes made to the project design and notes important resources that were avoided in the revised design (e.g., Paragon Park in the City of Perris that was previously impacted by Alternative 9). In addition, Section 2.6.1, Alternatives Formally Considered and Withdrawn, in the Recirculated Draft EIR/Supplemental Draft EIS describes those alternatives analyzed in the 2008 Draft EIR/EIS and discloses why they are no longer under consideration. Every section in the Recirculated Draft EIR/Supplemental Draft EIS was revised from the 2008 Draft EIR/EIS to address the Modified MCP alternatives. These revisions were summarized in the Summary of the Recirculated Draft EIR/Supplemental Draft EIS. Because the Recirculated Draft EIR/Supplemental Draft EIS provided a summary of the revisions to the previously circulated Draft EIR in the sections noted above consistent with the requirements of Section 15088.5(g) of the CEQA Guidelines, RCTC is not required to recirculate the Draft EIR as requested in this comment.

To provide further clarification of the revisions made to the previously circulated Draft EIR/EIS in the Recirculated Draft EIR/Supplemental Draft EIS, the primary differences between the Draft EIR/EIS and the Recirculated Draft EIR/Supplemental Draft EIS are summarized in Table IP.8.3, below. It is important to note that the majority of the analyses in the Recirculated Draft EIR/Supplemental Draft EIS were based on the analyses of the same 16-mile segment and generally the same overall project footprint between I-215 and SR-79 that were analyzed in the Draft EIR/EIS as part of the longer 32-mile project. Analyses that were updated for the shorter MCP project included traffic, noise, energy, and air quality (project related and

cumulative). As a result, as shown in Table IP.8.3, the 16-mile-long modified project generally results in fewer impacts because it is shorter in length and avoids all the impacts of the original longer project west of I-215. For each topic, Table IP.8.3 includes a page number citation for where the cited information was provided in the Recirculated Draft EIR/Supplemental Draft EIS.

Table IP.8.3 Summary of Differences between the Draft EIR/EIS and the Recirculated Draft EIR/Supplemental Draft EIS[1]

2008 Draft EIR/EIS	2013 Recirculated Draft EIR/Supplemental Draft EIS (page number where the cited information is provided)
Modifications in the Project Description	
Project extends 32 mi from I-15 to SR-79	Project extends 16 mi from I-215 to SR-79 (page 1-1)
Alternative 9 Modified local interchange at Perris Boulevard	Alternative 9 Modified local interchange at Redlands Avenue to replace the local interchange at Perris Boulevard (page 1-35)
--	Addition of one auxiliary lane on I-215 between the MCP/I-215 interchange and the adjacent service interchanges to the north and south to facilitate movement between the MCP and I-215 (page 1-36)
--	Addition of an mixed flow lane on I-215 from the MCP/I-215 interchange south to the Van Buren Boulevard interchange to accommodate additional traffic on I-215 as a result of the MCP (page 1-35)
Collector-distributor roads and realignment of I-215 to accommodate weaving movements in this segment of I-215	Addition of an mixed-flow lane on I-215 from Nuevo Road to the Cajalco-Ramona Expressway to facilitate weaving on I-215 (page 1-35)
--	Addition of a new interchange on I-215 at Placentia Avenue (page 1-31)
--	Modification of the existing interchange on I-215 at Cajalco Road/Ramona Expressway (page 1-31)
Land Use Impacts and Section 4(f)	
Use of 2,637 to 3,289 ac of land	Use of 1,298 and 1,399 ac of land (page 3.1-18)
--	Permanent use of 3.4 ac of land in the San Jacinto Wildlife Area (page 3.1-55)
Use of 0 to 2.4 ac from El Cerrito Sports Park	No use of land from El Cerrito Sports Park (page 3.1-58)
Use of 168.7 to 540.3 ac from the Lake Mathews/Estelle Mountain Reserve	No use of land from the Lake Mathews/Estelle Mountain Reserve (page 3.1-58)
Use of 0 to 22.4 ac from the El Sobrante Landfill MSHCP	No use of land from the El Sobrante Landfill MSHCP (page 3.1-58)
Use of 0 to 9.2 ac from Paragon Park	No use of land from Paragon Park (page 3.1-58)
Use of 0 to 62.5 ac from P-33-4759/H (CA-RIV04759/H) Cajalco Tin Mine District	No use of land from P-33-4759/H (CA-RIV04759/H) Cajalco Tin Mine District (page 3.1-58)
Use of 0 to 20.5 ac from P-33-13791 (CA-RIV-7843) Cajalco Creek Site	No use of land from P-33-13791 (CA-RIV-7843) Cajalco Creek Site (page 3.1-58)
Use of 0 to 5.2 ac from P-33-16598 (CA-RIV-8712) Multi-Use Prehistoric Site	No use of land from P-33-16598 (CA-RIV-8712) Multi-Use Prehistoric Site (page 3.1-58)

Table IP.8.3 Summary of Differences between the Draft EIR/EIS and the Recirculated Draft EIR/Supplemental Draft EIS[1]

2008 Draft EIR/EIS	2013 Recirculated Draft EIR/Supplemental Draft EIS (page number where the cited information is provided)
--	Use of 0 to 0.097 ac in Liberty Park for TCEs (page 3.1-48)
Impacts to several recreational trails at their crossings of the MCP facility	Impacts to several recreational trails at their crossings of the MCP facility (page 3.1-48)
Farmlands and Timberlands[2]	
Use of 822 to 1,052 ac of designated farmland	Use of 1,032 to 1,109 ac of designated farmland (page 3.3-9)
Community Impacts	
268 to 333 non-residential property displacements	91 to 159 non-residential property displacements (page 3.4-34)
210 to 351 non-residential property displacements and 1,329 to1,779 occupants displaced	91 to 159 non-residential property displacements and 373 to 659 occupants displaced (page 3.4-34)
Property tax losses between $1.0 and 1.1 million	Property tax losses between $175,500 and $637,000 (page 3.4-38)
Sales tax losses between $14.7 and 6.8 million	Sales tax losses between $1.5 and $4.2 million (page 3.4-39)
Cultural Resources	
Impacts to 1 or 2 built environment resources significant under CEQA, 2 to 4 National Register eligible archeological resources, and 1 or 2 sacred sites	Impacts to six archeological sites (page 3.8-16)
Hydrology and Floodplains	
Three or four transverse encroachments	One or two transverse encroachments (page 3.9-13)
One or two longitudinal encroachments	One or two longitudinal encroachments (page 3.9-10)
Water Quality and Storm Water Runoff	
2,249 to 2,452 ac disturbed during construction	1,091 to 1,153 ac disturbed during construction (page 3.10-35)
51 to 68 stream crossings	11 to 13 stream crossings (page 3.10-35)
739 to 882 ac of new pavement	480 to 525 ac of new pavement (page 3.10-17)
Paleontology	
Impacts to 632 to 1,087 ac of Low Sensitivity rock materials	Impacts to 89 to 95 ac of Low Sensitivity rock materials (page 3.12-14)
Impacts to 1,764 to 2,234 ac of High Sensitivity rock materials	Impacts to 1,243 to 1,304 ac of High Sensitivity rock materials (page 3.12-14)
Noise	
65 to 88 receptor locations would approach or exceed the NAC	66 to 73 receptor locations would approach or exceed the NAC (page 3.15-42)
Two or three sound walls are both feasible and reasonable	Four or six sound walls are both feasible and reasonable (page 3.15-90)

Table IP.8.3 Summary of Differences between the Draft EIR/EIS and the Recirculated Draft EIR/Supplemental Draft EIS[1]

2008 Draft EIR/EIS	2013 Recirculated Draft EIR/Supplemental Draft EIS (page number where the cited information is provided)
Natural Communities	
Temporary impacts to 8.8 to 14.2 ac of Western Riverside County MSHCP Riparian/Riverine Areas Permanent impacts to 34.1 to 66.1 ac of Western Riverside County MSHCP Riparian/ Riverine Areas Permanent impacts to 391.7 to 457.9 ac or other natural communities of Special Concern	3.0 to 10.82 ac of temporary and permanent impacts to riparian/riverine areas/habitat (page 3.17-19) 28.9 to 31.0 ac of impacts to San Jacinto River alkali communities (page 3.17-21) 88.1 to 93.6 ac of impacts to Riversidean upland sage scrub (page 3.17-21)
Permanent impacts to 381.4 to 663.4 ac of Western Riverside County MSHCP Criteria Area	Permanent impacts to 195.0 to 197.2 ac of MSHCP Criteria Area (page 3.17-43)
Permanent impacts to 22.0 to 22.4 ac in the El Sobrante MSHCP area	No impacts to the El Sobrante Landfill MSHCP area
Permanent impacts to 171.5 to 548.6 ac in the Lake Mathews-Estelle Mountain Reserve	No impacts to the Lake Mathews/Estelle Mountain Reserve
Wetlands and Other Waters of the United States	
Permanent impacts to 10.5 to 17.2 ac of USACE jurisdictional areas	Permanent impacts to 6.6 to 7.3 ac of USACE jurisdictional areas (page 3.18-14)
Temporary impacts to 8.2 to 10.4 ac of USACE jurisdictional areas	Temporary impacts to 2.5 to 6.1 ac of USACE jurisdictional areas (page 3.18-20)
Permanent impacts to 15.9 to 35.9 ac of CDFW jurisdictional areas	Permanent impacts to 8.7 to 9.2 ac of CDFW jurisdictional areas (page 3.18-14)
Temporary impacts to 8.6 to 11.9 ac of CDFW jurisdictional areas	Temporary impacts to 2.5 to 5.9 ac of CDFW jurisdictional areas (page 3.18-20)
Plant Species	
Permanent impacts to 0.02 to 7.6 ac of many-stemmed dudleya	No impacts to many-stemmed dudleya
Permanent impacts to 2.08 ac of smooth tarplant	Permanent impacts to 2.7 ac of smooth tarplant (page 3.19-4)
Permanent impacts to 1.6 ac of Coulter's goldfields	Permanent impacts to 2.0 ac of Coulter's goldfields (page 3.19-4)
Animal Species	
Permanent impacts to 44.1 ac of LAPM occupied habitat	Permanent impacts to 44.07 to 44.26 ac of LAPM occupied habitat (page 3.20-5)
Permanent impacts to 3.9 ac of BUOW habitat by only Alternative 9 with the Rider Street design variation	44.07 ac of permanent direct impacts to LAPM-occupied habitat; 3.1 ac of permanent direct impacts to BUOW habitat; and impacts to bat maternity roosts and foraging habitat (BUOW page 3.20-4 and LAPM page 3.20-5)
Threatened and Endangered Species	
Permanent impacts to 2.2 to 8.5 ac of LBV habitat	Permanent impacts to 3.7 ac of LBV habitat (page 3.21-7)
Permanent impacts to 33.5 to 40.1 ac of final CAGN critical habitat	No impacts to final CAGN critical habitat.
Permanent impacts to 140 to 327.6 ac of Quino checkerspot butterfly critical habitat	No impacts to Quino checkerspot butterfly critical habitat

Table IP.8.3 Summary of Differences betweeu the Draft EIR/EIS and the Recirculated Draft EIR/Supplemental Draft EIS[1]

2008 Draft EIR/EIS	2013 Recirculated Draft EIR/Supplemental Draft EIS (page number where the cited information is provided)
Permanent impacts to 2.9 ac of SBKR critical habitat	Permanent impacts to 2.9 ac of final SBKR critical habitat and permanent impacts to 4.3 ac of occupied SBKR critical habitat (page 3.21-7)
Permanent impacts to 0.8 ac of spreading navarretia	Permanent impacts to 1.1 ac of occupied spreading navarretia habitat and final critical habitat with primary constituent elements (page 3.21-7)
	Permanent impacts to 16.5 to 18.6 ac of Spreading Navarretia Final Critical Habitat (page 3.21-7)
Permanent impacts to 0.02 to 7.6 ac of Munz's onion	No impacts to Munz's onion.
No impacts to occupied San Jacinto valley crownscale habitat	Permanent impacts to 0.4 ac of occupied San Jacinto valley crownscale habitat (page 3.21-7)
Permanent impacts to 169 to 540 ac of SKR habitat	Permanent impacts to 142.2 ac of SKR habitat (Riversidean upland sage scrub and grassland communities) (page 3.21-7)

Sources: Draft EIR/EIS (2008) and Recirculated Draft EIR/Supplemental Draft EIS (2013).

1 The summary of environmental impacts focuses on the environmental parameters with the greatest potential project-related effects. The ranges of effects reflect differences based on the alternatives and design variations. Some of the values are rounded from the values reported in the source EIRs/EISs.

2 The acreage of farmland impacted by the modified MCP project (1,042 to 1,107 ac) is higher than reported for the original MCP (822 to 1,052 ac) project in the 2008 due to a change in the analytical methodology (i.e., a more conservative methodology was used) and in calculating the farmland impacts for the Modified Alternatives. Under the more conservative approach, based on the available databases, some land that has been converted from agricultural to nonagricultural uses was still shown in the databases as agricultural. For example, for the original Alternative 9, the farmland impacts were originally estimated as 822 acres using a database that showed some areas as nonagricultural uses; using the more conservative database assumptions, the original Alternative 9 would have impacted 1,805 acres, which is more than would be impacted by Alternative 9 Modified.

ac = acres
BUOW = burrowing owl
CAGN = California gnatcatcher
CDFW = California Department of Fish and Wildlife
I-15 = Interstate 15
LAPM = Los Angeles pocket mouse
LBV = least Bell's vireo
mi = miles
MSHCP = Multiple Species Habitat Conservation Plan
NAC = Noise Abatement Criteria
SBKR = San Bernardino kangaroo rat
SKR = Stephens' kangaroo rat
SR-79 = State Route 79
TCE = trichloroethylene
USACE = United States Army Corps of Engineers

Please refer to Section S.1, Introduction, at the beginning of this Appendix, which explains that the Recirculated Draft EIR/Supplemental Draft EIS was distributed to the agencies listed in Chapter 7, Distribution List, starting on page 7-1 in the Final EIR/EIS. Chapter 7 also lists organizations, interested parties, and members of the general public, including the Friends of the Northern San Jacinto Valley, who

received the Notice of Availability for the Recirculated Draft EIR/Supplemental Draft EIS. The NOA provided locations where the Recirculated Draft EIR/Supplemental Draft EIS was available for review in hard copy as well as electronically at the RCTC website.

As noted in the last paragraph in this comment, the comments provided by this organization in response to the 2007 Notice of Preparation (NOP) and on the 2008 Draft EIR/Draft EIS are repeated in this current comment letter in comments IP-8-4 through IP-8-10 (NOP comments) and IP-8-11 through IP-8-17 (Draft EIR/Draft EIS comments). Responses to those comments are provided below. In addition, CEQA does not require that changes in recirculated environmental documents be made in track changes.

IP-8-4

Please refer to Figure 3.17.1 on page 3.17-5 in the Final EIR/EIS, which shows the Western Riverside County MSHCP Public/Quasi-Public (PQP) Lands and Criteria Areas along and in the vicinity of the MCP alignments between I-215 and SR-79. The boundaries of the San Jacinto Wildlife Area were added to Figure 3.17.1 to provide information on the Western Riverside County MSHCP lands within the boundary of that resource.

Lake Mathews and the Western Riverside County MSHCP lands on and in the vicinity of Lake Mathews are not shown on Figure 3.17.1 because they are well outside the study area for the Modified MCP Build Alternatives. The study area for the Modified MCP Build Alternatives extends from I-215 at the western terminus to SR-79 at the eastern terminus. Specifically, Lake Mathews is approximately 7 miles west of I-215, which is the western terminus of Alternative 4 Modified, Alternative 5 Modified, and Alternative 9 Modified, and therefore, is not shown on Figure 3.17.1.

Please refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for additional discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project and how the MCP project was determined to be consistent with the Western Riverside County MSHCP.

IP-8-5

Please refer to Appendix B, Final Section 4(f) Evaluation, in the Final EIR/EIS which documents compliance with Section 4(f) of the U.S. Department of Transportation Act (now codified at 49 USC 303). As documented in Appendix B and in Chapter 2 in the Final EIR/EIS, the MCP project has been realigned to avoid the use of any land from the San Jacinto Wildlife Area.

IP-8-6

Extensive consultation and coordination has been conducted by RCTC on an ongoing basis with responsible and trustee agencies regarding the MCP project since the issuance of the original NOP for the project in 2004. Specifically, please refer to the following parts of Chapter 5, Comments and Coordination, in the Final EIR/EIS, which describe the ongoing coordination and consultation that were conducted with responsible and trustee agencies during the preparation and processing of the Draft EIR/EIS and the Recirculated Draft EIR/Supplemental Draft EIS for the proposed MCP project:

- December 2004 scoping meetings (Section 5.1.2, Scoping Meetings, page 5-2).
- Distribution of the Notice of Preparation (NOP) on November 15, 2004 (Section 5.2.1, Summary of Major Issues/Comments in Response to the Notice of Preparation [NOP], starting on page 5-4, for discussion of the agencies who responded to the NOP.
- Publication of the Notice of Intent (NOI) in the federal Register on November 22, 2004 (refer to Section 5.4.1, Summary of Major Issues/Comments in Response to the NOI, starting on page 5-16, for discussion of the agencies that responded to the NOI).
- Distribution of the Supplemental NOP on July 31, 2007 (refer to Section 5.3.1, Summary of Major Issues/Comments in Response to the Supplemental Notice of Preparation, starting on page 5-11, for discussion of the agencies that responded to that NOP).
- Small Working Group (now the Resource Agency Coordination group), which provided a forum for regular and continuous consultation among the public agencies involved in the project; it is multi-agency collaborative including the Riverside County Transportation Commission (RCTC), the California Department of Transportation (Caltrans), FHWA, the United States Fish and Wildlife Service (USFWS), the United States Environmental Protection Agency (EPA), the United States Army Corps of Engineers (USACE), CDFW, and other agencies with an interest in the project (refer to Section 5.5, Consultation and Coordination with Public Agencies, starting on page 5-17).
- Monthly Project Development Team meetings (Section 5.5, starting on page 5-17).
- Additional meetings with agencies (refer to the second paragraph in Section 5.5, starting on page 5-17, for a list of those meetings and the agencies and other interested parties who participated in the meetings).

- Distribution of the Draft EIR/Draft EIS on October 10, 2008 (page 5-44).
- Distribution of the Recirculated Draft EIR/Supplemental Draft EIS on January 25, 2013 (page 5-45).

As shown in Chapter 5.0, extensive consultation with responsible and trustee agencies was conducted during the preparation of the Draft EIR/EIS and the Recirculated Draft EIR/Supplemental Draft EIS for the MCP project. Trustee agencies that RCTC has consulted with are the CDFW regarding the San Jacinto Wildlife Area and the State Department of Parks and Recreation regarding the Lake Perris State Recreation Area. Responsible agencies under CEQA include the CDFW, California Public Utilities Commission, County of Riverside, City of Perris, and City of San Jacinto as each of these agencies will have discretionary actions on the project (e.g., approval of permits) that will occur following certification of the Final EIR and approval of the MCP project by RCTC. That consultation and coordination afforded those agencies the use and benefit of information generated as result of the CEQA/the National Environmental Policy Act (NEPA) process for the MCP project.

The Section 7 consultation and *Mid County Parkway MSHCP Consistency Determination Including Determination of Biologically Equivalent or Superior Preservation Analysis* (2014, provided in Appendix T of this Final EIR/EIS) for the MCP project are based on the preferred alternative, which had not been identified at the time of public circulation of the Recirculated Draft EIR/Supplemental Draft EIS. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the San Jacinto River Bridge Design Variation (SJRB DV) was identified as the preferred alternative.

The analysis for the *Mid County Parkway MSHCP Consistency Determination Including Determination of Biologically Equivalent or Superior Preservation Analysis* could not be developed until after the preferred alternative was identified. The information provided in the measures in the Final EIR/EIS meets the requirements of CEQA and NEPA with respect to fully disclosing the effects and methods by which the effects will be avoided or offset. DBESPs for the preferred alternative were developed and are provided in the *Mid County Parkway MSHCP Consistency Determination Including Determination of Biologically Equivalent or Superior Preservation Analysis*, in Appendix T in this Final EIR/EIS. Further, as discussed in Section 3.21.4, Avoidance, Minimization, and/or Mitigation Measures, on page 3.21-19 in the Final EIR/EIS, FHWA conducted Section 7 consultation with

the USFWS for listed species prior to approval of the Final EIS. That consultation was based in part on the *Mid County Parkway MSHCP Consistency Determination Including Determination of Biologically Equivalent or Superior Preservation Analysis*, and, as a result, could only have been conducted after the identification of the preferred alternative. The Section 7 consultation documentation is provided in Appendix W, Biological Opinion, in this Final EIR/EIS.

IP-8-7

Please refer to the response to comment IP-6-29 for discussion regarding how the impacts of the MCP project, as a Planned Road through Criteria Areas, was considered during the development of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), including designation of the Conservation Area. Refer also to the subsection titled "Western Riverside County MSHCP Conservation Area" on page 3.17-27 in the Final EIR/EIS which discusses criteria cells that would be impacted by the proposed project. Further, take authorization of SKR has been obtained by implementing the agreements established in the Habitat Conservation Plan for the Stephens' Kangaroo Rat and the Western Riverside County MSHCP as discussed in the third paragraph in Section 3.21.4, Avoidance, Minimization, and/or Mitigation Measures, on page 3.21-14 in the Final EIR/EIS and in Measure TE-2 on page 3.21-21. To minimize the project footprint and reduce impacts to sensitive biological resources, including avoiding the majority of the San Jacinto Wildlife Area, use of earthen berms to reduce indirect effects to conservation lands was not a feasible option because it would increase the footprint of the MCP project resulting in additional impacts to adjacent private properties. The measures that RCTC has committed to implement to reduce adverse light and noise effects in the Western Riverside County MSHCP Conservation Areas will comply with Section 6.1.4 (Urban/Wildlands Interface Guidelines) of the MSHCP. These measures are described in detail in Section 4.7 of the MSHCP Consistency Determination (Appendix T of the Final EIR/EIS) and are summarized in the subsection titled "Western Riverside County MSHCP" starting on page 3.17-27 in Section 3.17.3, Permanent Impacts, in the Final EIR/EIS.

Please refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for additional discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project and how the MCP project was determined to be consistent with the Western Riverside County MSHCP.

IP-8-8

The MCP project is proposed to accommodate both existing development and approved and planned growth. As described in the response to comment IP-8-2, as a CETAP Corridor, the MCP is part of the larger coordinated RCIP planning effort that was initiated in 1999 and resulted in the approval of the updated Riverside County General Plan in 2003 and the Western Riverside County MSHCP in 2004. This resulted in the MCP project being closely coordinated with the Riverside County General Plan Circulation Element.

The interchanges at Reservoir Avenue, Town Center Boulevard, and Park Center Boulevard are proposed at 1.2 mile spacing, meeting the required Caltrans standard interchange spacing of 1.0 mile (*Highway Design Manual* [HDM] 501.3) between service interchanges. The interchanges are proposed at locations where major north-south arterials are planned as shown in the Riverside County General Plan Circulation Element. The existing land uses in those areas are not reflective of the planned land uses in those areas as shown in the Riverside General Plan Land Use Element which allows for residential development in some of the areas surrounding these three interchanges. The interchanges will allow future residential traffic to get on and off the MCP facility and proceed east or west or access this area, and to provide connectivity between the existing and proposed land uses north and south of the MCP facility. Because the MCP facility will be a linear feature with controlled access, grade separated roads are necessary to allow traffic to cross the facility in this area to maintain connectivity among resources and places of interest. The interchanges are planned for future use and future traffic with an opening year of 2020 and a horizon year of 2040.

The loss of prime agricultural lands in this area as a result of future land development based on the General Plan Land Use Element was addressed in the EIR for the Riverside County General Plan (2003). The potential permanent and temporary effects of the MCP Build Alternatives on agricultural resources are discussed in detail in Section 3.3, Farmlands/Timberlands, in the Final EIR/EIS. The potential permanent losses of designated agricultural lands, which cannot be mitigated, are summarized in Table 3.3.C on page 3.3-10 in the Final EIS. The potential permanent impacts to lands covered under Williamson Act Contracts are shown in Table 3.3.E on page 3.3-11. Measures to address the temporary impacts to agricultural operations during construction of the MCP Build Alternatives are provided in Section 3.3.4, Avoidance, Minimization, and/or Mitigation Measures, on page 3.3-13. As discussed in Section I, Agriculture and Forest Resources, in Chapter 4.0, California Environmental Quality Act Evaluation, in the Final EIR/EIS, the permanent use of

designated agricultural lands cannot be mitigated to below a level of significance under CEQA but the other impacts of the MCP Build Alternatives related to agriculture and agricultural land use designations can be mitigated to below a level of significance under CEQA.

The potential permanent and temporary impacts to lands designated under the Western Riverside County MSHCP are discussed in detail in the *Mid County Parkway MSHCP Consistency Determination Including Determination of Biologically Equivalent or Superior Preservation Analysis* (2014) (Consistency Determination) for the preferred alternative for the MCP project which is summarized in Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plans, earlier in this Appendix and is provided in Appendix T in this Final EIR/EIS. The Consistency Determination includes measures to address the effects of the preferred alternative on lands designated in the Western Riverside County MSHCP and plant and animal species in those habitats.

Please also refer to Section 2.5.6.1, Alignment Refinement in the Vicinity of the San Jacinto Wildlife Area, starting on page 2-98, which describes a shift in the alignment of the MCP facility south to avoid the acquisition of any land from the San Jacinto Wildlife Area. Based on the analyses summarized in Table 2.5.C (starting on page 2-100), that proposed realignment would not individually or cumulatively result in new adverse environmental impacts, no new avoidance, minimization, and/or mitigation measures would be required. The potential for the MCP facility to result in indirect impacts on resources in the San Jacinto Wildlife Area is evaluated in Sections 3.17 through 3.22 in the Final EIR/EIS with avoidance, minimization, and mitigation measures provided in those sections to address those project impacts on the San Jacinto Wildlife Area.

IP-8-9

As discussed in Section 1.3.1, Project Purpose, on page 1-14 in the Final EIR/EIS, one purpose of the MCP project is to provide increased capacity to support the forecast travel demand for the 2040 design year. The intent of the MCP project is the movement of people and goods across an east-west corridor while avoiding or minimizing impacts to the natural and human environments. The MCP Build Alternatives propose bridges crossing the San Jacinto River above the 100-year floodplain, which would not alter the existing flow patterns in that floodplain. As a result, the MCP project would not result in conflicts with or impacts regarding flood control in that area.

The "elevated" causeway referred to in this comment appears to be the proposed project to re-construct a one mile long section of Ramona Expressway on an embankment above the water surface elevation described on page 26 of the *San Jacinto River Basin Master Plan* (Riverside County Flood Control and Water Conservation District, 1975). There are no current plans to construct this project by either the Riverside County Flood Control and Water Conservation District or the Riverside County Transportation Department; therefore, it was not considered in the analysis of direct, indirect, or cumulative impacts of the MCP project.

The MCP project proposes that the existing Ramona Expressway Bridge remain in place. That bridge is approximately 260 ft long and is overtopped in a 100-year storm event. The existing bridge and fill area in the floodplain act as a control to the riverine/riparian processes of the upstream and downstream San Jacinto River. The MCP project cannot rely on using this bridge because (1) there is not adequate width on the bridge to accommodate the required number of travel lanes, and (2) this bridge does not meet Caltrans' requirement for freeways to be above the 100-year flood elevation.

IP-8-10

Please refer to Section 4.5, Climate Change, starting on page 4-122 in the Final EIR/EIS, for a detailed description of the potential project short-term construction and long-term operational greenhouse gas (GHG) and global climate change impacts as a result of the MCP Build Alternatives. Please note that Section 4.5 was revised and recirculated in the "Recirculated Sections of Chapter 4.0 (III, Air Quality; VII, Greenhouse Gases; 4.5, Climate Change; and Table 4.5)." That revised information is now provided in Section 4.5 in this Final EIR/EIS.

As discussed in Section 4.5.1.4, Construction Emissions, on page 4-130, construction GHG emissions include emissions produced as a result of material processing, emissions produced by on-site construction equipment, and emissions arising from traffic delays due to construction. These emissions will be produced at different levels throughout the construction phase. Their frequency and occurrence can be reduced through innovations in plans and specifications and by implementing better traffic management during construction phases. Measures AQ-2 and AQ-3, provided on page 3.14.44 in Section 3.14.4, Avoidance, Minimization, and Mitigation Measures, in the Final EIR/EIS would reduce the GHG emissions generated by the on-site construction equipment. In addition, with innovations such as longer pavement lives, improved traffic management plans, and changes in materials, the GHG emissions

produced during construction can be mitigated to some degree by longer intervals between maintenance and rehabilitation events.

As discussed in Section 4.5.1.3, Quantitative Analysis, and in Table 4.7 on page 4-130 in the Final EIR/EIS, operation of the existing plus MCP Build Alternatives would result in a 5 percent reduction in carbon dioxide (CO_2) emissions in the region compared to existing conditions. In 2020 and 2040, when compared to the 2020 and 2040 without project conditions, the MCP Build Alternatives would result in a small increase (less than 1 percent) in CO_2 emissions. This small increase in CO_2 emissions is due to the increased regional VMT associated with existing trips being diverted to the MCP facility.

Section 4.5.1.6 in the "Recirculated Sections of Chapter 4.0 (III, Air Quality; VII, Greenhouse Gases; 4.5, Climate Change; and Table 4.5)" concluded that the MCP Build Alternatives would result in a significant unavoidable adverse impact under CEQA due to the generation of greenhouse gases (GHG). Section 4.5, Climate Change, in Chapter 4.0, California Environmental Quality Act Evaluation, in the Final EIR/EIS includes this determination of CEQA significance of the project effects related to GHG emissions.

Although not proposed as mitigation for the MCP project, RCTC supports other agencies' efforts to reduce VMT by planning and implementing smart land use strategies: job/housing proximity, developing transit oriented communities, and high-density housing along transit corridors. RCTC is also working closely with local jurisdictions on planning activities; however, it should be noted that RCTC does not have local land use planning authority. RCTC also supports efforts to improve the energy efficiency of the transportation sector by increasing vehicle fuel economy in new cars, light and heavy-duty trucks; and by supporting legislative efforts to increase fuel economy. It is important to note, however, that the control of the fuel economy standards is under the jurisdiction of the EPA and the California Air Resources Board. RCTC also supports Caltrans' statewide efforts discussed in detail in the subsection titled "Greenhouse Gas Reduction Strategies" starting on page 4-134, and summarized in Table 4.5.D on page 4-136 in the Final EIR/EIS which include: support for smart land uses, operational improvements and intelligent transportation systems deployment, incorporation of mainstream energy and greenhouse gases into plans and projects; educational and information programs, fleet greening and fuel diversification, non-vehicular conservation measures, use of Portland cement, and goods movement.

IP-8-11

This comment is a brief summary of comments provided by the Friends in July 2007 in response to the Supplemental Notice of Preparation. Please refer to the responses to comments IP-8-12 through IP-8-17 for the responses to the Friend's comments regarding those concerns.

IP-8-12

This comment raises some of the same issues as comment IP-8-4; please refer to the response to comment IP-8-4. Please also refer to the Master Response regarding the Western Riverside County MSHCP in Section S.5.1 on page S-6 for discussion regarding how the MCP project complies with the NCCP Act.

IP-8-13

This comment raises the same issues as comment IP-8-5; please refer to the response to comment IP-8-5.

IP-8-14

The potential for indirect light and noise effects on the Stephens' kangaroo rat (SKR) is discussed in the subsection titled "Indirect Effects (All Threatened and Endangered Species)" starting on page 3.21-16 in the Final EIR/EIS. As discussed in detail in the subsection titled "Compliance with the Western Riverside County MSHCP Urban/ Wildlands Interface Guidelines" starting on 3.17-36 in the Final EIR/EIS, the indirect effects of the MCP Build Alternatives on the San Jacinto Wildlife Area, including on SKR in designated SKR habitat, will be avoided or substantially reduced based on compliance with the "Western Riverside County MSHCP Urban/Wildlands Interface Guidelines (Section 6.1.4 of the Western Riverside County MSHCP, 2004)." Those measures for edge effects from the Guidelines address:

> **Drainage.** The Guidelines indicate that development in proximity to Western Riverside County MSHCP Conservation Areas, such as the MCP, is to incorporate measures, including measures required through the National Pollutant Discharge Elimination System (NPDES) requirements, to ensure that the quantity and quality of runoff discharged to the Western Riverside County MSHCP Conservation Areas are not altered in an adverse way compared with existing conditions.
>
> **Toxics.** The Guidelines indicate that land uses proposed in proximity to Western Riverside County MSHCP Conservation Areas, such as the MCP, that use chemicals or generate bioproducts that may adversely affect wildlife species or water quality are to incorporate measures to ensure that the

application of such chemicals does not result in discharge to Western Riverside County MSHCP Conservation Areas.

Lighting. The Guidelines indicate night lighting is to be directed away from Western Riverside County MSHCP Conservation Areas and habitat with long-term conservation values for the Los Angeles pocket mouse, San Bernardino kangaroo rat, and least Bell's vireo, to protect those species from direct night lighting. The Guidelines also indicate that shielding shall be incorporated in project designs to ensure ambient lighting in Western Riverside County MSHCP Conservation Areas is not increased.

As described in Section 2.5.5, Identification of the Preferred Alternative, of the Final EIR/EIS, a 1.5-mile-long segment of the MCP adjacent to the San Jacinto Wildlife Area was realigned to avoid property acquisition from the San Jacinto Wildlife area. This shift in alignment will reduce the adverse effects of vehicular lights on small nocturnal mammals in this area.

Noise. The Guidelines indicate proposed noise-generating land uses affecting Western Riverside County MSHCP Conservation Areas are to incorporate setbacks and/or berms to minimize the noise effects on Western Riverside County MSHCP Conservation Area resources pursuant to applicable rules, regulations, and guidelines related to land use noise standards. The Guidelines state that for planning purposes, wildlife in Western Riverside County MSHCP Conservation Areas should not be subject to noise that would exceed residential noise standards.

Invasives. The Guidelines provide a list of plants that should be avoided adjacent to Western Riverside County MSHCP Conservation Areas. For the parts of the MCP project adjacent to Western Riverside County MSHCP Conservation Area, avoidance of these species is to be incorporated into the project design or landscape plans. Considerations in reviewing the applicability of this list will include the proximity of planting areas to the Western Riverside County MSHCP Conservation Area; species considered in the planting plans; resources being protected in the Western Riverside County MSHCP Conservation Area and their relative sensitivity to invasion; and barriers to plant and seed dispersal such as walls and topography.

Barriers. The Guidelines indicate projects should incorporate barriers, where appropriate, to minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping in Western Riverside County MSHCP Conservation Areas. Barriers may include native landscaping, rocks or

boulders, fencing, walls, signage, and/or other appropriate mechanisms. Permanent fencing will be installed along the right of way limits for the entire length of the MCP, including areas adjacent to Western Riverside County MSHCP Conservation Areas. Permanent fencing will be located up to the grading limits at the bridged areas adjacent to Western Riverside County MSHCP Conservation Areas and will minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping in Western Riverside County MSHCP Conservation Areas.

Grading/Land Development. The Guidelines require that manufactured slopes not to extend into Western Riverside County MSHCP Conservation Areas. There will not be any manufactured slopes outside the MCP project footprint.

Based on compliance with the Urban/Wildlands Interface Guidelines, the Build Alternatives would not result in indirect effects on the SKR in its protected habitats in the San Jacinto Wildlife Area that would be so severe that the protected activities, features, and attributes that qualify those habitat areas for protection under Section 4(f) would be substantially impaired. Therefore, the Build Alternatives would not result in constructive use effects of the SKR habitats in the San Jacinto Wildlife Area.

The Lake Mathews-Estelle Mountain Reserve is well outside the study area for the Modified MCP Build Alternatives, which extend from I-215 at the western terminus to SR-79 at the eastern terminus. The Lake Mathews-Estelle Mountain Reserve is approximately 6 miles west of I-215, which is well outside the study area for the Modified MCP Build Alternatives. As a result, the reserve is not discussed further in the Final EIR/EIS.

IP-8-15

This comment raises some of the same issues as comment IP-8-6 regarding consultation with responsible and trustee agencies; please refer to the response to comment IP-8-6 for responses to those comments.

The Consistency Determination for the MCP project was not prepared in response to requirements of either CEQA or NEPA. The Consistency Determination was prepared for the preferred alternative only to address issues related to making a consistency determination with the Western Riverside County MSHCP. No public review/comment period is required for a Consistency Determination. The *Mid County Parkway MSHCP Consistency Determination Including Determination of Biologically Equivalent or Superior Preservation Analysis* (2014) for the preferred alternative for the MCP project is summarized in Section S.5.1, Master Response

Related to the Western Riverside County Multiple Species Habitat Conservation Plan, earlier in this Appendix, and is provided in Appendix T in this Final EIR/EIS.

Similarly, consultation with the USFWS pursuant to Section 7 of the federal Endangered Species Act is only conducted for the preferred alternative of a transportation project. Following the completion of the MSHCP Consistency Determination process, FHWA initiated Section 7 consultation with the USFWS for the MCP project in a letter dated December 9, 2014 (copy of letter provided in Appendix W, Biological Opinion, of the Final EIR/EIS). USFWS issued the Biological Opinion for the MCP project on February 11, 2015 (see Appendix W, Biological Opinion, of the Final EIR/EIS). The Biological Opinion documents the USFWS conclusion that the MCP project will not result in jeopardy to San Jacinto Valley crownscale, least Bell's vireo, San Bernardino kangaroo rat, spreading navarretia, coastal California gnatcatcher, and Stephen's kangaroo rat.

IP-8-16

The comment states that the approval of any of the MCP Build Alternatives will cumulatively jeopardize the SKR and that the additional direct and indirect incidental take of the SKR by the MCP Build Alternatives must be subject to a cumulative impact analysis.

An EIR must discuss cumulative impacts if the project's incremental effects combined with the effects of other projects are "cumulatively considerable" (*CEQA Guidelines,* Section 151309(a)). This determination is based on an assessment of a project's incremental effects in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects (*CEQA Guidelines,* Section 15064(b)(1)). An EIR discussion of cumulative impacts should be guided by standards of practicality and reasonableness. Although a cumulative impacts analysis is required in an EIR, the EIR's discussion of cumulative impacts need not provide the same level and detail as is provided for project-specific effects (*CEQA Guidelines,* Section 15130(b)). A lead agency is not required to provide evidence supporting every fact underlying the EIR's discussion of cumulative impacts nor is an exhaustive analysis required (*Association of Irritated Residents versus County of Madera* (2003) 107 Cal. App. 4th 1383, 1404). An EIR's evaluation of cumulative impacts need not be exhaustive and need only provide such information as is necessary for informed decision-making.

Consistent with the requirements of CEQA, the Recirculated Draft EIR/Supplemental Draft EIS for the MCP project discussed the potential for the project to contribute to cumulative impacts on various resources and species including SKR. As discussed in

the fifth paragraph in the subsection titled "Build Alternatives" on page 3.25-24 in the Recirculated Draft EIR/Supplemental Draft EIS, "...the MCP project "may affect, likely to adversely affect" the Stephens' kangaroo rat." However, project compliance with the requirements of the Western Riverside County MSHCP and the HCP for SKR would ensure that the contribution of the MCP project to cumulative impacts are effectively mitigated. In addition, the other cumulative projects would undergo review by the USFWS and CDFW to ensure that they do not jeopardize the continued existence of listed species or destroy or adversely modify designated critical habitat.

The MCP project complies with both the Stephens' Kangaroo Rat Habitat Conservation Plan (HCP for SKR) and the Western Riverside County MSCHP. Please refer to Section S.5.3, Master Response Related to the Stephens' Kangaroo Rat, on page S-39, for discussion regarding the project effects on the Stephens' kangaroo rat (SKR) and how the potential take of SKR under the Build Alternatives has been addressed.

Please refer to Section S.5.2, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-36, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project and how the MCP project was determined to be consistent with the Western Riverside County MSHCP.

Cumulative impacts have been considered within the entire Plan Area and because the MCP project complies with the HCP for SKR, cumulative impacts including projects such as the MCP, within the HCP for SKR Plan Area, were accounted for in the creation of the SKR Reserves. Further, as noted in Section 16.2 (Long-Term HCP for SKR) in the Implementing Agreement for the Western Riverside County MSHCP, "...the Regional Conservation Authority (RCA) will enter into a Memorandum of Understanding with the Riverside County Habitat Conservation Agency (RCHCA) and Wildlife Agencies to ensure that such management will occur. Actions shall not be taken as part of the implementation of the HCP for SKR that will significantly impact other Covered Species. The Parties find that the MSHCP's analysis of Take of SKR is adequately addressed in the Plan Area outside the boundaries of the HCP for SKR and thus, the Take of SKR outside of the boundaries but within the Plan Area is authorized under the MSHCP and the Permits." Therefore, cumulative analysis for SKR was conducted on a regional level as well as a project level.

Actions 1 through 5 cited in this comment, should they occur, would not change the obligations for compliance or mitigation that RCTC has committed to as part of the MCP project related to the HCP for SKR and the Western Riverside MSHCP.

Further, although RCTC is not responsible for the actions of the RCHCA, the five main concerns in this comment are generally responded to below:

1) Overlaying Western Riverside County MSHCP conservation lands over SKR Reserves would provide dual mechanisms for conservation for the SKR Reserves and would in no way be detrimental for the species.
2) Funding of the HCP for SKR is the responsibility of the RCHCA. RCTC does not have any responsibility for ensuring that RCHCA's fund management is adequate.
3) Implementation of the habitat management programs on the SKR Reserves is the responsibility of the RCHCA and not RCTC. RCTC received take authorization for SKR under the Biological Opinion (Appendix W in the Final EIR/EIS).
4) Management arrangements regarding the March Air Force Base (AFB) SKR Reserve (649 acres) and the approximately 1,500-acre Sycamore Canyon Wilderness Park, and a corridor connecting those two wildlife areas were addressed in a settlement agreement between conservation groups and private landowners, announced in September 2012, and appropriate arrangements were made, none of which involve or are the responsibility of RCTC.
5) The RCHCA is a fully functioning entity, managing the HCP for SKR until the end of the 30-year term period (2026). There are no plans at this time for the RCA to take over the responsibilities of the RCHCA. However, this potential future occurrence is discussed in Section 16.2, Long-Term HCP for SKR, in the Implementing Agreement for the Western Riverside County MSHCP as follows: "...upon expiration of its initial 30-year term or termination, the RCA shall process an amendment to the MSHCP to allow coverage for SKR throughout the Plan Area. Alternatively, at any time prior to the expiration of the HCP for SKR, the Permittees may elect to have the MSHCP assume all or a portion of the requirements set forth in the HCP for SKR. In that event, the HCP for SKR shall be amended pursuant to the Amendment Process set forth in Section 5 of the HCP for SKR and the RCA shall process an amendment to the MSHCP." None of these actions would affect RCTC's requirements in meeting its obligations for the MCP project.

IP-8-17

Please refer to the response to comment IP-8-10 for a description of where the greenhouse gas and climate change analysis is provided in the Final EIR/EIS. Analysis provided in Section III, Air Quality, in the "Recirculated Sections of Chapter 4.0 (III, Air Quality; VII, Greenhouse Gases; 4.5, Climate Change; and Table 4.5)" concluded that the short- and long-term air quality emissions of the MCP Build Alternatives would result in significant unavoidable adverse impacts under CEQA.

That analysis also concluded that the construction and operation of the MCP Build Alternatives would result in less than significant impacts related to diesel toxics emissions under CEQA. Refer to Section 3.14, Air Quality, in the Final EIR/EIS for detailed discussion regarding those analyses.

Specifically, with regard to the commenter's concern regarding increased public health risks within 1,500 ft of the MCP project, please refer to the Health Risk Analysis provided on page 6 of Appendix A of the "Recirculated Sections of Chapter 4.0". That analysis addressed both short-term (construction) and long-term (operations) health risk of the MCP project, as follows:

> "A screening analysis to determine the short-term health risks associated with the on-site construction diesel vehicles was prepared for the MCP Build Alternatives. This analysis was performed using the SCREEN3 dispersion model, a single source Gaussian plume model which provides maximum ground-level concentrations for point, area, flare, and volume sources. The inhalation cancer risk and inhalation chronic risk were calculated using the peak daily exhaust emissions that would be generated during the grading/ excavation phase of construction, the phase with the highest PM_{10} exhaust emissions. The results of the modeling, for distances of 25 to 100 meters (85 to 335 ft) from the construction equipment, are shown in Table F. As shown, the cancer risk threshold of 10 in 1 million and the chronic risk threshold of 1.0 would not be exceeded. Therefore, construction of the MCP Build Alternatives would not result in any adverse health risks to persons near the project, and no avoidance, minimization, or mitigation measures are required.
>
> A screening analysis to determine the long-term health risks associated with the on-road operational diesel vehicles on the MCP facility was prepared for the MCP Alternatives. This analysis was performed using the SCREEN3 dispersion model, a single source Gaussian plume model which provides maximum ground-level concentrations for point, area, flare, and volume sources. The inhalation cancer risk and inhalation chronic risk were calculated using the peak average daily traffic (ADT) volumes for each MCP Alternative. The results of the modeling are shown in Table G. As shown, for a resident living within 20 meters (65 ft) of the roadway centerline, the cancer risk threshold of 10 in 1 million and the chronic risk threshold of 1.0 would not be exceeded by any of the MCP Build Alternatives. Therefore, the MCP project would not result in any adverse health risks to persons near the project, and no avoidance, minimization, or mitigation measures are required"

Based on this analysis, because no adverse health risks were documented within 335 ft of the MCP project, there would be no adverse health risks within 1,500 ft of the MCP project.

IP-8-18

The MCP Build Alternatives would not result in long-term traffic circulation or access impacts on the San Jacinto Wildlife Area because access to this area would be maintained in the long term during project operations. Alternative 4 Modified, Alternative 5 Modified, and Alternative 9 Modified would result in the permanent removal of the connection of Davis Road and Hansen Avenue to Ramona Expressway. Ramona Expressway in this area would be replaced by the four- to six-lane MCP facility with controlled access limited to interchanges only. The proposed access point for the San Jacinto Wildlife Area would be via the service interchange at Reservoir Road. This would not result in long-term traffic impacts because although access from Ramona Expressway to Davis Road, or Hansen Road to Davis Road would no longer be provided, access to the San Jacinto Wildlife Area would be available via Reservoir Road, crossing over the MCP facility (from the south side to the north side), or by exiting the MCP at Reservoir Road and proceeding north to an east/west road connecting to Davis Road. The east/west road may be an extension of Marvin Road or some other east/west road constructed as the area is built out according to the adopted Riverside County General Plan Land Use and Circulation Elements. If at the time the construction of the MCP in this area is initiated, the east/west road connecting Reservoir Road to Davis Road has not been built by others, the MCP project would be responsible for providing access to Davis Road so that no area is left without access during the MCP construction and operation as required in Measure TR-2 on page 3.6-59 in the Final EIR/EIS. As a result, the MCP Build Alternatives would not result in proximity impacts on the San Jacinto Wildlife Area related to traffic circulation and access.

Please also refer to the response to comment IP-8-8, above, which discusses a realignment of the MCP project to avoid the permanent use of land from the San Jacinto Wildlife Area and the analysis of indirect project effects on the San Jacinto Wildlife Area.

IP-8-19

As shown on Figure 3.17.1 on page 3.17-5 in the Final EIR/EIS, the alignment of the MCP Build Alternatives south of the San Jacinto Wildlife Area generally follows the existing alignment of Ramona Expressway. As shown on that figure, the alignment of Ramona Parkway and the MCP project is immediately south of and adjacent to the

San Jacinto Wildlife Area. The San Jacinto Wildlife Area is part of the Western Riverside County MSHCP Conservation Area. As discussed in the subsection titled "Compliance with the Western Riverside County MSHCP Urban/Wildlands Interface Guidelines" in Section 3.17.3.1, Permanent Impacts, starting on page 3.17-36 in the Final EIR/EIS, measures are included in the Build Alternatives to avoid or reduce light, noise, and other edge effects that may occur along the San Jacinto Wildlife Area and other Western Riverside County MSHCP Conservation Areas. Refer to the response to comment IP-8-14, above, which describes the measures to minimize or avoid edge effects.

As discussed in Section 1.2.1, Definitions of Use, Temporary Occupancy, and Constructive Use, on page 1-2 in Appendix B in the Final EIR/EIS, 23 Code of Federal Regulations (CFR) 774.15(a) indicates a constructive use occurs when a transportation project does not incorporate land from a Section 4(f) property, but the project's proximity impacts are so severe that the protected activities, features, or attributes that qualify the property for protection under Section 4(f) are substantially impaired. Substantial impairment occurs only when the protected activities, features, or attributes of the property are substantially diminished. As discussed in Section 3.17.3.1 in the Final EIR/EIS, the indirect effects of the MCP Build Alternatives on the San Jacinto Wildlife Area will be avoided or substantially reduced based on compliance with the Western Riverside County MSHCP Urban/Wildlands Interface Guidelines. Therefore, the Build Alternatives would not result in indirect effects on the San Jacinto Wildlife Area that would be so severe that the protected activities, features, and attributes that qualify this property for protection under Section 4(f) would be substantially impaired, and would not result in constructive use effects at the San Jacinto Wildlife Area.

Please also refer to the response to comment IP-8-8, above, which discusses a realignment of the MCP project to avoid the permanent use of land from the San Jacinto Wildlife Area and the analysis of indirect project effects on the San Jacinto Wildlife Area.

Please also refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, starting on page S-6, for discussion regarding the compliance of the MCP with the Western Riverside County MSHCP Urban-Wildlands Interface Guidelines in Section 6.1.4 in the Western Riverside County MSHCP (this is also discussed in Section 4.7 in the MCP MSHCP Consistency Determination provided in Appendix T of this EIR/EIS).

IP-8-20

The Friends of the Northern San Jacinto Valley was already on the MCP project distribution list but not at the requested address. The following contact information was added on page 7-15 in Chapter 7 in the Final EIR/EIS to ensure that the Final EIR/EIS and other related project correspondence was sent to the requested Friends mailing address:

Friends of the Northern San Jacinto Valley
P.O. Box 4266
Idyllwild, CA 92549

The following email contact information for Tom Paulek and Susan Nash was added to the RCTC project email distribution list:

atpaul44@earthlink.net
snash22@earthlink.net

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IP-9

California Native Plant Society
Riverside/San Bernardino County Chapter
4477 Picacho Drive
Riverside, CA 92507

RECEIVED
APR 15 2013
RIVERSIDE COUNTY
TRANSPORTATION COMMISSION

Ms Cathy Bechtel,
RCTC
P.O. Box 12008, Riverside, CA 92502

April 10, 2013

RE: Mid County Parkway Recirculated Draft EIR/Supplemental Draft EIS

Dear Ms. Betchel,

The California Native Plant Society (CNPS) is a non-profit volunteer organization dedicated to the conservation and preservation of California's native flora. The Riverside/San Bernardino Counties Chapter of CNPS works to increase the public awareness of the significance of native plants and to preserve the native vegetation of Riverside and southwestern San Bernardino Counties. These comments pertain the Mid County Parkway Recirculated Draft EIR/Supplemental Draft EIS (DEIR/EIS document). We did not have time for an indepth review but we do have a few brief comments on the document.

In Section 3.9, Flooding and Hydrology, the document should clearly state impacts to the 100-year flood plain below the Ramona Expressway bridge. The document describes impacts above the bridge and suggests that the increase to the 100-year flood plain and water velocity will be minimal. However, the DEIR/EIS document should also discuss impacts or changes in flow and flooding that will take place below the bridge as well since these impacts could be significant in terms of impacting the habitat for which numerous sensitive plant species rely upon. If changes will occur, a detailed discussion regarding changes in the hydrology should be included. IP-9-1

The flood plain habitat below the Ramona Expressway bridge consists of alkali dependent plant communities (seasonally flooded vernal alkali plain; alkali scrub, alkali annual grassland, alkali playa, and alkali vernal pool habitats. Currently these habitats are in fairly poor condition due to soils amendments, mostly added between 2003 and 2008. However, these areas remain critical to a number of rare plant species. Some like San Jacinto Valley Crownscale (*Atriplex coronata* var. *notatior*), spreading navarretia (*Navarretia fossalis*), and thread-leaved brodiaea (*Brodiaea filifolia*), are Federal or State listed species. All three of these and many other alkali dependent rare plants are species covered by the Riverside County Multiple Species Habitat Plan, as indicated in this document and their continued existence depends on periodic flooding events.

Indirect effects on only two species were alluded to on page 3.21-15 where it was stated that "Indirect effects on San Jacinto Valley crownscale and spreading navarretia could result from localized increases in water velocity following major floods due to changes in river hydraulics caused by placement of bridge columns, abutments, and fill; however, because of the negligible increases in velocity anticipated (see Section 3.9, Hydrology and Floodplains, for a discussion of changes in velocity in the San Jacinto River), substantial indirect effects on the plant species would not be expected." Then on 3.17.20 they say "Indirect effects on plants in the San Jacinto River floodplain may result from localized increases in water velocity with the San Jacinto River Bridge Design Variation (SJRB DV) or inundation following major floods due to changes in hydraulics caused by placement of bridge columns, abutments, and fill. However, because of the negligible increases in water velocity anticipated (refer to Section 3.9, Hydrology and Floodplains, for a more detailed discussion of water velocity changes within the San Jacinto River channel), substantial indirect effects on plant species would not be expected." IP-9-2

This discussion focuses only on flow rates, presumably near the bridge. However they do not address whether the overall 100-year flood plain will change as a result of the project. Increased flow could lead to increased erosion rates and removal of seeds. Seed dispersal, especially in San Jacinto Valley crown-scale is highly dependent on flooding. If the water moves too quickly, seeds will be carried downstream and out of suitable alkaline soils for germination. If the flooding footprint is reduced, seeds reach a reduced area of the flood plain. Many of the sensitive alkali species either require prolonged direct flooding (spreading navarretia) or occasional flooding of their habitat to reduce non-native exotic competition or development of climax alkali scrub communities (San Jacinto Valley crownscale).

With the current state of the habitat, natural flooding will be necessary to maintain or fully restore these habitats. The DEIR/EIS document should either show that flooding will not be altered or describe impacts that can affect as much as 2,500 acres of alkali habitat within the 100-year flood plain down stream. IP-9-3 It does appear that the San Jacinto River Bridge Design Variation does impact downstream flooding but it is unclear as to what extent. The California Native Plant Society is opposed to any alternative that will significantly alter down-stream flood plain dynamics and endanger covered MSHCP alkali dependent species. IP-9-4

We had some difficulty reviewing impacts to special status plant species. However, it appears that the BSA concept for addressing NEPSSA, CASSA, and other special status plant species is fatally flawed in the ability to locate these species, address areas of potentially long-term conservation value, or potential impacts to these species. The type of survey conducted for this project does not appear to be consistent with the California Department of Fish and Wildlife (CDFW) guidelines for conducting botanical surveys (Protocols for surveying and evaluating impacts to special status plant populations and plant communities). IP-9-5 The protocol can be downloaded at the following website: http://www.dfg.ca.gov/habcon/plan/permits.html and is attached for your convenience. These surveys do not appear to have been conducted in a manner consistent with floristic plant surveys, nor were surveys conducted for the entire ROW for this proposed project. It is not clear what areas were determined as appropriate habitat for special status species but sensitive species could occur in areas that were not surveyed.

According to the DEIR/EIS document:

"Focused surveys for narrow endemic plants were conducted from March 22 to April 15, 2005; May 4 to July 19, 2005; April 13 to April 27, 2006; and May 17 to June 29, 2006, where suitable habitat was identi-

fied based on the vegetation mapping. Additional areas included in the BSA were assessed for suitable habitat in March and April, 2011."

The actual areas where surveys were conducted based on this methodology is displayed on maps offered in Appendix D of the Technical report. The result is a patchwork of fragmentary survey locations. Large areas within the Biological Study Area were not surveyed as a result. IP-9-6

Some of the species listed on page 3.17.32 as survey targets, are sensitive to habitat disturbance, such as round-leaved filaree (*Erodium macrophyllum*). In the case of this species, the method used for surveys is probably reasonable. However, many of the other species, such as Davidson's saltscale (*Atriplex serennana* var. *davidsonii*), Coulter's goldfields (*Lasthenia glabrata* var. *coulteri*), and especially smooth tarplant (*Centromadia pungens* ssp. *laevis*), suitable habitat is much more difficult to define and these plants may occur in isolated patches or in low numbers within virtually any undeveloped field, lot, or sometimes even disced fields and presence or absence can only be determined by direct surveys. IP-9-7

On sheet 9 of 9 for example, based on our experience, smooth tarplant could be found in almost any of the fields within the biological study area. However the actual area examined represents less then 10 percent of the Biological Study Area. Detailed examination of the Hemet region in 2005 and 2006 showed that sensitive species, especially smooth tarplant, occurred in many locations that otherwise would have been dismissed based on a standard habitat assessment. The patchy nature of the surveys described in the DEIR/EIS shows that "suitable habitat" was simply too narrowly defined. IP-9-8

Therefore, potential habitat could extend over the entire length of the proposed project and the entire area should have been examined on foot by a qualified botanist following recognized and defensible protocols.

I was never able to locate a map that concisely indicated where sensitive plant species were encountered, with the exception of San Jacinto Valley Crownscale and spreading navarretia (Chapter 3.21). On page 3.19-2, the DEIR/EIS document states that smooth tarplant and Coulter's goldfields were also found but I was unable to locate any information about where these species were encountered, which either suggests it is lacking or is a measure of poor organization. The document should provide this information clearly and not make it difficult to locate. IP-9-9

Regarding Appendix N (Regional Species of Concern), which was the source for the summary provided in section 3.19-2, the discussion of these species appears to be incomplete and at time erroneus. Frequently the table simply states that many of these species were not observed in the field surveys but provides no review or discussion of previously reported sites within or near the Biological Survey Area (BSA). Many of the alkali-dependent species are somewhat irregular in their occurrence and would not be expected to germinate every year. In many cases, the presence or absence of habitat (high quality or degraded) is a reasonable indication that the species may be present in the BSA. A few comments are provided regarding Appendix N below. IP-9-10

Chaparral sand-verbena (*Abronia villosa* var. *aurita*): The Rationale column indicates that this species was not surveyed for within low quality areas. Chaparral sand verbena has, however, been reported from sites considered of low to moderate habitat quality. All sandy areas within the BSA, within or or east of the Perris Lake should have been surveyed. It occurs at the margins of wheat fields just south of Perris Lake for example. IP-9-11

Jaeger's milkvetch (*Astragalus jaegeri*): The common name "Peirson's milkvetch" as it appears in the table is incorrect and should be changed to Jaeger's milkvetch. IP-9-12

Saltbush species (*Atriplex*): The habitat descriptions should be expanded to include include degraded and marginal habitats in addition to natural quality habitats. Many of these species are relatively tolerant of at least temporary soil disturbances such as discing and dryland farming. In fact, the majority of extant population are found in relatively poor quality habitat as compared to the 1990s when the majority were found in relatively high quality habitat. The alkali habitats are relatively unique for being resiliant and have high recovery potential. IP-9-13

A simple "negative result" for Davidson's saltbush is misleading without some discussion of previously reported localities adjacent to the BSA. If any alkali habitat is present, degraded or not, the potential for this plant is high, even if it is not located during the course of a survey. If the habitat is present, this species is almost certainly in the seed bank. As indicated in the document, the correct name for this saltbush has been somewhat elusive, having also been called Pacific saltbush and Coulter's saltbush, close relatives. It appears very likely that the plants along the San Jacinto and at Hemet are actually a narrowly distributed, undiscribed species that would be less common or widespread then San Jacinto Valley crownscale. IP-9-14

Little Mousetail (*Myosurus minimus* var. *apus*): It should be noted that this species has never been historically associated with the San Jacinto River flood plain and would only be expected in the eastern portion of the BSA (the general vicinity of Warren Road east). IP-9-15

Wright's trichocoronis (*Trichocoronis wrightii*): a simple "the results of the focused surveys for this species were negative" is misleading without some brief discussion of previously reported occurrences in the area. This is a species that is often not seen for several years at a time and generally is observed only in wet years. It is important to note that in southern California over the last 20-years, Wright's trichocoronis has only been known to occur from either just north of or just south of the Ramona Expressway and has only been reported about four of those 20-years. That suggests that in any given year there is only about a 20 percent chance this species will be seen. IP-9-16

In addition a number of special status plant species known from the study region are not included in this table, such as the vernal barley, Palmer's grappling hook, the small-flowered microseris and the panicluate tarplant. IP-9-17

If you have any questions, I can be reached at the address above or at antshrike@cox.net

Sincerely,

Fred M. Roberts, Jr.

Fred M. Roberts,
Rare Plant Botanist, Riverside/San Bernardino Chapter CNPS.

cc: Karen Cleary-Rose, Palm Springs U.S. Fish and Wildlife Service Office

This comment letter includes introductory and other information that does not raise specific environmental issues that would require a response under Section 15088 of the State CEQA Guidelines. As a result, those parts of this comment letter were not bracketed, and no responses were provided related to those sections of the letter. However, RCTC has reviewed and responded to all the substantive comments in this comment letter and determined that the sections of this letter that were not bracketed did not make substantive comments that required substantive responses.[1]

IP-9-1

Please refer to Section S.5.3, Master Response Related to the San Jacinto River Bridge, on page S-44, for discussion regarding the Base Case and Design Variation for the bridges crossing the San Jacinto River under all three Build Alternatives, including discussion regarding potential changes in the hydrology of the 100-year floodplain as a result of the MCP project.

IP-9-2

Please refer to Section S.5.3, Master Response Related to the San Jacinto River Bridge on page S-44 for discussion of project-related effects to the 100-year floodplain. Section S.5.3.5 discusses effects on biological resources, including why the MCP project would not result in substantial indirect effects on the protected plant species cited in this comment letter.

IP-9-3

Please refer to Section S.5.3, Master Response Related to the San Jacinto River Bridge on page S-44 for discussion of project-related effects to the 100-year floodplain. The findings of the analyses described in that Master Response, concluded that "In summary, based on the analysis described above, although the fill for the SJRB DV would be within the mapped 100-year floodplain, it would not substantially modify the hydrology or hydraulics of the San Jacinto River. Because of the control provided by the existing bridge on the Ramona Expressway, the 1,849 linear feet of fill section associated with the SJRB DV would result in negligible changes to the WSE associated with the 100-year event. There would be no changes to the

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[1] Section 15088(a) of the CEQA Guidelines notes that "The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response." As noted above, the parts of comment letters that did not raise specific environmental issues are not bracketed as individual comments and responses to those part of the comment letters are not provided.

floodplain limits downstream and very limited changes upstream, such that the total floodplain area would not be substantially modified under either the Base Case or the SJRB DV. The existing Ramona Expressway Bridge would remain in place and would control water movement for the Base Case bridge and the SJRB DV. As a result, the Base Case bridge and the SJRB DV would not result in substantial changes to the existing conditions relative to the floodplain area and flow characteristics, including the velocity of flow. For the area between the existing Ramona Expressway Bridge and the SJRB DV, there would be an increase in the area of land that is currently not underwater but which would be underwater during a 100-year event."

Please also refer to the response to comment IP-9-4, below.

IP-9-4

The California Native Plant Society's (CNPS) preference for any alternative that will not significantly alter downstream floodplain dynamics and endanger covered Western Riverside County MSHCP alkali dependent species is noted. Please refer to Section S.5.3.4 on page S-50 for discussion regarding changes in hydrology in the 100-year floodplain of the San Jacinto River Bridge as a result of the MCP project. As discussed in Section S.5.2.3, the San Jacinto River Bridge Design Variation (DV), which is included in the preferred alternative, would not substantially modify the hydrology or hydraulics of the San Jacinto River. The San Jacinto River Bridge DV would result in negligible changes in the water surface elevation associated with a 100-year flood event, would not change the floodplain limits downstream of the bridge, would result in very limited changes in the floodplain limits upstream of the bridge, and the existing Ramona Expressway Bridge would remain in place and would continue to control water movement with the San Jacinto River Bridge DV in place. As a result, the San Jacinto River Bridge DV would not result in substantial changes to the existing conditions relative to the floodplain area and flow characteristics including the velocity of the flow.

IP-9-5

The Western Riverside County MSHCP does not require that plant surveys be conducted for covered plant species according to California Department of Fish and Wildlife (CDFW) protocols. Contrary to the statement in this comment, plant surveys for the MCP project were floristic (i.e., all species were noted, not only target species), were conducted during the flowering season of the target species, were conducted throughout potentially suitable habitat of the target species within the required survey areas, and were conducted by qualified biologists familiar with the identifying characteristics of the target species as described in the 2008 NES and the

2013 SNES. The Western Riverside County MSHCP only requires plant surveys within designated survey areas (per Sections 6.1.3 and 6.3.2 in the Western Riverside County MSHCP). The MCP project is located completely within the Western Riverside County MSHCP plan area and RCTC is a Permittee under the MSHCP; therefore, plant surveys in designated survey areas were conducted in accordance with MSHCP protocols, not CDFW protocols.

The possibility that some sensitive plant species, including species not covered by the Western Riverside County MSHCP, could occur in areas that were not surveyed is acknowledged and is discussed in the last part of Section 3.19.2, Affected Environment, on page 3.19-3 in the Final EIR/EIS, and in the first paragraph of the subsection titled "Species Not Requiring Surveys" in Section 3.19.3.1, Permanent Impacts, on page 3.19-6 in the Final EIR/EIS. As discussed in the latter paragraph, the potential impacts of the MCP project to those species were not considered to be substantial given the habitat quality, known species distribution, likelihood of occurrence, and species listing status. The determination of which special status plant species would require surveys was based on a comprehensive literature search and plant species habitat assessment (see Section 2.2 of the *Supplement to the Natural Environment Study, Mid County Parkway Project*, December 2011).

IP-9-6

The Western Riverside County MSHCP does not require plant surveys throughout the BSA, but only within designated survey areas, as discussed in the third paragraph in Section 3.19.2, Affected Environment, on page 3.19-2 in the Final EIR/EIS. The survey requirements for narrow endemic plant species are stipulated on page 6-27 in Section 6.1.3, Narrow Endemic Plant Survey, Mapping, and Documentation Requirements, in the Western Riverside County MSHCP plan document (http://rctlma.org/Portals/0/mshcp/volume1/sec6.html#6.1.3) which states "Within identified Narrow Endemic Plant Species survey areas (including the MSHCP Conservation Area), site-specific focused surveys for Narrow Endemic Plant Species shall be required for all public and private projects where appropriate Habitat is present." In addition, Table 6-1 in this section of the MSHCP plan document also describes the survey requirements for Criteria Area Survey plant species.

IP-9-7

The presence or absence of all survey species was determined by direct surveys throughout potentially suitable habitat. As discussed in Section 2.2.4, Plant Species Habitat Assessment, on page 70 in the *Supplement to the Natural Environment Study*, survey areas were selected based on soils, land cover, and field evaluations. Disturbed

areas that were believed to be potentially suitable were included based on the field evaluations. As mentioned in the comment, smooth tarplant is particularly tolerant of disturbance and was found during the surveys in maintained channels (Figure 4.3a in the *Supplement to the Natural Environment Study*), cracks in an asphalt-paved road (Figure 4.3c and page 103 of Section 4.2.1.1, Survey Results, in the *Supplement to the Natural Environment Study*), and actively disturbed areas on a dairy farm (Figure 4.3d in the *Supplement to the Natural Environment Study*). The target species found in these areas generally consisted of isolated patches of individuals without long-term conservation value. This conclusion is based on the conservation goals for smooth tarplant provided in Table 9-2, Species Conservation Summary, of the Western Riverside County MSHCP plan document which states that, "Conservation for this species will be achieved by inclusion of at least 6,900 acres of suitable Conserved Habitat and the core localities (the San Jacinto Wildlife Area, the middle segment of the San Jacinto River and Salt Creek) within large blocks of Habitat in the MSHCP Conservation Area." The isolated patches of individual plants do not provide the "large blocks of Habitat" called for in this conservation goal.

IP-9-8

As noted the fourth paragraph in Section 3.19.2, Affected Environment, on page 3.19-2 in the Final EIR/EIS, smooth tarplant was observed outside the survey areas. As with all covered species, impacts to smooth tarplant will be mitigated through compliance with the Western Riverside County MSHCP. The Western Riverside County MSHCP does not require surveys, documentation of occurrences, or analysis of impacts to this species throughout the entire BSA, but only within its designated survey areas, as discussed in response to comment IP-9-6 above. The potential project impacts to this species within its designated survey areas are discussed in Section 3.19.2.1, Permanent Impacts, on page 3.19-4 in the Final EIR/EIS.

IP-9-9

Besides San Jacinto Valley crownscale and spreading navarretia, the only other plant species encountered were smooth tarplant and Coulter's goldfields. Figures 4.3 and 4.4 in the *Supplement to the Natural Environment Study* show the locations of smooth tarplant and Coulter's goldfields, respectively. The following sentence was added at the end of the fourth paragraph on page 3.19-2 in Section 3.19.2, Affected Environment, in the Final EIR/EIS: "The locations of smooth tarplant and Coulter's goldfields are shown on Figures 4.3 and 4.4, respectively, in the *Supplement to the Natural Environment Study*."

IP-9-10

The likelihood of occurrence of each species listed in Appendix N, Regional Species of Concern and Coverage, in the Final EIR/EIS was determined based on analysis of species habitat requirements and distribution, as well as available survey data. In cases in which potentially suitable habitat was surveyed and seasonal conditions were considered appropriate for species growth, negative results of presence/absence surveys were considered to be an indication of species absence. Although the commenter suggests that alkali-dependent species may germinate irregularly, the surveys conducted for the MCP project are consistent with the requirements that RCTC must comply with as a Permittee under the MSHCP. Please refer also to the responses to comment IP-9-11 through IP-9-17.

IP-9-11

Appendix N in the Final EIR/EIS indicates that the disturbance limits of all the MCP Build Alternatives contain habitat potentially suitable for chaparral sand-verbena. The likelihood that this species occurs in areas not formally surveyed is discussed in the seventh paragraph in Section 3.19.2, Affected Environment, on page 3.19-3 in the Final EIR/EIS. As discussed on page 3.19-3, potential impacts to this species were analyzed based on partial surveys, as well as on habitat conditions in unsurveyed areas. As a Permittee under the MSHCP, RCTC is not required to conduct surveys above and beyond the survey requirements stipulated under the MSHCP for covered species.

IP-9-12

The common name for *Astragalus pachypus* var. *jaegeri*, on page N-4 of the table in Appendix N titled "Regional Species of Concern and Coverage under the Western Riverside County Multiple Species Habitat Conservation Plan" was corrected to read "Jaeger's milk-vetch."

IP-9-13

The phrase "…, *including in disturbed areas*" was added in the habitat descriptions of the four *Atriplex* species (*Atriplex coronata* var. *notatior*, *Atriplex pacifica*, *Atriplex parishii*, *Atriplex serenana* var. *davidsonii*) on pages N-4 to N-6 in the table titled "Regional Species of Concern and Coverage under the Western Riverside County Multiple Species Habitat Conservation Plan" in Appendix N in the Final EIR/EIS as follows (changes shown in italics):

> *Atriplex coronata* var. *notatior*: "…lesser extent, alkali grasslands, *including in disturbed areas*."

> *Atriplex pacifica*: "...and chenopod scrub, *including in disturbed areas,* below..."
>
> *Atriplex parishi:* "...components of alkali vernal plains, *including in disturbed areas.*"
>
> *Atriplex serenana* var. *davidsonii:* "components of alkali vernal plains, *including in disturbed areas.*"

This revision to the habitat descriptions does not change the conclusions presented in the Final EIR/EIS because the surveys for these species were conducted in accordance with the requirements of the MSHCP.

IP-9-14

As noted in this comment, Davidson's saltscale is known to have occurred near the BSA, but there are no records from within the BSA. The presence of this species inside the BSA cannot be inferred from its presence in adjacent areas because habitat quality varies over short distances and plant distributions are often very localized. This species was determined to be absent as indicated in Appendix N in the Final EIR/EIS based on negative results of the presence/absence survey. However, even if the species were present in the seed bank, any impacts would be mitigated through participation in the Western Riverside County MSHCP and compliance with Western Riverside County MSHCP requirements, which for this species consist of conducting a focused survey during the appropriate season and if the survey results are negative, no further analysis is required. Because surveys were conducted for this project in accordance with the requirements of the Western Riverside County MSHCP with negative results, no further analysis is needed. The Western Riverside County MSHCP requirements have been satisfied for this species.

IP-9-15

Regardless of known occurrences, the Western Riverside County MSHCP requires surveys for little mousetail within part of the BSA. Page N-12 of the table titled "Regional Species of Concern and Coverage under the Western Riverside County Multiple Species Habitat Conservation Plan" in Appendix N in the Final EIR/EIS indicates this species is not present in the BSA.

IP-9-16

As noted in the comment, Wright's trichocoronis has been documented in the vicinity of the BSA but is not known to have occurred within the BSA. The presence of this species in the BSA cannot be inferred from its presence in adjacent areas because habitat quality varies over short distances and plant distributions are often very

localized. This species was determined to be absent as indicated on page N-16 in Appendix N based on negative results of the presence/absence survey. Even if the species were present within the BSA, any impacts would be mitigated through participation in the Western Riverside County MSHCP and compliance with Western Riverside County MSHCP requirements, which for this species, those requirements consist of conducting a focused survey during the appropriate season and if the survey results are negative, no further action is required. Because surveys were conducted for this project in accordance with the requirements of the Western Riverside County MSHCP with negative results, no further analysis is needed. The Western Riverside County MSHCP requirements have been satisfied for this species.

IP-9-17

Vernal barley, Palmer's grappling hook, small-flowered microseris, and paniculate tarplant were considered for inclusion in the table titled "Regional Species of Concern and Coverage under the Western Riverside County Multiple Species Habitat Conservation Plan" in Appendix N in the Final EIR/EIS. However, they were excluded from that table because they do not meet the criteria to be considered rare, threatened, or endangered under the California Environmental Quality Act (CEQA) Section 15380 or otherwise require analysis under CEQA. As indicated in Section 3.2, Regional Species and Habitats of Concern, on page 44 in the *Supplement to the Natural Environment Study*, the likelihood of occurrence in the BSA was determined for all species that are listed as threatened or endangered by the state and/or federal governments, that are proposed or candidates for such listing, or that are California Species of Special Concern or CNPS List 1B or 2 species, as well as all species from the list provided by the United States Fish and Wildlife Service (USFWS) (provided in Appendix C in the *Supplement to the Natural Environment Study*).

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S.6.7 Members of the General Public Comments and Responses (P-1)

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From: MCP comments <projectteam@midcountyparkway.org>
Sent: Saturday, January 26, 2013 4:52 AM
To: sbein@rbf.com; Carmen Lo
Subject: Mid County Parkway Project: New Feedback - ID# 1267

P-1

From Tecla Long tlong@earthlink.net
Phone: 951-231-7377
Address: 741 placentia ave
City, State: perris ca.
Zip: 92571
Parcel: 300-180-020
Comments:
this section on Placentia Avenue and includes a depressed section approximately 1 mile long between Barrett Avenue and Wilson Avenue. since is vacant land on one side of placentia ave. I beleive the homes should not be removed. P-1-1
also where do I go to get a large map of the prject? Sincerely Tecla Long P-1-2

From: MCP comments <projectteam@midcountyparkway.org>
Sent: Saturday, January 26, 2013 1:55 PM
To: sbein@rbf.com; Carmen Lo
Subject: Mid County Parkway Project: New Feedback - ID# 1270

P-2

From Warren G. Webb studeranch@yahoo.com
Phone: 951-241-0277
Address: 20290 old elsinore rd
City, State: perris, ca
Zip: 92570
Parcel:
Comments:
The only sensible right of way is through Placentia. Why end it at the freeway? I would suggest carring it over to at least Old Elsinore Rd or better yet, west of there. An access from Old Elsinore would enhance traffic for locals (such as myself) who now have to drive north to Cajalco then east to the freeway of Harvill & backtrack that distance again to go either to Perris blvd or downtown Perris. P-2-1

I noticed online a map dated 1959 that showed Ethanac Rd going through from the present Rt 74 east finally connecting to where the 215 is now. This route also would be a great help for all traffic, not just loacals and would eliminate the "dogleg" of Rt 74 from downtown Perris south to where it exits to continue east. If it made sense in 1959 it surely makes even more sense now. Most if not all of the new portion is raw land so the investment would be very minimal resulting in the cost being for the construction itself. P-2-2

I would like to take this oppertunity also to speak of how the Clark/Rider intersection has been degraded to the point of one would expect in a third world country. The new sewer line that was installed last year for the new county senior center has left this road in a disgracful condition. I am sure if I, as a citizen, had to have a county road cut into for any reason, and left the road in this state of repair, the county would be promptly at me to either fix it back to its previous state or have it done & fine me for the cost. P-2-3

Thank you for your time. Respectfully,
Warren G. Webb

P-1 Tecla Long

P-1-1

As proposed, Alternative 9 Modified includes a depressed section along Placentia Avenue from approximately Barrett Avenue to Wilson Avenue. Along this stretch of Placentia Avenue, Alternative 9 Modified is designed to use existing vacant land where possible to minimize the number of homes impacted by this alternative. For example, the alignment of Alternative 9 Modified traverses the vacant land on the north side of Placentia Avenue between Redlands Avenue and Wilson Avenue. The southeast quadrant of the intersection of Perris Boulevard and Placentia Avenue also contains vacant land traversed by the alignment of Alternative 9 Modified. Please refer to Section 2.3, Project Alternatives, in Chapter 2 of the Final EIR/EIS, for additional information regarding Alternative 9 Modified.

P-1-2

The commenter requested "…a large map of the project." There were extensive figures provided in the Recirculated Draft EIR/Supplemental Draft EIS. It is unclear what information this commenter wanted to see on larger map. As a result, it was not possible to respond to this comment.

This comment does not raise an environmental issue within the context of the California Environmental Quality Act (CEQA) and/or the National Environmental Policy Act (NEPA), or comment on the adequacy of the technical information or environmental analyses in the EIR/EIS. Consistent with the requirements of CEQA and NEPA, comments that raised environmental issues under CEQA and NEPA are responded to in this Final EIR/EIS. In addition, all comments received on the Recirculated Draft EIR/Supplemental Draft EIS are included in this Final EIR/EIS and have been made available to the public and decision-makers prior to any action on the proposed project.

P-2 Warren G. Webb

P-2-1

In October 2008, a Draft EIR/EIS was released evaluating the alternatives for the MCP project, originally proposed as a 32-mile-long corridor extending from State Route 79 (SR-79) (San Jacinto) on the east across Interest 215 (I-215) (Perris) to Interstate 15 (I-15) (Corona) on the west. One of the Build Alternatives evaluated in the Draft EIR/EIS included an interchange at Old Elsinore Road. Public information open houses and public hearings were held in October and November 2008 to collect comments on that Draft EIR/EIS. Public comments submitted on the Draft EIR/EIS raised environmental and community concerns regarding the segment of the project

between I-15 and I-215. Those comments helped focus the project to make the best use of limited transportation dollars while addressing the most immediate traffic needs. In response to the comments on the Draft EIR/EIS, the Riverside County Transportation Commission (RCTC) took action on July 8, 2009, to reduce the length of the project and focus the improvements between I-215 and SR-79.

I-215 is a logical western terminus for the MCP project to connect to a freeway and distribute traffic to the north and south along that freeway. As part of the currently proposed project, an interchange is proposed at Placentia Avenue and I-215, creating another access point to I-215 between Cajalco Road and Nuevo Road. Any connection of Old Elsinore Road to Harvill Avenue or Placentia Avenue would be addressed as part of the local road network, which in that area is under the jurisdiction of the County of Riverside.

Section 1.3.2.6, Independent Utility and Logical Termini, on page 1-44 in the Final EIR/EIS, discusses whether the modified Build Alternatives would meet the test of logical termini as defined in the FHWA Regulation 23 CFR 771.111 (http://environment.fhwa.dot.gov/projdev/tdmtermini.asp, accessed May 13, 2013). The ToolKit defines logical termini for project development as "…rational end points for a transportation improvement, and have rational end points for a review of the environmental impacts…" The modified Build Alternatives extend approximately 16 miles between SR-79 and I-215 in western Riverside County, providing connections to north-south travel routes (SR-79 and I-215) at freeway to freeway interchanges while also providing an east-west travel route in the overall corridor. With the modified MCP project, travelers in western Riverside County would have multiple options for traveling between SR-91 and SR-60 to the north and I-15 in San Diego to the south. As a result, the western terminus of the modified MCP project at I-215 meets the definition of a logical terminus, providing a rational endpoint for a transportation improvement and for a review of environmental impacts.

P-2-2

The second paragraph in Section 2.6.1, Alternatives Formally Considered and Withdrawn, on page 2-117 in the Final EIR/EIS describes early planning efforts, which resulted in a determination that an alternative along Ethanac Road would not provide the same traffic benefits as other alternatives and, therefore, was not carried forward as an alternative for the MCP project for detailed evaluation in the EIR/EIS as follows:

> "The alternatives development process for the MCP project began with the (Hemet to Corona/Lake Elsinore) HCLE Corridor studies

conducted for the (Community and Environmental Transportation Acceptability Process) CETAP. A Draft Tier 1 EIS/EIR was prepared for the HCLE Corridor and circulated for public review in July 2002. The Draft EIS/EIR considered 14 "Build" alternatives that extended from San Jacinto/Hemet on the east to Corona/Lake Elsinore on the west. These alternatives included highway alternatives, as well as transit options such as expanded bus and commuter rail services. Several alternatives were variations of routes along Ramona Expressway and Cajalco/El Sobrante Road, at the northwestern portion of the HCLE study area. Transportation analyses were conducted for these and other alternatives to the south, along portions of State Route 74 (SR-74), Domenigoni Parkway, Ethanac Road, and Newport Road. The analyses indicated the alternative with the greatest transportation benefit was located along Ramona Expressway, Cajalco Road, and El Sobrante Road, with a connection to Interstate 15 (I-15). This alternative demonstrated that it best met traffic needs by providing the greatest benefits in terms of increases in speed, reductions in travel time, and congestion relief. The HCLE alternatives in this area (Alternatives 1A/1B and H1/H3) demonstrated more than twice the traffic benefit as measured in travel hours saved per year compared with the other HCLE alternatives. In addition, public comments identified concerns regarding adverse impacts to existing communities for the portion of the alternatives located north of Lake Mathews. As a result of the information contained in the Draft Tier 1 EIR/EIS regarding transportation benefits, and the community input received on the HCLE alternatives, the RCTC Board accepted a staff recommendation in June 2003 to proceed with the preparation of a project-level environmental document for an eastwest alternative that included the Ramona Expressway/Cajalco Road alignment located south of Lake Mathews. This action by RCTC terminated the Tier 1 study efforts and began a focused, project-level study effort for the Cajalco Ramona Corridor, which was later renamed the MCP."

It should be noted that future improvements to Ethanac Road between SR-74 and I-215 are currently shown in the City of Perris General Plan Circulation Element (Table CE-8, page 47). Table CE-8 shows Ethanac Road between SR-74 and I-215 as a six-lane expressway in 2030 and shows an upgrade to Ethanac Road between 2003 to 2030 to six lanes from west of Sophie to east of SR-74.

P-2-3

These comments relate to the existing condition of the road facility at the intersection of Clark Street and Rider Street in unincorporated Riverside County approximately 2.5 miles (mi) west of I-215, well outside the study area for the MCP project. Improvements to those streets would be the responsibility of the County of Riverside and not RCTC or Caltrans.

No further response is necessary because this comment does not raise an environmental issue within the context of the California Environmental Quality Act (CEQA) and/or the National Environmental Policy Act (NEPA), or comment on the adequacy of the technical information or environmental analyses in the EIR/EIS.

From: Cathy Bechtel <CBechtel@RCTC.org>
Sent: Tuesday, January 29, 2013 3:31 PM
To: Carmen Lo
Subject: Fwd: Continuing Information About the Mid County Parkway Project

P-3

FYI

Sent from my iPad

Begin forwarded message:

From: Cliff Jones <Cliffjsd@cox.net>
Date: January 29, 2013 1:31:18 PM PST
To: Cathy Bechtel <CBechtel@RCTC.org>
Subject: Re: Continuing Information About the Mid County Parkway Project

Dear Ms. Bechtel,

So the parkway will be like the US highways in central NJ (Rts:22, 3, 46, 1-9 etc) and like what's seen in much smaller scale here in the San Diego area (Friars Rd, Pacific Hwy, Fairmont Ave (express section) La Jolla Village Dr and a couple other roads)? I can hardly wait! Please send any artist/ designers drawings or pictures that are created as the project develops..

And thanks for responding...

P-3-1

Cliff J
SanDiego

----- Original Message -----
From: Cathy Bechtel
To: cliffjsd@cox.net
Sent: Monday, January 28, 2013 11:41 AM
Subject: RE: Continuing Information About the Mid County Parkway Project

Thank you for your email, Mr. Jones. The proposed parkway is planned to be a freeway-type facility with three lanes in each direction and on and off ramps at various locations along the facility. Signage for the project will meet all the required standards per the California Highway Design Manual at the time of construction.

Cathy Bechtel
Project Development Director
Riverside County Transportation Commission
P.O. Box 12008, Riverside 92502
(951) 787-7141

-----Original message-----
From: Cliff Jones <Cliffjsd@cox.net>
To: jstandiford@rctc.org

Sent: Sat, Jan 26, 2013 21:56:31 GMT+00:00
Subject: Re: Continuing Information About the Mid County Parkway Project

Thank you for the updates. Just a couple questions: Will the new parkway have CA/green comprehensive signage for parkway name/destination? Also, is the parkway more street, freeway or hybrid highways (high-speed streets with full and partial interchanges) like the US routes in NJ and seen in San Diego area? P-3-1

Thanks for your swift response...

Cliff Jones
San Diego

----- Original Message -----
From: RCTC
To: cliffjsd@cox.net
Sent: Friday, January 25, 2013 9:25 AM
Subject: Continuing Information About the Mid County Parkway Project

Having trouble viewing this email? Click here

SUBJECT: CONTINUING INFORMATION ABOUT THE MID COUNTY PARKWAY PROJECT

This email letter is being sent to you by the Riverside County Transportation Commission (RCTC) as a result of your signing up on our Mid County Parkway website or providing your email address to receive ongoing information about the proposed Mid County Parkway.

The Mid County Parkway is a proposed 16-mile transportation corridor between SR-79 in San Jacinto and I-215 in Perris.

The preparation of a Recirculated Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS) is complete and has been released to the public. Please click here for the most recent newsletter.

If you wish to comment on the RDEIR/SDEIS, you must do so by March 11, 2013. Comments can be submitted online at www.midcountyparkway.org, at the public hearing that will be held for the Project, or in writing to RCTC. The Public Hearing for the project will be held on February 20, 2013 from 5 p.m. to 8 p.m. at Lakeside Middle School, 27720 Walnut Street, Perris, CA 92571.

Following the comment period, a Final Environmental Impact Report/Environmental Impact Statement (Final EIR/EIS) will be prepared that includes responses to the comments. The Final EIR/EIS will also identify a preferred alternative.

Thank you for your continuing interest in the Mid County Parkway.

Cathy Bechtel
Project Development Director
RCTC
P.O. Box 12008
Riverside, CA 92502-2208

This comment letter includes introductory and other information that does not raise specific environmental issues that would require a response under Section 15088 of the State CEQA Guidelines. As a result, those parts of this comment letter were not bracketed, and no responses were provided related to those sections of the letter. However, RCTC has reviewed and responded to all the substantive comments in this comment letter and determined that the sections of this letter that were not bracketed did not make substantive comments that required substantive responses.[1]

P-3-1

Visual simulations of the MCP Build Alternatives are provided in Figures 3.7.3 through 3.7.16 in Section 3.7, Visual/Aesthetics, in the Final EIR/EIS. As noted in the Riverside County Transportation Commission's (RCTC's) email correspondence with the commenter, "The proposed parkway is planned to be a freeway-type facility with three lanes in each direction and on and off ramps at various locations along the facility. Signage for the project will meet all the required standards per the California Highway Design Manual at the time of construction."

---

1 Section 15088(a) of the CEQA Guidelines notes that "The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response." As noted above, the parts of comment letters that did not raise specific environmental issues are not bracketed as individual comments and responses to those part of the comment letters are not provided.

From: MCP comments <projectteam@midcountyparkway.org>
Sent: Tuesday, January 29, 2013 3:45 PM
To: sbein@rbf.com; Carmen Lo
Subject: Mid County Parkway Project: New Feedback - ID# 1276

P-4

From stephany Borders slbparty@yahoo.com
Phone: 9516604910
Address: 450 terry lane
City, State: hemet
Zip: 92544
Parcel:
Comments:
This is a long over due project that I am anxious to finally see completed. The relief in congestion will allow me to reconsider traveling to Riverside for many things. Currently I avoid Riverside as much as possible. Hopefully the construction will progress quickly. P-4-1

From: MCP comments <projectteam@midcountyparkway.org>
Sent: Tuesday, January 29, 2013 4:21 PM
To: sbein@rbf.com; Carmen Lo
Subject: Mid County Parkway Project: New Feedback - ID# 1277

P-5

From Bil Larkin www.lark0523@aol.com
Phone: 951/276-0357
Address: p o box 20052
City, State: riverside, ca
Zip: 92506
Parcel: ?
Comments:
Again.....the East/West Freeway from Banning to Newport Beach will have the same development potential as the installation of the Freeway from San Bernardino to L A, and on.....Millions of people and thousands of businesses will follow, and new communities, business and population centers will result.....another Bonanza ! P-5-1

P-4 Stephany Borders

P-4-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the San Jacinto River Bridge Design Variation was identified as the preferred alternative.

P-5 Bill Larkin

P-5-1

This comment asserts that the MCP project would result in an increase of millions of people and thousands of businesses in the project area. Please refer to Section 3.2, Growth, in the Final EIR/EIS, which evaluates the potential for the Build Alternatives to result in growth-inducing effects in western Riverside County. The subsection titled "Overall Growth Potential in the MCP Study Area" on page 3.2-5 in the Final EIR/EIS, discusses approved and planned growth in western Riverside County, including growth in the Cities of Perris and San Jacinto and unincorporated Riverside County. Areas proposed for development are shown on Figure 3.2.1 on page 3.2-7 in the Final EIR/EIS. The analysis in Section 3.2 concludes that the MCP Build Alternatives could have some influence on the location, amount, rate, or type of growth in the area for the following reasons:

- The MCP project will provide improved access to remaining undeveloped lands and agricultural lands. Although much of this land is planned for future development, the MCP project would provide additional transportation system capacity and may accelerate opportunities to convert these lands to nonagricultural and urban uses beyond what is currently occurring;
- Existing land uses (such as vacant, agriculture, and low-density residential) adjacent to and in the vicinity of the proposed local service interchanges may experience additional pressure for conversion from existing rural community land uses to higher-density residential and commercial/industrial uses; and
- The MCP project is expected to improve travel time between SR-79 and I-215, which would make surrounding undeveloped and developed lands more accessible and, therefore, more attractive for development or for existing development to be intensified.

That analysis concluded that overall there is a potential for unplanned and planned growth-related effects in the MCP study area as a result of the Build Alternatives. In areas where MCP Alternatives do not follow the CETAP corridor alignment in the

Riverside County General Plan Circulation Element or local General Plan Circulation Elements, there would be unplanned growth-related effects. Any intensification of currently planned land uses would require the approval of the local agency with land use jurisdiction. Areas previously planned for growth in coordination with the planning of the Hemet to Corona/Lake Elsinore CETAP Corridor and areas compatible with existing General Plan Land use designations would be less likely to experience unplanned growth effects. Nonetheless, that growth is not anticipated to result in millions of new residents and thousands of new businesses because it is unlikely the Cities and/or the County would approve that level of development, which is substantially greater than existing and planned development levels in western Riverside County.

From: MCP comments <projectteam@midcountyparkway.org>
Sent: Wednesday, January 30, 2013 4:30 PM
To: sbein@rbf.com; Carmen Lo
Subject: Mid County Parkway Project: New Feedback - ID# 1278

P-6

From Clinton E Stoutenburgh cestout@airenetworks.com
Phone: 951 928-0560
Address: 22450 wybenga ln
City, State: nuevo
Zip: 92567
Parcel:
Comments:

Currently there are two controlled intersections connecting this area with the existing Ramona Expressway. Hansen is by far the most used, that is why it was the first to have a stop light installed. The road continues north across the expressway but the name changes to Davis Road and it is narrower. This is the access to the wilderness area. Recently a stoplight was installed at Lakeview Ave. The map of the proposed Mid County Parkway shows connections at 6th Street, a very small road to the west of Hansen, and what the map shows as Reservoir but is really Lakeview. The connection from Hansen has been removed, and this will be a great inconvenience to the current existing residents. (Current and existing together is redundant, but I want to emphasize this point.) Unless there are plans to upgrade the traffic patterns within the Lakeview/Nuevo/Juniper Flats area, there will be major traffic problems and great inconvenience to the current residents. Most of the Lakev iew and Nuevo residents are clustered along Hansen, and the Juniper Flats residents have easy access to Hansen. Hansen is fairly straight, wide for a country road and unencumbered. To get to 6th street you would probably take Yucca west off Hansen to 6th. This is a narrow residential road, not practical or save for the traffic that would result. To get to Lakeview, the options are 11th the t jogs through residential areas and has a tight, blind right angle turn, or 10th that is also narrow and residential, or Reservoir where it parallels the Ramona Expressway currently, but it has a suspension wrecking 5mph dip at the mid point. Lakeview is not suitable as the main route through this area because it is narrow, passes by an elementary school, and if the Perris Union High School District has their way, a high school. P-6-1

As usual, the county is making plans based on what developers might do with total disregard for the current existing residents. They may own land, but we owned ours first and were here first and our situation should be considered first. We don't have objections to the parkway, as long as there are no sound walls, just as long as you accommodate the needs of current residents of this area. P-6-2

P-6-1

The MCP project is proposed to accommodate both existing development and approved and planned growth. As a Community and Environmental Transportation Acceptability Process (CETAP) corridor, the MCP project is part of the larger coordinated Riverside County Integrated Project (formerly Riverside County Integrated Plan) (RCIP) planning effort that was initiated in 1999 and resulted in the approval of the updated Riverside County General Plan in 2003 and the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) in 2004. This resulted in the MCP project being closely coordinated with the Riverside County General Plan Circulation Element.

The interchanges at Reservoir Avenue, Town Center Boulevard, and Park Center Boulevard are proposed at 1.2 mile spacing, slightly exceeding the required Caltrans standard interchange spacing of 1.0 mile (*Highway Design Manual* [HDM] 501.3) between service interchanges. The interchanges are proposed at locations where major north-south arterials are planned as shown in the Riverside County General Plan Circulation Element. The existing land uses in those areas are not reflective of the planned land uses in those areas as shown in the Riverside General Plan Land Use Element, which allows for residential development in some of the areas surrounding these three interchanges. The interchanges will serve to allow future residential traffic to get on and off the MCP facility and proceed east or west or access this area, and to provide connectivity between the existing and proposed land uses north and south of the MCP facility. Because the MCP facility will be a linear feature with controlled access, grade separated roads are necessary to allow traffic to cross the facility in this area to maintain connectivity among resources and places of interest. The interchanges are planned for future use and future traffic with an opening year of 2020 and a horizon year of 2040.

The proposed interchange at Reservoir Avenue will connect to a planned road named Reservoir Avenue, parallel and to the west of Lakeview Avenue. With regard to the commenter's concern that "…unless there are plans to upgrade the traffic patterns within the Lakeview/Nuevo/Juniper Flats area, there will be major traffic problems…," the Lakeview/Nuevo Area Plan included in the Riverside County General Plan dated October 2011 (http://planning.rctlma.org/Portals/0/genplan/general_plan_2013/3%20Area%20Plan%20Volume%202/Lake%20View%20-%20Nuevo%20AP.pdf, accessed September 10, 2014), includes local circulation policies and a circulation map (Figure 7 in the Area Plan) that depict the planned improvements to local roadways in the area needed to support the planned land uses in this area.

P-6-2

The purpose of the MCP project is described in Chapter 1, Proposed Project, in the Final EIR/EIS as: "The purpose of the proposed action is to provide a transportation facility that would effectively and efficiently accommodate regional west-east movement of people, goods, and services between and through Perris and San Jacinto." This purpose will accommodate the needs of current and future residents of the area.

With regard to the concern about sound walls noted in this comment, a noise study was conducted as documented in the Final EIR/EIS. Please refer to Table 3.15.AB, on page 3.15-96 in the Final EIR/EIS, which summarizes the preliminary recommended noise barriers for each MCP Build Alternative. The locations of those preliminary noise barriers are shown on Figures 3.15.2 through 3.15.5, on pages 3.15-131 through 3.15-185 in the Final EIR/EIS. The second paragraph in the subsection titled "Preliminary Recommendation and Decision" on page 3.15-97 in the Final EIR/EIS notes that RCTC as CEQA Lead Agency intends to construct the noise barriers as originally proposed in the Recirculated Draft EIR/Supplemental Draft EIS (January 2013) in order to provide feasible noise mitigation pursuant to Section 15126.4 of the CEQA Guidelines.

From: MCP comments <projectteam@midcountyparkway.org>
Sent: Thursday, February 07, 2013 10:23 AM
To: sbein@rbf.com; Carmen Lo
Subject: Mid County Parkway Project: New Feedback - ID# 1284

P-7

From Linden Gray lgray@eproins.com
Phone: 951-657-4220
Address: 3819 saint austell way
City, State: perris, ca
Zip: 92571
Parcel: tba
Comments:
Hi Cathy:

I live on Saint Austell Way in Perris, Villages of Avalon.

1 mile from the dam and one mile from many of your proposed routes. P-7-1

Where on your impact report is the analysis of the Perris Dam project?

Your project will occur during the same time period as the Perris Dam

upgrade project.

We homeowners should NOT need to be inconvenienced for years? P-7-2

Our home values have already taken a huge hit and our quality of life will take

another hit for years.

The Perris Dam project is scheduled to be 5 years which means 7 years.

How long will your project take? P-7-3

What is the daily penalty for the contractor if the Parkway Project is not finished on time? P-7-4

Please advise.

Thanks and regards,

Linden Gray

P-7-1

Perris Dam is on the southwest side of Lake Perris, approximately 0.4 mile (mi) northeast of Ramona Expressway. As shown on Figures 2.3.1a (page 2-11), 2.3.1b (page 2-15), and 2.3.1c (page 2-19) in the Final EIR/EIS, the closest segment of the MCP Build Alternatives is approximately 0.8 mile south of the Perris Dam, at Ramona Expressway and Antelope Road. Based on the distance from Perris Dam, the Build Alternatives would not affect the stability of Perris Dam. As a result, risks to Perris Dam were not evaluated in the Final EIR/EIS.

P-7-2

The California Department of Water Resources website (http://www.water.ca.gov/lakeperris/, accessed February 16, 2015) indicated the construction of the Perris Dam Remediation Program began in Fall 2014 and will take approximately three years to complete. As discussed in the second paragraph in Section 1.2.1, Funding and Programming, on page 1-12 in the Final EIR/EIS, construction of the MCP project is anticipated to begin in Fall 2016. As a result, based on the current schedules for these projects, there would be an overlap of the construction periods for these two projects. To address the overlap of construction periods, Measure TR-1 on page 3.6-56 in the Final EIR/EIS requires the preparation of a Transportation Management Plan (TMP) including coordination of the development and implementation of the TMP for the MCP project with applicable local jurisdictions. Part of that coordination will take into account other projects under construction at the same time such as the Perris Dam Remediation Program and in the same general area as the MCP project, with the intent to minimize disruptions to travelers in those areas.

P-7-3

The construction of the MCP project is estimated to require approximately 4 years, with construction beginning in late 2016, and the facility to be operational in 2020. Please refer to the response to comment P-7-2, above, for discussion regarding the potential for the construction periods for the Perris Dam Remediation Program and the MCP project to overlap and mitigation included in the MCP project to address transportation management during construction.

P-7-4

It is not known at this time what penalties or incentives could be included in the contractor construction requirements. Even if those requirements include penalties or incentives, or both, this comment does not raise an environmental issue within the context of the California Environmental Quality Act (CEQA) and/or the National Environmental Policy Act (NEPA), or comment on the adequacy of the technical

information or environmental analyses in the EIR/EIS. Consistent with the requirements of CEQA and NEPA, comments that raised environmental issues under CEQA and NEPA are responded to in this Final EIR/EIS. In addition, all comments received on the Recirculated Draft EIR/Supplemental Draft EIS are included in this Final EIR/EIS and have been made available to the public and decision-makers prior to any action on the proposed project.

P2302

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FEB 13 2013
RIVERSIDE COUNTY
TRANSPORTATION COMMISSION

P2302-CI-00237

P-8

Feb 8, 2013

Ms. Cathy Bechtel

Subject: Mid County Parkway Project

My Comments about the Mid County Parkway Project is for one thing, we don't need it. I live close to and drive Ramona Expressway all the time it is not congested going in either direction P-8-1

If the Parkway project is built, it will not protect the environment or quality of life in this area, it will severely damage it. There are many species of birds, plants and wildlife that would forever be impacted negatively. P-8-2

It would be tragic to encroach & take away the wetlands, floodplains or historic properties.

Riverside County has to make plans to leave an area open for rural living and species before it is all used for roads & buildings. Then it will be too late. P-8-3

There are other ways to get to San Jacinto/Hemet from Perris Hwy 74 + Gilman Hot Springs Rd.

One option would be reopen DAVIS Rd. It connects Moreno Valley & Riverside to Ramona Expressway. It would save alot of money for taxpayers P-8-4

Glenda Lou
31815 Meadow Blossom
Lakeview, Ca 92567

P-8-1

The commenter states that there is no existing congestion on Ramona Expressway. As discussed on page 1-17 in the Recirculated Draft EIR/Supplemental Draft EIS, traffic congestion and travel delay on Ramona Expressway are projected to be worse by 2040. Although existing congestion on existing Ramona Expressway is limited to peak hours at certain intersections, the capacity of existing Ramona Expressway is not adequate to meet future demand as discussed in the subsection titled "Level of Service" on page 1-17 in the Final EIR/EIS as follows: "Although traffic congestion occurs during the peak hours at certain intersections, Ramona Expressway currently operates at an overall LOS C with a maximum of 27,500 average daily traffic (ADT) in 2010. By 2040, it is anticipated, even with planned improvements in the Riverside County General Plan Circulation Element (those planned improvements include widening Ramona Expressway to a six- to eight-lane limited access facility per the Riverside County General Plan Circulation Element), Ramona Expressway would operate at an unacceptable LOS F with approximately 174,900 ADT. The 2040 projections show a more than 100 percent increase in traffic demand through the corridor. The existing capacity of Ramona Expressway is inadequate to meet the future traffic demand." The Riverside County Transportation Commission (RCTC) has planned the MCP project to address the future mobility needs in the MCP study area, consistent with the future growth that is projected for this area, as discussed in the subsection titled "Population/Traffic Forecast" on page 1-21 in the Final EIR/EIS.

P-8-2

It is acknowledged that the MCP Build Alternatives would result in impacts to the human and natural environments in this part of Riverside County. Chapter 3, Affected Environment, Environmental Consequences, and Avoidance, Minimization, and Mitigation Measures, in the Final EIR/EIS provides detailed discussions of the potential effects of the Build Alternatives and measures to address those effects. Refer also to Appendix F, Environmental Commitments Record, in the Final EIR/EIS which lists all the avoidance, minimization, and mitigation measures incorporated in the Build Alternatives to address those effects, the timing for each measure, and the agency responsible for implementing each measure. The potential impacts to the human and natural environments as a result of the MCP Build Alternatives would be offset by the following benefits that would occur as a result of the Build Alternatives: improved mobility within the MCP study area and better connectivity to other parts of the MCP study area, western Riverside County, and the region as a whole; increases in travel speeds; reductions in travel times; and congestion relief.

P-8-3

Please note that the authority for making land use decisions lies with the incorporated cities and the County of Riverside. RCTC, the California Department of Transportation (Caltrans), and the Federal Highway Administration (FHWA) have no land use planning authority. Projects such as the MCP project are proposed to address existing and/or forecasted demand based on the Land Use Elements and Land Use Maps in locally adopted city and county General Plans. With regard to the commenter's concern about the need for rural areas and open space for wildlife, this was addressed through the Riverside County Integrated Project that resulted in an updated General Plan for the County of Riverside (which includes rural land use designations in many parts of the MCP study area) and the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), which will add over 150,000 acres of land to habitat reserve lands in western Riverside County.

This comment does not raise an environmental issue within the context of the California Environmental Quality Act (CEQA) and/or the National Environmental Policy Act (NEPA), or comment on the adequacy of the technical information or environmental analyses in the EIR/EIS. Consistent with the requirements of CEQA and NEPA, comments that raised environmental issues under CEQA and NEPA are responded to in this Final EIR/EIS. In addition, all comments received on the Recirculated Draft EIR/Supplemental Draft EIS are included in this Final EIR/EIS and were made available to the public and decision-makers prior to any action on the proposed project.

P-8-4

There are segments of Davis Road in unincorporated Riverside County, the City of Moreno Valley, and the San Jacinto Wildlife Reserve Area, for which RCTC and Caltrans do not have jurisdiction. Any extension of Davis Road from Moreno Valley to Ramona Expressway would need to be agreed upon by the three entities with jurisdiction over that road. As a result, no extension of Davis Road is proposed as part of, or instead of, the MCP project.

From: MCP comments <projectteam@midcountyparkway.org>
Sent: Sunday, February 10, 2013 12:49 PM
To: sbein@rbf.com; Carmen Lo
Subject: Mid County Parkway Project: New Feedback - ID# 1285

P-9

From Sharon Myers-Durbin smdurbin@verizon.net
Phone: 951-765-7634
Address: 1412 vanessa lane
City, State: san jacinto, ca
Zip: 92583
Parcel: n/a
Comments:
I think this area is in need of this parkway. It is hard enough to get in and out of the area. Think of the positive aspects this project could bring. 1. Decreasing congestion which will 2. decrease smog 3. Make it more accessible for tourism to the valley 4. Bring in much needed jobs. I am so tired of persons with personal agendas not giving the valley a chance to grow. Don't you think it is time for improvement and growth? I do. P-9-1

P-9-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the San Jacinto River Bridge Design Variation was identified as the preferred alternative.

mapquest

This map doesn't contain any items.

Alternativ Ruta

P-10-1

Notes 20451 El vido Ave Perris CA 92571

Favian Lopez

Francisco Lopez

EVA Lopez

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P-10

P-10-1

Note: This comment letter included a copy of Notice of Availability (NOA). The NOA is provided in Chapter 5 and therefore, is not provided with this letter.

Get Directions even quicker! features.mapquest.com/toolbar/ GO

P-10-1

Unfortunately, this comment, which appears to suggest an alternative route for the MCP project, is very unclear as to what that alternative might be. Therefore, it is not possible to respond to this suggestion.

P-11

February 12, 2013

Ms. Cathy Bechtel
Riverside County Transportation Commission
4080 Lemon Street, 3rd Floor
Riverside, Ca. 92501

Subject: Mid County Parkway Recirculated Draft EIR

Dear Ms. Bechtal,

I would like to comment on the following items:

Proposed On/Off Ramp locations

The proposed on/off ramp locations at Park Center Blvd., Town Center Blvd., Reservoir Road, Bernasconi Road, and Antelope Road need to be revisited. Several years ago the RCTC and the County had meetings with a group called the Ramona Mobility Group (RMG) to locate future sites for on/off ramps along the proposed Mid County Parkway. All of these developer's projects were to be located on rural, undeveloped agriculture land within the Lakeview/Nuevo/San Jacinto River areas. The proposed on/off ramp locations that came out of these meetings apparently met the desires of the developers who made up the RMG. It appears it came down to a wish list from the developers to help make their projects much more viable, and not on connecting to existing roads. It is not certain that there was any public input during these meetings. All five of these locations will dump traffic off of the Mid County Parkway on to what is now active agriculture land. The connections to these proposed on/off ramps are as follows: P-11-1

Park Center Blvd..... To the north – Ag land, no connection to existing roads
..... To the south – Ag land, no connection to existing roads
Town Center Blvd..... To the north – Ag land/SJWA, no connection to existing roads
..... To the south – Ag land, no connection to existing roads
Reservoir Road..... To the north – Ag land/SJWA, no connection to existing roads
..... To the south – Ag land/Reservoir Road
Bernasconi Road..... To the west - Bernasconi Road (closed), does not provide public access
..... To the east – Ag land, no connection to existing roads
Antelope Road..... To the west – Ramona Expressway
..... To the east – Ag land, no connection to existing roads

As you can see, these on/off ramps are relying on future development (whenever that might be) for their justification, and not on improving any transportation problems that exist today or that might exist in the near future. Except for Antelope Road connecting to the Ramona Expressway, these proposed on/off ramps will not be connecting to any existing roads. All of the other Mid County Parkway on/off ramps connect to existing roads (Perris Blvd., Redlands Ave., Evans Road, and Warren Road) which is the way it should be.

The justification for these five locations seems to be that it is inevitable that these developers will be allowed to construct large developments on these existing agriculture lands. It is also assumed that agriculture in this part of Riverside County is on the way out, even though time and time again the DEIR mentioned how the Riverside General Plan recommends that we should do all we can to preserve our agriculture lands, especially those that are considered Prime and Statewide Farmlands (3.2-17, 3.2-20, 3.3-13, etc.). It's ironic that the 2003 General Plan had the same assumptions concerning the inevitable loss of Agriculture lands, yet that was 10 years ago and none of the Ag lands in this area have been converted. They are still being actively farmed.

The agriculture land surrounding these potential on/off ramps has been farmed continuously for many years, and with a little help, these farmlands could exist for many years into the future. Unfortunately, placing these five on/off ramps at these locations will surely speed up the lost of these valuable agriculture lands. As this DEIR states; "the MCP project (especially if these five on/off ramps are not removed) would provide additional transportation system capacity and may accelerate opportunities to convert these lands to nonagricultural and urban uses..." (3.2-9). That is exactly what these five on/off ramps will do. P-11-1

Town Center Blvd.:

The driving force behind the RMG, and the largest proposed development in this area, was the Villages of Lakeview Specific Plan project. In its write-up, the DEIR continues to promote this development (3.2-13, 3.25-20) as justification for at least one of the proposed on/off ramps -Town Center Blvd., even though the Villages of Lakeview project was rejected by the Riverside County Superior Court, and Riverside County was ordered to rescind all portions of the EIR. There is a big question mark (as of the release of this DEIR) as to whether the Villages of Lakeview project will ever be built. The issues that were cited for the rejection of this project were not merely cosmetic, but very significant and numerous, and will be very hard to overcome. Yet this DEIR continues to promote the Town Center Blvd on/off ramp, whose sole purpose is to provide access to the Villages of Lakeview development on both sides of the Ramona Expressway. Town Center Blvd. has no benefit to any existing roadways in the immediate area. It will dump on to existing agriculture lands, with no plans to make it a usable on/off ramp in the foreseeable future now that the Villages of Lakeview project has been rescinded.

The General Plan placed a Community Development Overlay over existing Ag land on the Villages of Lakeview properties. During the General Plan hearings of 2003, both the Planning Department and the Planning Commission recommended that this Ag land continue to be zoned for agriculture uses. These recommendations were overruled when the County Supervisor requested a Community Development Overlay be placed on this agriculture land. Interestingly enough, this Community Development Overlay

only covered the Villages of Lakeview Specific Plan. Now that the Villages of Lakeview project has been cancelled, the need for this Community Development Overlay is moot, and it should not be used as justification for the inevitable demise of the farmland within the overlay. Therefore the reason to keep the Town Center Blvd. on/off ramp is no longer valid. Also, unless the Villages of Lakeview has submitted the paperwork for a new or revised DEIR, any mention of this project should be removed from the Mid-County Parkway DEIR.

Park Center Blvd.:

Without the Villages of Lakeview, several other proposed projects associated with the RMG are now in doubt. The recent DEIR for the Motte Ranch Specific Plan project, which is now under revision, based a lot of their justification for converting existing agriculture land on the hope that the Villages of Lakeview would be built. It should be noted that the Motte Ranch Specific plan is not under any Community Development Overlay, and that the project is being planned on land recommended for agriculture uses in the General Plan. One item that affects this Mid County Parkway DEIR is that access to the Motte Ranch Specific Plan project would have been accessed from two locations; Park Center Blvd. on/off ramp, and Town Center Blvd. on/off ramp. Since access to the Town Center Blvd. on/off ramp for the Motte Ranch project has to go through the Villages of Lakeview, the viability of the Motte Ranch Specific Plan is very much in doubt. The Motte Ranch project cannot utilize Bridge Street as their second access road because they are not allowed to cross over the MSHCP's Constrained Linkage 20 (MSHCP Section 3.0). Because of this, and many other issues, the Motte Ranch Specific Plan may never be approved. Therefore, the reason to keep the Park Center Blvd. on/off ramp is very much in doubt.

P-11-1

Take a look at Figure 3.17.1 and 3.17.2. Almost all of the land on the north side of Ramona Expressway from Lake Perris to Bridge Street is included in the SJWA, Extension of Core 4, and the Constrained Linkage 20. Only the agriculture buffer areas found in the proposed Villages of Lakeview and Motte Ranch Specific Plans are not protected from development. The Villages of Lakeview project is dead in the water. To encourage high density development in these two small locations by constructing the Town Center and Park Center on/off ramps is a bad idea. If these developments are not built, these two on/off ramps will go nowhere. These two roads will never be extended to the north into the protected wildlife areas, so why include these on/off ramps in the Mid County Parkway design?

Reservoir, Bernasconi and Antelope Roads:

The DEIR states that other projects, some of which might have been part of the RMG and were used to determine future on/off ramps for the Mid County Parkway, have been withdrawn (3.2-5). The justification for the locations of these proposed on/off ramps is now very much in question. Let's review the Cumulative Projects Map (Figure 3.25.1) in the Mid County Parkway DEIR. The number of errors on this map is amazing. The Cumulative Projects Map states that the majority of the proposed developments are "Project Approved". This is totally incorrect. The Motte Ranch Specific Plan (#1 on the attached map) has not been approved and never has been. The Villages of Lakeview Specific Plan (#2 on the attached map) has been rescinded and is no longer "approved". To my knowledge, almost all of the proposed developments along the San Jacinto River that would utilize the Antelope,

Bernasconi, and Reservoir on/off ramps (#3 on the attached map) have never been approved. The area north of Ramona Expressway (#4 on the attached map) has never even been submitted for a development. It was just recently offered to the local Resource Conservation District as a conservation easement. One part of this DEIR states that many projects have been withdrawn, but the Cumulative Projects Map shows all of these projects as approved. One might get the impression that this DEIR is trying to justify these five on/off ramps with misleading and incorrect information. A revised Cumulative Projects map must be developed with the correct status of any and all development projects within this area including the names of each project. This will allow the public to determine if any or all of these on/off ramps are needed. P-11-

The MSHCP has the "Extension of Existing Core 4" as one of its major linkages to the San Jacinto Wildlife Area (SJWA). The General Plan calls for the linkage to include approximately 3,330 acres between the Ramona Expressway and Nuevo Road. If this acreage was placed uniformly, it would cover about 2,250 feet on each side of the river (see attached map). The DEIR states that a "Core Area is a block of habitat of appropriate size, configuration and vegetation characteristics to generally support the life history requirements of one or more species covered by the MSHCP". Looking at the DEIR's "Critical Habitat Areas and Listed Species Map" (Figure 3.21.1), several habitats for these species cover a wide area that would require a maximum width of the Core 4 Extension. To meet this requirement, the Core 4 must have a large, uniform size without urban intrusions or levee construction. The Cumulative Projects Map shows many projects within the Core 4 Extension area. P-11-2

The existing 100-year Flood Plain in this location covers almost the same acreage as the Core 4 Extension. To my knowledge, the Riverside County Flood Control has no plans to channelize this stretch of the San Jacinto River. On the Cumulative projects map, the proposed projects located just west of the proposed Reservoir on/off ramp, and the large area of proposed projects west of the San Jacinto River between Ramona expressway and Nuevo Road, have a significant amount of their projects within the 100-year floodplain. For that reason, many of these projects may never be viable, and that brings into question the need for these three on/off ramps. The DEIR must include a map showing the potential location of the Extension of the Existing Core 4, and a map showing the 100-year flood plain overlaying the potential developments in this area. That will allow the public to determine if all of these projects are feasible under their current design and whether the on/off ramps are needed. P-11-3

Another significant point that this DEIR does not consider (and neither did the proposed development projects shown on the Cumulative Projects map) is the value of the surrounding agriculture lands and the many positive affects this land has on the San Jacinto Wildlife Area (SJWA), the center point of the County's MSHCP. These Ag lands provide food, habitat, and an invaluable buffer between the SJWA and the existing communities of Lakeview and Nuevo. These Ag buffers around the SJWA reduce urban noises, light pollution, unwanted vehicle traffic, domesticated animal intrusions, trespassing, water and air pollution, and other urban problems. As an example, recently the rare Tri-colored Blackbird has several times been found nesting in the surrounding agriculture lands, instead of within the SJWA. Without these surrounding Ag lands, the survival of this unique species would have been in doubt. Unfortunately, these developments all propose to eliminate all of the surrounding Ag land and build up next to the San Jacinto Wildlife Area. P-11-4

These five on/off ramps, if constructed in the near future, would literally lead to nowhere. If these on/off ramps sites are constructed at the proposed locations, the Mid County Parkway would be the single most significant reason for the loss of this valuable agriculture resource (3.2-9), one that this DEIR and the County General Plan states over and over again, should be preserved if at all possible (3.2-17, 3.2-20, 3.3-13, etc.).

P-11-5

The RCTC would be much better off by eliminating these five on/off ramp sites and instead construct their on/off ramps to connect to existing roads in the Lakeview/Nuevo Area. This would give the Ag land a better chance to survive, and it would be a direct benefit to the Core 4 Wildlife Corridor, the Constrained Linkage 20 corridor, the SJWA, and a much better benefit to the existing Lakeview/Nuevo residents. Constructing on/off ramps at Warren Road and one at the existing Hansen Ave/Davis Road intersection would be a much better solution. A Bridge Street connection may be viable, but the Constrained Linkage 20 underpass would have to be redesigned. No other on/off ramps are needed until the Parkway enters the Perris Valley.

Proposed Constrained Linkage 20

The Proposed Linkage 20 is designed to help facilitate the movement of wildlife from the mountains to the San Jacinto River. This wildlife crossing must protect the wildlife from entering on to the Mid County Parkway. The DEIR map showing this proposed crossing should have a detailed description of the fencing needed to keep all wildlife off the Parkway and directed into the underpass. Typical freeway fencing for the Parkway within this corridor will not be adequate. The openings in the fence must be small enough to keep even the small wildlife from passing through it. Also, this special fencing must be extended the full width of the proposed Constrained Linkage 20 corridor. The fencing would be approximately 2,400 feet in width and be located on both the north and south sides of the Parkway.

P-11-6

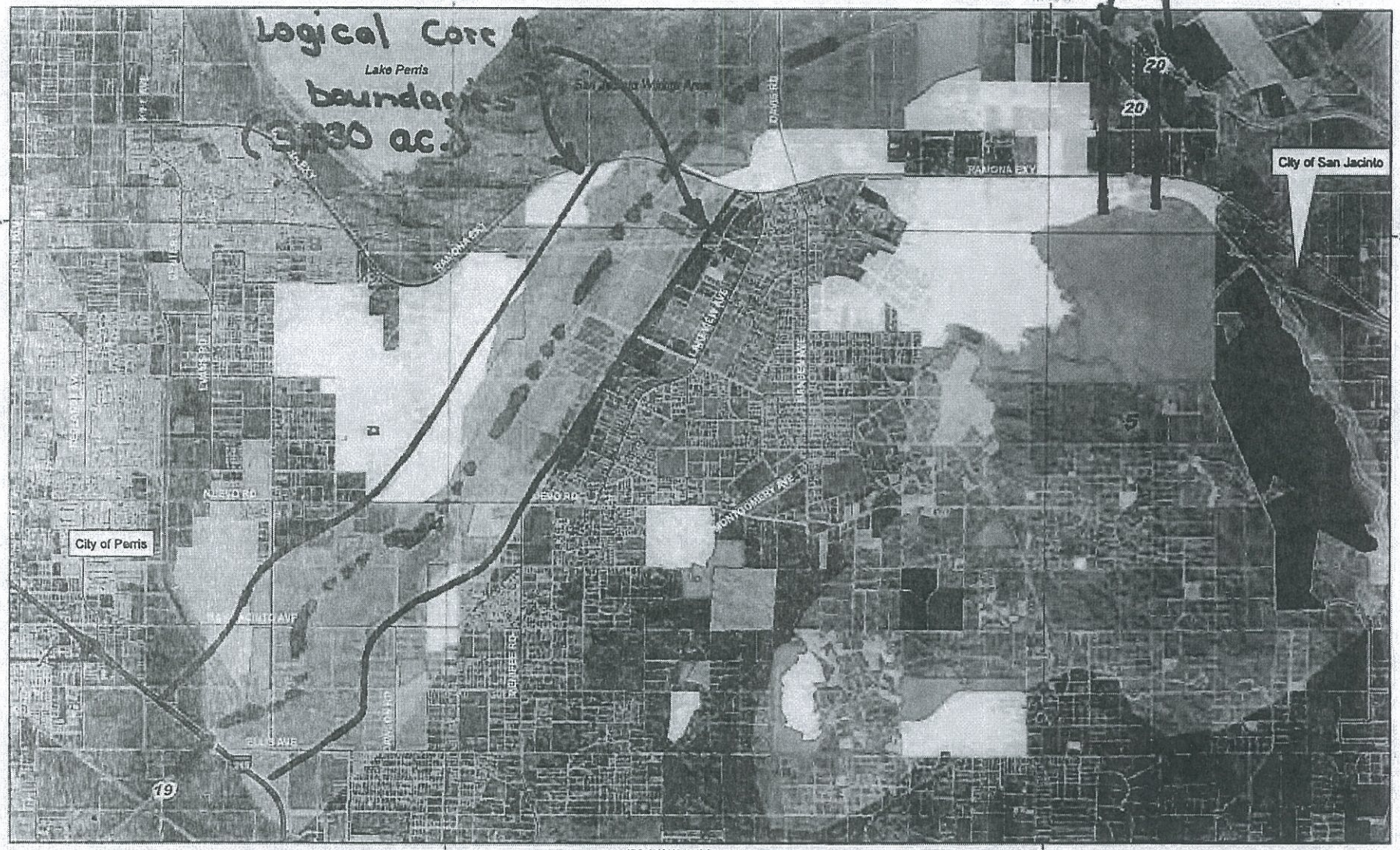
Sincerely,

Robert S Hewitt

Robert S. Hewitt
42913 Johnston Ave.
Hemet, Ca. 92544

Logical Linkage 20 boundaries (330 ac)

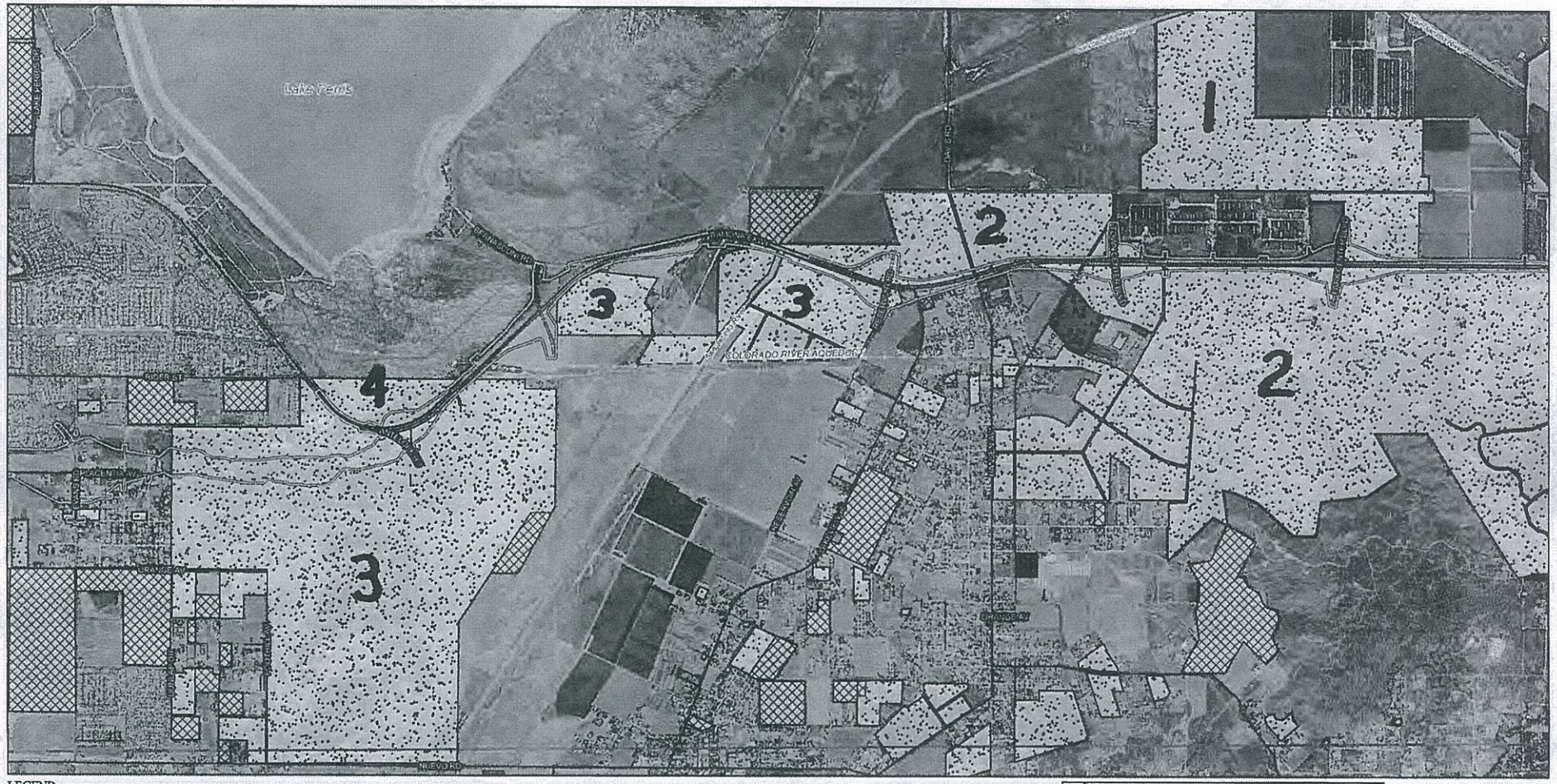
MSHCP Core 4 Extension and Constrained Linkage 20



December 2007

JPR / HANS Activity

Refer to comments P-11-1 and P-11-12



LEGEND

- Limits of Proposed Improvements (All Alternatives and Design Variations)
- MCP Study Area
- Perris Valley Pipeline Project
- Proposed Perris Valley Rail Extension
- Perris Valley Storm Drain and Colorado Aqueduct

Development by Type

- Commercial
- Industrial
- Residential
- Other

Development by Status

- Application Submitted
- Project Approved

SOURCE: Jacobs Engineering (02/2011); Thomas Brothers (2010); SCAG (2005); Eagle Aerial (3/2010)

0 0.25 0.5 Miles

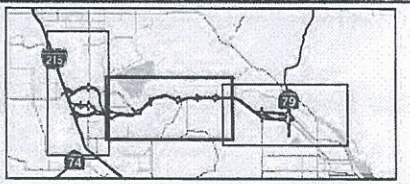


FIGURE 3.25.1
Page 2 of 3

Cumulative Projects

08-RIV-MCP PM 0.0/16.3; 08-RIV-215 PM 28.0/34.3
EA 08-0F3200 (PN 0800000125)

I:\JCV531\08_Mod\EIR_EIS\Draft\Figures\Cumulative_Projects.mxd (5/24/2012)

Refer to the first two paragraphs in the subsection titled "Reservoir, Bernasconi, and Antelope Roads" (page 3) in this comment letter.

P-11-1

This comment addresses the following concerns related to the interchanges proposed along the MCP alignment:

- The relationship of the MCP and proposed and planned land uses in this part of western Riverside County;
- The locations of the interchanges along the alignment of the MCP Build Alternatives; and
- Cumulative impacts of the interchanges and land use development along the MCP alignment on agricultural resources.

Two maps were attached to support the commenter's concerns regarding: (1) MSHCP Core Extension and Constrained Linkage 20, and (2) status of cumulative land development projects. These maps provide supporting information for the commenter's concerns, and do not introduce new information that would change the conclusions of the analyses in the Final EIR/EIS. It is important to note that the future land uses and circulation system components anticipated in the MCP study area were based on information available between the time the NOP was issued in 2004 and the analyses for the Recirculated Draft EIR/Supplemental Draft EIS were conducted in 2012. Those land uses were generally based on the adopted General Plan Land Use Elements and Land Use maps and not necessarily on individual proposed and/or approved development or circulation improvement projects. The traffic modeling for the MCP project was also based on the adopted General Plan Land Use and Circulation Elements and not on individual land development projects. The discussion of the interchange locations along the MCP in Section 2.3.2.3, Interchanges, on page 2-28 was revised to indicate that those planned interchange locations would connect with arterials shown on the County of Riverside General Plan Circulation Element. The information and data used in the traffic model and other analyses in the Recirculated Draft EIR/Supplemental Draft EIS were current at the time the analyses were conducted. It is not possible to continually update information regarding the status of individual development proposals because the submittal of development proposals and evaluation of those proposed land uses through the environmental processes and by the agencies with land use approval authority is a continuous process with the status of projects changing on a regular basis. As a result, the analyses for the MCP were based on adopted General Plans, as noted above, because the Land Use and Circulation Elements in those adopted General Plans represent the broadest base of adopted land use and circulation information for unincorporated Riverside County and the incorporated cities in the MCP study area.

Relationship of the MCP and Proposed and Planned Land Uses

The MCP project is proposed to accommodate future planned growth as shown in the Land Use Elements in the adopted County of Riverside and cities of Perris and San Jacinto General Plans. As described in detail in Section 1.2, Background, starting on page 1-5 in the Final EIR/EIS, the MCP project was part of a larger planning effort known as the Riverside County Integrated Project (RCIP) and Community and Environmental Transportation Acceptability Process (CETAP) and has been closely coordinated with the Land Use and Circulation Elements of those local jurisdictions' General Plans. Over the years, various development projects have been proposed in this area. Some of those projects have advanced, but some are no longer being pursued or are currently under litigation. Nonetheless, the Land Use Element in the County of Riverside General Plan shows these areas for future residential uses. The MCP project is designed to accommodate the future growth already included in the adopted County of Riverside General Plan. Although some of the currently proposed projects in this area may not come to fruition, because the land is designated in the General Plan Land Use Element for residential uses, it is anticipated these areas would be developed in those uses within the planning horizon for the MCP project.

As discussed in the subsection titled "The Villages of Lakeview Specific Plan" on page 3.25-21 in Section 3.25, Cumulative Impacts, the Final EIR for the Villages of Lakeview Specific Plan was certified by Riverside County in March 2010, during the preparation of the analyses in the Recirculated Draft EIR/Supplemental Draft EIS for the MCP. As a result, it was appropriate to include that approved project in the planning and analysis of environmental effects of the MCP Build Alternatives. As noted in this comment, on May 23, 2012, the approval of the Final EIR for The Villages of Lakeview Specific Plan was set aside by the Riverside County Superior Court, which found that the EIR did not adequately address regional traffic, air quality, greenhouse gas emissions, and habitat impacts. While the Recirculated Draft EIR/Supplemental Draft EIS acknowledges this change in that approved project, because the General Plan currently shows the areas within that specific plan area for development including residential and nonresidential uses, it was appropriate to continue to consider those future General Plan land uses during the long-term planning for MCP and in the environmental analyses for the MCP Build Alternatives. As a result, until such time that the County of Riverside revises its General Plan to remove the Community Development overlay on the specific plan area, it is appropriate to continue to consider that this area would be developed in residential and nonresidential uses at some time in the future. It is not possible to predict what, if any, land use designation changes Riverside County could consider or adopt for The

Villages of Lakeview property in an amended General Plan Land Use Element. Based on the existing land uses and the General Plan land use designations for the surrounding areas, it does not appear likely that the County would consider residential and/or nonresidential uses at substantially greater densities that those proposed in the original Specific Plan for The Villages of Lakeview. It is possible the County could consider residential and/or nonresidential uses as lesser densities or in different proportions than in the original Specific Plan for The Villages of Lakeview. To attempt to predict possible future General Plan land use designations for that site would be speculative and beyond the scope of the MCP project EIR/EIS. Because the original Specific Plan for The Villages of Lakeview potentially represents a proposal previously approved by the County of Riverside, for residential and nonresidential uses on the site, there is no indication the County is considering substantially greater land use densities on the site, and it would be speculative to attempt to predict what the future General Plan land use designations for that site could be, the use of the originally planned land uses in the Specific Plan for The Villages of Lakeview is considered to represent a reasonable assumption for possible future land uses on that site for the cumulative impacts analyses provided in Section 3.25 in this Final EIR/EIS.

Locations of Service Interchanges

The service interchanges on the MCP facility at Antelope Road, Bernasconi Road, Reservoir Avenue, Town Center Boulevard, and Park Center Boulevard are proposed at approximately 1.2 miles (mi) spacing, slightly exceeding the required Caltrans *Highway Design Manual* (HDM) 501.3, Standard Spacing, of 1.0 mile between service interchanges. The interchanges are proposed at locations where major north-south arterials are planned based on the County of Riverside General Plan Circulation Element. The existing land uses in this area are not reflective of the planned land uses for this area as shown on the Land Use Element in the County of Riverside General Plan, which allows for residential development in some of the areas surrounding these interchanges. These interchanges will allow future residential traffic to get on and off the MCP facility and proceed east or west or access this area, and will provide connectivity among the communities to the north, the San Jacinto Wildlife Area, and proposed and existing communities to the south. The Bernasconi Road interchange will provide access to the Lake Perris State Recreation Area and was coordinated with the California Department of Parks and Recreation, the owner/operator of the Lake Perris State Recreation Area.

Impacts on Agricultural Resources

As noted in this comment, there are existing agricultural operations in this part of western Riverside County, although much of this land is shown for nonagricultural uses in the future based on the applicable approved local general plans. The Final EIR/EIS documents that the MCP Build Alternatives will result in permanent adverse impacts on designated farmlands and would contribute to cumulative impacts on designated farmlands. Specifically, Section 3.3, Farmlands and Timberlands, in the Final EIR/EIS discloses the following potential permanent effects of the MCP Build Alternatives on agricultural resources:

Impacts based on the Farmland Conversion Rating Form (starting on page 3.3-17 in the Final EIR/EIS): The final scoring for the MCP Build Alternatives from the NRCS-CPA-106 Form was 137. According to the instructions for completing Form NRCS-CPA-106, sites receiving a total score of less than 160 points shall be given a "minimum level of consideration for protection." Therefore, according to the results of Form NRCS-CPA-106, all alternatives and design variations for the MCP project should be given the "minimum level of consideration for protection," and no further alternative analysis is needed for farmland issues under the Farmland Protection Policy Act.

Permanent Conversion of Agricultural Land to Nonagricultural Uses (page 3.3-10 in the Final EIR/EIS): As shown in Table 3.3.C in the Final EIR/EIS, the MCP Build Alternatives would result in the permanent conversion of agricultural land (specifically, Farmlands of Local Importance, Farmlands of Statewide Importance, Prime Farmland, Unique Farmland, and Grazing Land) to nonagricultural uses. Depending on the alternative and the design variation, a total of between 1,033 and 1,109 acres of designated farmland would be permanently converted to nonagricultural uses by the MCP project.

Impacts to Land Zoned for Agricultural Uses (page 3.3-11 in the Final EIR/EIS): As shown in Table 3.3.D in the Final EIR/EIS, depending on the alternative and the design variation, a total of between 91 and 203 acres of land designated for agricultural uses in the Cities of Perris and San Jacinto and unincorporated Riverside County would be permanently used for transportation purposes.

The impacts of the permanent conversion of designated agricultural land to nonagricultural uses are identified as significant and unavoidable adverse impacts of the MCP Build Alternatives under CEQA, as discussed on page 4-4 in Chapter 4.0, California Environmental Quality Act Evaluation, in the Final EIR/EIS.

Section 3.25.5.2, Farmlands, in Section 3.25, Cumulative Impacts, in the Final EIR/EIS, notes "The impact to designated farmlands and existing agricultural uses as a result of the MCP project is consistent with the conversion of farmlands contemplated by the County and City General Plans because the MCP project is one of the designated CETAP corridors included in the General Plans. The Final EIR for the Riverside County General Plan (2003) concluded "that there is no reasonable or feasible mitigation to reduce impacts of the significant impacts resulting from the loss of agricultural land to a less than significant level. While the implementation of General Plan policies would encourage the conservation of agricultural land, the conversion of state designated farmland and/or actively utilized agricultural land to non-agricultural uses remains a significant and unavoidable impact."

In summary, the Final EIR/EIS clearly discloses that the MCP Build Alternatives would result in project-specific significant unavoidable adverse impacts under CEQA on designated farmlands and, when considered with the effects of other projects in the local general plans, would also contribute to a cumulative adverse impact on agricultural resources.

P-11-2

The Criteria Area requirements to meet the conservation objectives for Proposed Extension of Existing Core 4 (shown on Figure 3.17-1, Western Riverside County MSHCP Public/Quasi-Public Lands and Criteria Area, on page 3.17-5 in the Final EIR/EIS) are the responsibility of the Western Riverside County MSHCP permittees with land use authority to approve individual local development projects within those criteria cells (which in this area is the County of Riverside) and not the responsibility of RCTC. RCTC is a transportation agency and, as such, has no land use planning or approval authority. The County of Riverside and the incorporated cities in the MCP study area are agencies with both land use planning and approval authority.

As discussed in the response to comment IP-6-29, the MCP project is defined as a Covered Activity in the Western Riverside County MSHCP as one of the CETAP Corridors. Two bridge alternatives were analyzed in the Recirculated Draft EIR/Supplemental Draft EIS, both of which provide an adequate linkage on either side of MCP project. There are no requirements in the Western Riverside County MSHCP regarding limitations at the San Jacinto River. Table 7-4, Planned Facilities, in Section 7.3.5, Planned Roads within the Criteria Area, on page 7-28 in the Western Riverside County MSHCP, lists specific considerations for planned facilities, including the CETAP Hemet to Corona/Lake Elsinore now called the MCP project), none of which require special considerations for the bridge crossing of the San

Jacinto River. However, as discussed in Section 3.0, Proposed Extension of Existing Core 4, on page 3-49 in the Western Riverside County MSHCP, the MCP project will be consistent with the maintenance of floodplain processes along the San Jacinto River and the Western Riverside County MSHCP Guidelines Pertaining to Urban/Wildlands Interface for management of edge factors as discussed in Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6. Any of the cumulative projects in or near the Core 4 Extension Area would require their own Western Riverside County Multiple Species Habitat Conservation Plan Consistency determinations, as discussed in Section 3.0, MSHCP Consistency Determination Process, in the *Western Riverside County Multiple Species Habitat Conservation Plan Permittee Implementation Guidance Manual* (Riverside County Resource Conservation Agency, August 2007).

P-11-3

The proposed interchanges and on- and off-ramps in the vicinity of the San Jacinto River 100-year floodplain are based on the County of Riverside General Plan Circulation Element, as discussed in the response to comment P-11-1. This comment is correct in noting that the Proposed Extension of Existing Core 4 covers a substantial part of the 100-year floodplain for the segment of the San Jacinto River in that area. Figure P-11-1 on the following page shows the boundaries of the Proposed Extension of Existing Core 4, the 100-year floodplain, and the 100-year floodway for the San Jacinto River. By comparing Figure P-11-1 with Sheet 2 of Figure 3.25.1 in Section 3.25, Cumulative Impacts, in the Final EIR/EIS, it can be seen that there are a number of approved or planned development projects in the 100-year floodplain and, potentially, within the boundary of the Proposed Extension of Existing Core 4. It is possible to construct buildings within floodplains if certain conditions to protect those structures as well as downstream land uses are met.

The on- and off-ramps proposed along this segment of MCP project are intended to serve both existing land uses (such as the Lake Perris State Recreation Area and the San Jacinto Wildlife Area) and planned land uses based on the Riverside County General Plan Circulation Element and not individual land development proposals or projects.

Further, it should be noted that the consideration and approval of development projects in this area are within the land use planning and approval authority of the County of Riverside. RCTC has no land use planning and approval authority. In addition, the viability of any individual cumulative project shown on Figure 3.25.1 is independent of the presence or absence of the MCP project and would be based on

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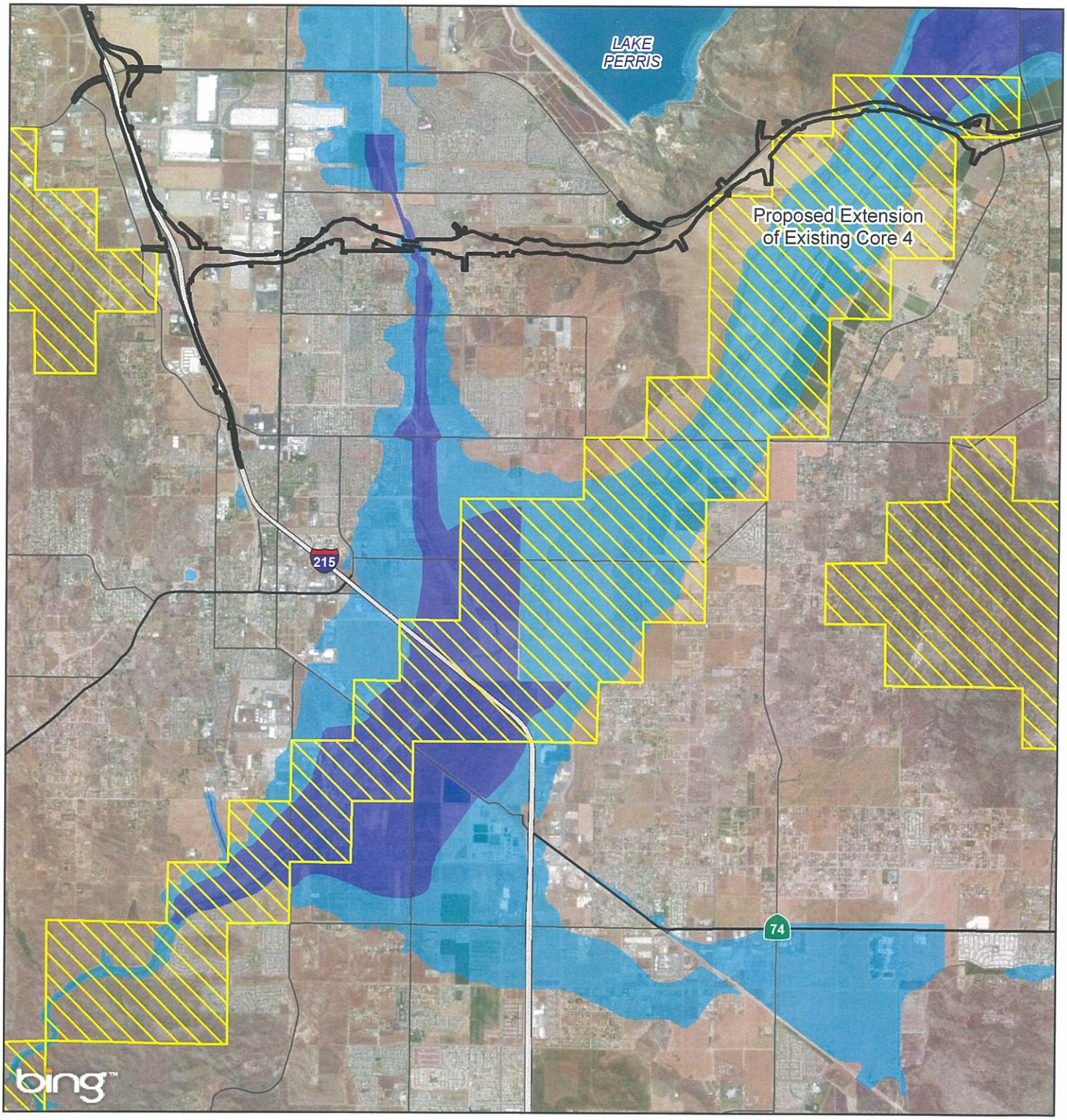

LEGEND

FIGURE P-11-1

- Mid County Parkway Limits of proposed Improvements (All Alternatives and Design Variations)
- MSHCP Criteria Areas*
- 100-year Floodplain
- 100-year Floodway within Floodplain

**Cores, Linkages and other Proposed Conservation Areas will be assembled from portions of the Criteria Area*

SOURCE: Jacobs Engineering (07/2014); FEMA (8/2008); MSHCP (2004); Bing (2012).

0 3000 6000 FEET

Proposed Extension of the Existing Core 4 and the 100 Year San Jacinto River Floodplain

08-RIV-MCP PM 0.0/16.3; 08-RIV-215 PM 28.0/34.3

EA 08-0F3200 (PN 0800000125)

I:\JCV531\GIS_Mod\ResponseToComments\DraftFinalFigures\ProposedExtension_Core4_Floodplain.mxd (9/19/2014)

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decisions made by the proponents of those projects and not the RCTC. As discussed in the response to comment P-11-2, any land development projects within the Proposed Extension of Existing Core 4 would need to go through their own Western Riverside County MSHCP consistency determination and would not be the responsibility of RCTC.

There are plans to channelize the segment of the San Jacinto River in the MCP study area as noted in the March 2014 Public Review Draft of the County of Riverside General Plan Amendment No. 960 for the Lakeview/Nuevo Area Plan which states:

> "The San Jacinto River flows westward from Lake Hemet in the Santa Rosa Mountains, through Canyon Lake, and then to Lake Elsinore. It flows through the central portion of this planning area and has a profound influence over its land use patterns. Currently, the river is a semi-natural watercourse that is normally dry. Through the planning area, the river is partially channelized with earthen levees. The lands adjacent to the river are currently vacant or agricultural in nature.
>
> Currently, there is a proposal to channelize the river with earthen berms from the Ramona Expressway to Interstate 215 to reduce flood threats and facilitate future development of adjacent properties. The project is sponsored by property owners in the area and is being prepared by the County of Riverside Flood Control and Water Conservation District. If this project is approved by federal agencies, the flood threat posed by this river will be significantly reduced. The broad valley in which this river sits may then be developed per the Area Plan Land Use Map." (page 7 of the Public Review Draft).

P-11-4

It is acknowledged that like other development in the area, the MCP project will result in the permanent conversion of designated agricultural lands to nonagricultural uses as discussed in detail in Section 3.3, Farmlands/Timberlands, in the Final EIR/EIS. The designated agricultural lands along the alignments of the MCP Build Alternatives are shown on Figure 3.3.1 and the acres of designated agricultural lands within the disturbance limits of the MCP Build Alternatives are detailed in Table 3.3.C. As shown on Figure 3.1.2 in Section 3.1, Land Use, in the Final EIR/EIS, the areas designated in the adopted General Plans for agricultural uses are located in unincorporated Riverside County along the north and south sides of the Ramona Expressway from west of Reservoir Road to Bridge Street, and on the north side of Ramona Expressway from east of Bridge Street to the City of San Jacinto city limits.

As shown in Figure 3.1.2, existing Ramona Expressway abuts the San Jacinto Wildlife Area for approximately 1.5 miles, so there is no existing buffer between the existing roadway and the wildlife area. As described in Section 2.3.2.11, Fencing and Median Barriers, in this Final EIR/EIS, fencing will provided along the entire length of the MCP project. This fencing will serve as a buffer by preventing intrusion into the San Jacinto Wildlife Area by motor vehicles, equestrians, bicyclists, pedestrians, and domestic animals.

The evaluation of the potential effects of, and possible approval of, proposed land use development on agricultural land in the vicinity of the San Jacinto Wildlife Area is under the jurisdiction of the County of Riverside and not RCTC. As noted in the response to comment P-11-1, the Land Use Element in the adopted County of Riverside General Plan shows much of this area for future development, as discussed in Section 3.25, Cumulative Impacts, in the Final EIR/EIS. The Final EIR (2003) for the Riverside County General Plan acknowledges that the loss of agricultural land in Riverside County is a significant and unavoidable adverse impact under CEQA of that adopted General Plan (as noted in the fourth paragraph in the subsection titled "Build Alternatives" on page 3.25-24 in the Final EIR/EIS for the MCP project).

With regard to the commenter's concern regarding the effect of the loss of agricultural lands on the tri-colored blackbird, this species is covered under the Western Riverside County MSHCP. This species is discussed on page 3.20-7 in Section 3.20, Animal Species, in this Final EIR/EIS.

P-11-5

Please refer to the response to comment P-11-1 for discussion regarding the future land uses shown in the Land Use Elements in the adopted County of Riverside and Cities of Perris and San Jacinto General Plans, which would be served by the proposed MCP service interchanges with local north-south streets shown in the Circulation Elements in those adopted General Plans.

Please also refer to the response to comment P-11-4 for discussion regarding the agencies with land use authority in the area and the acknowledged significant and unavoidable adverse effects under CEQA of the permanent conversion of agricultural lands to land uses designated in the adopted General Plans.

P-11-6

Please refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project and how the MCP project was determined to be consistent with the Western Riverside County MSHCP, including wildlife features such as fencing included in the MCP project. A bridge spans the San Jacinto River along the majority of the proposed Constrained Linkage 20 corridor, which will allow for wildlife movement, as shown in Figure 3.17-1, Western Riverside County MSHCP Public/ Quasi-Public Lands and Criteria Area, on page 3.17-5 in the Final EIR/EIS for the MCP project, in Attachment E in Appendix I of the Recirculated Draft EIR/ Supplemental Draft EIS, and as described in the subsection titled "Wildlife Corridors/ Habitat Fragmentation" starting on page 3.17-24 in the Final EIR/EIS. Appropriate fencing will be used as discussed in the fencing plan to minimize the potential for wildlife to enter the right of way where the fencing ends at bridge abutments.

Fencing that will be included in the MCP project is described in Section 4.7, "Section 6.1.4 Compliance -Urban-Wildlands Interface Guidelines" in the MCP MSHCP Consistency Determination Including Determination of Biologically Equivalent or Superior Preservation Analysis (provided in Appendix T of this Final EIR/EIS). Specifically, permanent fencing will be installed along the right-of-way limits for the entire length of the MCP project, including areas adjacent to the MSHCP Conservation Areas. The fencing will minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping in the MSHCP Conservation Areas and other land uses adjacent to the MCP facility. As discussed in the MSHCP Consistency Determination, RCTC will submit the final design fencing plan to the RCA and Wildlife Agencies prior to construction.

Additionally, as discussed in Section 4.8.2, "Section 7.5.2-Guidelines for Construction of Wildlife Crossings" in the MSHCP Consistency Determination, jump outs and one-way gates will be installed along the segment of the MCP facility road in the vicinity of Crossing No. 10 to allow wildlife to get off the road should they somehow gain access to that area. Figures 23a and 23b in the MSHCP Consistency Determination depict the conceptual design of the fencing plans at dry culverts designed to be used as wildlife crossings. During final design, RCTC will submit the fencing plan for the MCP project in the vicinity of the Extension of Existing Core 4 and the Proposed Constrained Linkage 20 to the RCA and Wildlife Agencies for review and approval.

2/12/13 P-12

Mid County Parkway project:

As a regular driver on the Ramona Expwy I do not see a need for this project. P-12-1

I am especially against this project as it is to close to the wildlife area.

Aileen Hertz

RECEIVED
FEB 19 2013
RIVERSIDE COUNTY
TRANSPORTATION COMMISSION

P-12-1

The commenter states that there is no need for the MCP project. As discussed on page 1-17 of the Recirculated Draft EIR/Supplemental Draft EIS, traffic congestion and travel delay are projected to be worse by 2040. The Riverside County Transportation Commission (RCTC) has planned the MCP project to address the future mobility needs in the MCP study area, consistent with the future growth that is projected for this area based on adopted demographic projections.

Please refer to the following sections in the Final EIR/EIS, which discuss potential effects of the MCP Build Alternatives on biological resources:

- 3.17 Natural Communities
- 3.18 Wetlands and Other Waters
- 3.19 Plant Species
- 3.20 Animal Species
- 3.21 Threatened and Endangered Species
- 3.22 Invasive Species

From: Cathy Bechtel <CBechtel@RCTC.org>
Sent: Wednesday, February 13, 2013 3:14 PM
To: samirpatelrn@yahoo.com
Subject: RE: MID COUNTY PARKWAY PROJECT

P-13

Dear Mr. Patel,

Thank you for your recent email regarding the proposed Mid County Parkway project. You noted that you own property between I-215 and I-15, near Cajalco Road, and referenced a previous plan for a highway on Cajalco Road. You are correct that the Riverside County Transportation Commission (RCTC) had been evaluating the opportunity for a new transportation facility between SR79 and I-15 and some of the alternatives being considered ran along/near Cajalco Road. After review of the Draft environmental document for that proposed facility, and after consideration of public comment, the Riverside County Transportation Commission acted in July 2009 to modify the project limits for the proposed project. The proposed Mid County Parkway is now under environmental evaluation with a western boundary of I-215. RCTC is still in the planning phase for this project between SR79 and I-215, and project approval has not yet been received. P-13-1

In your email you expressed concern regarding issuance of building permits within the County. The Riverside County Transportation Commission does not have any land use authority and is not involved at all with issuance of building permits. The appropriate agency for you to offer your suggestions/concerns relating to building permits would be the County of Riverside. RCTC is a completely separate agency from the County of Riverside. P-13-2

Sincerely,

Cathy Bechtel
Project Development Director
Riverside County Transportation Commission
P.O. Box 12008, Riverside 92502
(951) 787-7141

From: samir patel [mailto:samirpatelrn@yahoo.com]
Sent: Thursday, February 07, 2013 3:35 AM
To: Cathy Bechtel
Subject: Re: MID COUNTY PARKWAY PROJECT

Cathy,

I am writing this letter in regards to land that I own located in Riverside County, more specifically on Cajalco Rd. with the
crostreet of Brown Rd. I have owned the land for more than 7 years now and the previous owner had owned it for another 5-7 years.
When I first purchased the land, I obtained a title report which indicated an easement for the property and it did give some indication
in regards to a project that was being considered by the county. I came to find out later that the project was pertaining a plan for a highway on Cajalco Rd. starting from Hemet connecting all the way to hwy 15. Once the recession came, I recieved an email from your department indicating that the county had completed the required land survey and estimates were obtained regarding the proposed project, however the county had no money to pursue it any further and decided to terminate any progress until further notice. P-13-3

Well, here's my complaint regarding the situation. I had bought the property in hopes to invest into a developing area. Had I known that there would be an issue with the county, I would not have spent $300,000.00 alone on just a piece of land that's not worth anything because the county does not want to issue building permits in that area due to funding problems. I understand that the state of California is undergoing a financial restructuring, but if that's going to be a problem for a while, I think the county should consider the area for development by private investors like myself and release any roadblocks preventing progress. It's foolish that it takes such a long time for a decision to be made. I mean, if the county or state do not have any capital for investment and plans to progress further in the next few years, please bring my complaint to attention in the next board meeting. I'm surprised that no one else in the community has had similar complaints. I wish I had that kind of money where it just sits there and depreciates. How long does the county expect people to wait on dead investments? If it's going to be a problem then I wish the county would just purchase the land from me and let me move on. I know that's not feasible but I'm really frustrated becuase I have so much money tied up there. P-13-3

A suggestion for the assessors is that on the title reports for this area, please make sure that there is a specific clause to purchasers specifiying that "no building permits will be issued". That way an investor knows exaclty what's entailed in their investment. P-13-4

SAMIR PATEL
620 N MAIN ST.
NEWCASTLE, OK 73065
SAMIRPATELRN@YAHOO.COM
(405) 740-1922

From: Cathy Bechtel <CBechtel@RCTC.org>
To: "samirpatelrn@yahoo.com" <samirpatelrn@yahoo.com>
Sent: Tuesday, January 29, 2013 10:26 AM
Subject: MID COUNTY PARKWAY PROJECT

Dear Mr. Patel,

As requested, shown below is the email sent out regarding the proposed Mid County Parkway project, along with a link to the most current project newsletter. I am happy to talk with you about the project. You may call me at 951 787-7141 or email me your question.

Sincerely,

Cathy Bechtel

Project Development Director

RCTC

****

From: RCTC <jstandiford@rctc.org>
To: STANDIFO <JSTANDIFORD@RCTC.org>
Sent: Fri, Jan 25, 2013 17:25:23 GMT+00:00
Subject: Continuing Information About the Mid County Parkway Project

Having trouble viewing this email? Click here

MID COUNTY PARKWAY
A project of the Riverside County Transportation Commission

SUBJECT: CONTINUING INFORMATION ABOUT THE MID COUNTY PARKWAY PROJECT

This email letter is being sent to you by the Riverside County Transportation Commission (RCTC) as a result of your signing up on our Mid County Parkway website or providing your email address to receive ongoing information about the proposed Mid County Parkway.

The Mid County Parkway is a proposed 16-mile transportation corridor between SR-79 in San Jacinto and I-215 in Perris.

The preparation of a Recirculated Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS) is complete and has been released to the public. Please click here for the most recent newsletter.

If you wish to comment on the RDEIR/SDEIS, you must do so by March 11, 2013. Comments can be submitted online at http://midcountyparkway.org/, at the public hearing that will be held for the Project, or in writing to RCTC. The Public Hearing for the project will be held on February 20, 2013 from 5 p.m. to 8 p.m. at Lakeside Middle School, 27720 Walnut Street, Perris, CA 92571.

Following the comment period, a Final Environmental Impact Report/Environmental Impact Statement (Final EIR/EIS) will be prepared that includes responses to the comments. The Final EIR/EIS will also identify a preferred alternative.

Thank you for your continuing interest in the Mid County Parkway.

Cathy Bechtel
Project Development Director
RCTC
P.O. Box 12008
Riverside, CA 92502-2208

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RCTC | County Regional Complex | 4080 Lemon Street, 3rd Floor | Riverside

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From: samir patel [mailto:samirpatelrn@yahoo.com]
Sent: Tuesday, January 29, 2013 3:26 AM
To: STANDIFO
Subject: MID COUNTY PARKWAY PROJECT

To whom it may concern,

can you forward me the email for Cathy Becthel or whoever it may be in familiar with the mid county parkway project.
I have a few questions regarding some property I own in that area.

Thank you!

SAMIR PATEL
620 N MAIN ST.
NEWCASTLE, OK 73065
SAMIRPATELRN@YAHOO.COM
(405) 740-1922

This comment letter includes introductory and other information that does not raise specific environmental issues that would require a response under Section 15088 of the State CEQA Guidelines. As a result, those parts of this comment letter were not bracketed, and no responses were provided related to those sections of the letter. However, RCTC has reviewed and responded to all the substantive comments in this comment letter and determined that the sections of this letter that were not bracketed did not make substantive comments that required substantive responses.[1]

P-13-1

This email response from the Riverside County Transportation Commission (RCTC) to the commenter explains the decision-making process associated with the original 32-mile (mi) long MCP project and the decision to modify the MCP project to its current proposed design with its western terminus at Interstate 215 (I-215). Refer to the response to comment P-13-3, below, for further discussion regarding the project decision-making process.

P-13-2

In the response to comment P-13-4, below, this email response from RCTC to the commenter indicates that RCTC has no land use authority and does not issue building permits. No further response is required.

P-13-3

This commenter requested that the decision-making process on the project be expedited because the commenter feels delays in the project have affected his land investments in the area, particularly the area surrounding Cajalco Road. The commenter requests that his complaint about the long process to move forward with the project be brought up at the next Board meeting. As discussed in Section S.1, Introduction, starting on page S-1 in the Final EIR/EIS, the original 32-mile-long project limits for the MCP facility extended from Interstate 15 (I-15) on the west to State Route 79 (SR-79) on the east and included areas along Cajalco Road. The Recirculated Draft EIR/Supplemental Draft EIS evaluated a shorter MCP project (approximately 16 mi), extending from I-215 on the west to SR-79 on the east. As a

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[1] Section 15088(a) of the CEQA Guidelines notes that "The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response." As noted above, the parts of comment letters that did not raise specific environmental issues are not bracketed as individual comments and responses to those part of the comment letters are not provided.

result, the shorter MCP project does not extend across the part of western Riverside County where Cajalco Road is located and where the commenter appears to own property. These comments do not raise an environmental issue within the context of the California Environmental Quality Act (CEQA) and/or the National Environmental Policy Act (NEPA), or comment on the adequacy of the technical information or environmental analysis in the Recirculated Draft EIR/Supplemental Draft EIS. In addition, note that, consistent with the requirements of CEQA and NEPA, all comments received on the Recirculated Draft EIR/Supplemental Draft EIS are included in the Final EIR/EIS and have been made available to the public and decision-makers prior to any action on the proposed project.

P-13-4

The commenter suggests that the County of Riverside give notice to the Assessor's office regarding a moratorium on building permits for the area surrounding the project alignment. As noted in the response to comment P-13-2, RCTC does not have any land use authority and is not involved with the issuance of buildings permits in Riverside County. This comment does not raise an environmental issue within the context of CEQA and/or NEPA, or comment on the adequacy of the technical information or environmental analysis in the Recirculated Draft EIR/Supplemental Draft EIS. In addition, note that, consistent with the requirements of CEQA and NEPA, all comments received on the Recirculated Draft EIR/Supplemental Draft EIS are included in the Final EIR/EIS and have been made available to the public and decision-makers prior to any action on the proposed project.

P-14

February 14, 2013

Ms. Cathy Bechtel, RCTC
PO Box 12008
Riverside, CA 92502

Dear Ms. Bechtel,

My family will be one that is impacted by the construction of the new highway. My name is Martin Franco. I am very concern about the displacement of my family. I have a senior in high school, graduating in 2014. She would like to continue her education here until graduation.

I have an elderly mother who has recently settled here and has established her medical care her. It will be a difficult transition to a new doctor and medical facility.

My property is used for training horses. I am afraid I may not find one that can provide me the training tools I have built on this property. P-14-1

My wife and I had this home built to meet our family needs and now it is going to be taken from us.

We have one of the best neighbors one can ask for. We know this is inevitable, but would like to be given ample notice and time to find a home for our family. One that can meet our current needs.

If you have any questions, I can be reached at 951-443-0919 (home) or on my cell 909-731-1992.

Thank you for your consideration in this matter.

Sincerely,

Martin Franco S.

Martin and Sonia Franco
20475 El Nido Ave.
Perris, CA 92571

P-14-1

This comment raises several concerns regarding the possible relocation of this family from their home as a result of the MCP Build Alternatives. Many of those concerns will be addressed during the property acquisition process. As discussed in Section 3.4.2.1, Regulatory Setting, starting on page 3.4-32 in the Final EIR/EIS, the California Department of Transportation's (Caltrans) Relocation Assistance Program (RAP) is based on compliance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (as amended) (Uniform Act) and Title 49 Code of Federal Regulations (CFR) Part 24. The purpose of the RAP is to ensure that persons displaced as a result of a transportation project are treated fairly, consistently, and equitably so that they will not suffer disproportionate injuries as a result of projects designed for the benefit of the public as a whole. All property acquisition and relocation activities would be handled by Right of Way Agents in accordance with the Uniform Act, which mandates that certain relocation services and payments be made available to eligible residents displaced by its projects; such payments include moving expenses for the actual reasonable costs. The Uniform Act provides for uniform and equitable treatment by federal or federally assisted programs of persons displaced from their homes and establishes uniform and equitable land acquisition policies.

Refer also to Appendix D, Summary of Relocation Benefits, in the Final EIR/EIS, for a detailed discussion of the relocation benefits available to eligible residents. All relocation services and benefits will be administered without regard to race, color, national origin, or sex in compliance with Title VI of the Civil Rights Act (42 United States Code 2000d, et seq.). Refer to Appendix C, Title VI Policy Statement, for the Caltrans' Title VI policy statement.

The individual concerns in this comment are further addressed below:

- Property acquisition for this project would not be initiated until after approval of a Federal Record of Decision, currently scheduled for mid-2015. As a result, it is unlikely this property would be acquired before this resident's child graduates from high school in 2014.
- It is acknowledged that relocation can affect accessibility to services that a family needs, such as services at medical facilities and doctors' offices. Part of the relocation process is assessing whether a potential relocation property meets the residents' needs, including access to necessary services such as medical facilities and doctors.

- Right of Way Agents will work with each affected property owner to assess the specific needs for the replacement property. This will include cases like this commenter's in which the property serves as both a residence and a facility for training horses. All relocation activities of residential and nonresidential uses will be conducted consistent with the Uniform Act.
- Part of the right of way acquisition process is working with the property owners to provide sufficient time for appropriate replacement property to be located and for the affected residents to move out of their existing residence and into their new residence. The Right of Way Agents will respect each property owner as they work to accommodate individual needs associated with finding replacement property and relocating to that property.

February 18, 2013

P-15

Mid County Parkway Project

Ms. Cathy Bechtel, RCTC
PO Box 12008
Riverside, CA 92502

RE: Parcel ID 300020005-0 20487 El Nido Ave., Perris CA 92571
& 300030012-7 26735 Placentia Ave., Perris CA 92571

Dear Ms Bechtel and RCTC associates,

This letter is being written to inform you of the impact and concerns this proposed Mid-County Parkway Project will have on three separate families. We do realize that this is for the good of public transportation and highway growth.

We, **The Pettus family** (us) watched this home being built in 2005. Settling in was easy as our daughter, son-in-law and two of our youngest grandchildren live across the street. We retired expecting to be finally settled in what we thought was the home we would live in for the rest of our lives. We have built all our wants and needs into this home, making it a dream come true. The evening sunsets and the snowy mountains are great calming views that we are afraid we might not have again.

We have neighbors that are like family; no they are family to us. It will be difficult to up and move, both physically and mentally, away from our family. As they so watch over us.

We also utilize our property/land for our daughters business **"The Ramirez Family"**. They "Early Morning Farms" a minority business, grow vegetables and herbs that is a major portion of their family income. P-15-1

They will loose a major portion of their income, when we have to depart. We are concerned of what will be and for their well being. As we help harvest the crops, that is a savings for them.

Our neighbors "**The Franco's**" watch over us as well. Martin head of a landscaping company assists us with our landscaping. And keep a close watch on our property.

We are very much concern with being able to procure like property. Attached you will find the latest on housing availability in our area. (LA Times Sunday, February 17, 2013) P-15-2

If you could please respond to the questions below, for as time passes, we are concerned we will be rushed to move! We are not as fast as we use to be! If you could be specific we would like to start preparing and packing and or making arrangements to have our possession stored.

Questions:

1. When is project approval expected? | P-15-3
2. When is the alternative selection going to take place? i.e., one week from this meeting date (2/20) two weeks…. | P-15-4
3. When will we be contacted by a representative for negotiations of the property? And could you be specific, i.e. one week, two weeks after project approval? | P-15-5
4. How long will we have after final negotiations to move? i.e. relocation and purchase of new property and or buy out! | P-15-6
5. Can we stay in the property until construction nears (the tare down of the property)? | P-15-7
6. Will we have the opportunity to take items of property, i.e. built in BBQ, patio covers, etc…? | P-15-8
7. If we take the buy out can we still utilize the services of your realty representative? | P-15-9
8. We are currently property taxed at Prop. 13 rates, how will that be computed into the buyout? | P-15-10

Sincerely,

Jim and Jo Pettus
20487 El Nido Ave.
Perris, CA 92571
951-943-4718
jophavasu@gmail.com

attachment: LA Times Home seekers edged out in Inland market

This comment letter includes introductory and other information that does not raise specific environmental issues that would require a response under Section 15088 of the State CEQA Guidelines. As a result, those parts of this comment letter were not bracketed, and no responses were provided related to those sections of the letter. However, RCTC has reviewed and responded to all the substantive comments in this comment letter and determined that the sections of this letter that were not bracketed did not make substantive comments that required substantive responses.[1]

P-15-1

This comment indicates the owners of the cited property currently use the property to grow vegetables and herbs to support a minority-owned business. The comment indicates that as a result of the acquisition of the property for the MCP, the family will lose a major part of its income.

All property acquisition for the proposed MCP project must comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (as amended) (Uniform Act). The benefits and services available to displaced residents and businesses described in responses to comments P-15-1 through P-15-10, below, and summarized in Appendix D, Summary of Relocation Benefits, in the Final EIR/EIS, are consistent with the requirements of the Uniform Act. Please note that Appendix D refers to the "Department" (Caltrans) as the implementing agency. The Riverside County Transportation Commission (RCTC), as the project proponent, will be the agency acquiring property for the MCP property. Like Caltrans, RCTC must comply with the Uniform Act. As a result, citations to the Department in Appendix D should be considered to mean RCTC.

Please refer to Section D.1.5, Business and Farm Relocation Assistance Program, starting on page D-8 in Appendix D, which describes benefits available to residents and businesses displaced by the proposed project. That assistance includes aid in locating suitable replacement property for a displaced farm or business, including, when requested, a current list of properties offered for sale or rent. In addition, other

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[1] Section 15088(a) of the CEQA Guidelines notes that "The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response." As noted above, the parts of comment letters that did not raise specific environmental issues are not bracketed as individual comments and responses to those part of the comment letters are not provided.

services and certain types of payments are available to displaced businesses such as farms, as described in Appendix D.

P-15-2

This comment raises concern regarding the ability of the property owner to find an appropriate replacement property. As noted in the response to comment P-15-1, above, relocation benefits and assistance will be provided to displaced residents and businesses. Please refer to the following sections in Appendix D, Summary of Relocation Benefits, in the Final EIR/EIS which provide detailed descriptions of the relocation services and benefits available to residents and businesses displaced by the project:

- Section D.1.2, Fair Housing (page D-1)
- Section D.1.3, Relocation Assistance Advisory Services (page D-2)
- Section D.1.4, Residential Relocation Payments (page D-3)
- Section D.1.5, Business and Farm Relocation Assistance Program (page D-8)

As noted on page D-2 in Appendix D, RCTC "…will assist eligible displacees in obtaining comparable replacement housing by providing current and continuing information on the availability and prices of both houses for sale and rental units that are "decent, safe and sanitary." Nonresidential displacees will receive information on comparable properties for lease or purchase. Replacement residences will be in a location generally not less desirable than the displacement neighborhood at prices or rents within the financial ability of the individuals and families displaced, and reasonably accessible to their places of employment. Before any displacement occurs, comparable replacement dwellings will be offered to displacees that are open to all persons regardless of race, color, religion, sex, national origin, and consistent with the requirements of Title VIII of the Civil Rights Act of 1968. This assistance will also include the supplying of information concerning federal and state assisted housing programs, and any other known services being offered by public and private agencies in the area."

P-15-3

Project approval is anticipated to occur in mid-2015 after completion of the Final EIR/EIS and the environmental processes under the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). There are a number of steps to complete before RCTC and the Federal Highway Administration (FHWA) can consider and potentially approve a project for implementation. After the comments on the Recirculated Draft EIR/Supplemental Draft EIS were received, responses to those comments were prepared as provided in this Responses to

Comments Appendix in the Final EIR/EIS. RCTC, Caltrans, and FHWA then prepared this Final EIR/EIS including identification of the preferred alternative. The process used to evaluate the alternatives and to identify a preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the San Jacinto River Bridge Design Variation (SJRB DV) was identified as the preferred alternative.

As lead agency under CEQA, RCTC will consider certifying the Final EIR, and then would consider approval of a Build Alternative for implementation. If a Build Alternative is selected for implementation, RCTC would then be responsible for the final design of the selected alternative, right of way acquisition, and construction of the project. As lead agency under NEPA, FHWA would consider approval of the Final EIS, and issuance of a Record of Decision for the preferred alternative.

P-15-4

Please refer to the response to comment P-15-3, above, for a description of the completion of the environmental processes for the MCP project under CEQA and NEPA and the identification of the preferred alternative.

P-15-5

Property acquisition cannot be initiated until after project approval in approximately mid-2015. Right of way for the MCP project would be acquired during final design and close to the time of construction. As noted in Chapter 1.0, Proposed Project, on page 1-11 in the Final EIR/EIS, construction of the MCP is anticipated to start in fall 2016. As discussed in the response to comment P-15-1, above, RCTC must comply with the requirements of the Uniform Act for all property acquisition. Property owners would be contacted by Right of Way Agents and Relocation Advisors who would describe the right of way acquisition process and the benefits and services available to affected property owners as described in Appendix D, Summary of Relocation Benefits, in the Final EIR/EIS. Appraisals and negotiations would occur as part of the property acquisition process. Fair market value for each property, based on the appraisals, would be offered to the property owners.

P-15-6

This comment requests additional information regarding how long the property owners will have to move out after final property negotiations are completed. As noted on page D-2, Appendix D, Summary of Relocation Benefits, in the Final EIR/EIS, "…persons who are eligible for relocation payments and who are legally occupying the property required for the project will not be asked to move without first

being given at least 90 days written notice. Residential occupants eligible for relocation payment(s) will not be required to move unless at least one comparable "decent, safe and sanitary" replacement dwelling, available on the market, is offered to them…" The timing of property ownership transfer and relocation from the existing to the relocation property would be discussed and agreed to as part of the negotiations with each property owner for the acquisition of each individual property.

P-15-7

This comment asks if residents can stay in the property until construction starts. Please refer to the response to comment P-15-6, above, regarding the timing and process of relocation from an existing property.

P-15-8

This comment asks if the current property owners will have the opportunity to take existing property improvements with them (e.g., built in barbeque, patio covers). Agreement regarding the removal of built-in improvements from an individual property by the existing property owner would be determined as part of the negotiation process with the Right of Way Agent and Relocation Advisor.

P-15-9

This comment asks if a property offer is accepted, can the property owner use the services of the project's realty representative. This comment was interpreted to question if displaced property owners can use RCTC's realty representatives to assist them in locating and purchasing replacement properties. Please refer to Appendix D, Summary of Relocation Benefits in the Final EIR/EIS, which provides a detailed description of relocation benefits available to residents and businesses displaced by the project. As noted in Section D.1.3 on page D-2 in Appendix D, "In accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, [RCTC] will provide relocation advisory assistance to any person, business, farm or nonprofit organization displaced as a result of the acquisition of real property for public use, so long as they are legally present in the United States. [RCTC] will assist eligible displacees in obtaining comparable replacement housing by providing current and continuing information on the availability and prices of both houses for sale and rental units that are "decent, safe and sanitary."

Buyers and sellers in real estate transactions are typically represented by real estate agents who are paid by and through a commission from the seller. As noted above, the RCTC Right of Way Agents would assist residents whose property is needed for the project in searching for and securing of replacement housing as part of the

displacees relocation benefits; the RCTC Right of Way Agents would be paid by RCTC.

P-15-10

Proposition 3 (not Proposition 13) provides for the transfer of a property's adjusted base year value to a replacement property when a property has been acquired through eminent domain proceedings, acquisition by a public entity, or governmental action resulting in a judgment of inverse condemnation. Specific requirements must be met for Proposition 3 to apply to a property as described in Section 2(d) of Article XIII A of the California Constitution and Section 68 of the Revenue and Taxation Code. Details specific to each property and the monetary value assigned to each property will be assessed based on appraisals conducted as part of the property acquisition process and the negotiations conducted during that process.

From: MCP comments <projectteam@midcountyparkway.org>
Sent: Wednesday, February 20, 2013 12:52 AM
To: sbein@rbf.com; Carmen Lo
Subject: Mid County Parkway Project: New Feedback - ID# 1290

P-16

From samir patel samirpatelrn@yahoo.com
Phone: 4057401922
Address:
City, State:
Zip: 73065
Parcel:
Comments:
My comment is not necessarily pertaining to the study of this report, but refers to the overall project. The county needs to expedite it's decision process becuase I have wasted my time and effort in purchasing land in this worthless area. My investment has been "dead" for about 8 years now, which is the time I purchased it. The county should notify the assessor's to notify future property transactions that "NO BUILDING PERMITS WILL BE ISSUED IN THIS AREA UNTIL A FINAL DECISION IS MADE REGARDING THE WIDENING OF CAJALCO RD". If I had known this before, I would not have wasted my money there. P-16-1

From: MCP comments <projectteam@midcountyparkway.org>
Sent: Thursday, February 21, 2013 1:54 PM
To: sbein@rbf.com; Carmen Lo
Subject: Mid County Parkway Project: New Feedback - ID# 1293

P-17

From Jolly shah sshah200@sbcglobal.net
Phone:
Address:
City, State:
Zip: 92508
Parcel:
Comments:
Good Job!! Support Placentia or Rider route. Please avoid noice and approve the project. Need Placentia off ramp badly from 215. Also due to population start west and head east. P-17-1
Good Luck.

P-16 Samir Patel

P-16-1

The commenter states that the decision process on the project needs to move forward as it is affecting his land investments in the area. The commenter also suggests that the County of Riverside (County) give notice to the Assessor's office regarding a moratorium on building permits for the area surrounding Cajalco Road. As discussed in Section S.1, Introduction, on page S-2 in the Final EIR/EIS, the limits of the MCP project were modified from a 32-mile (mi) long facility extending from Interstate 15 (I-15) to State Route 79 (SR-79) to a 16-mile-long facility extending from Interstate 215 (I-215) to SR-79, in order to focus transportation funding where the need is the greatest, between I-215 and SR-79, near existing transportation facilities. As a result, the modified MCP project does not include the area surrounding Cajalco Road. It should be noted that RCTC and Caltrans do not have any standing to suggest to the Assessor's office that a moratorium on building permits be placed on the area around Cajalco Road.

This comment does not raise an environmental issue within the context of the California Environmental Quality Act (CEQA) and/or the National Environmental Policy Act (NEPA), or comment on the adequacy of the technical information or environmental analysis in the Recirculated Draft EIR/Supplemental Draft EIS. However, consistent with the requirements of CEQA and NEPA, all comments received on the Recirculated Draft EIR/Supplemental Draft EIS are included in this Final EIR/EIS and have been made available to the public and decision-makers prior to any action on the proposed project.

P-17 Jolly Shah

P-17-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the San Jacinto River Bridge Design Variation was identified as the preferred alternative.

P-18

From: Cathy Bechtel <CBechtel@RCTC.org>
Sent: Thursday, February 21, 2013 5:07 PM
To: monttic@hotmail.com
Subject: Maps of the Proposed Mid County Parkway
Attachments: MCP Alt4_Redlands to Wilson.pdf; MCP Alt5_Redlands to Wilson.pdf; MCP Alt9_Redlands to Wilson.pdf

Hello Mr. Montti,

Thank you for your attendance at last evening's public meeting for the proposed Mid County Parkway project. I was told you were interested in receiving maps of our proposed alignments in the vicinity of Redlands Avenue, Wilson , and Placentia. Attached are three maps showing each of our draft alternatives in proximity to your neighborhood. It appears that there may be only a sliver acquisition needed to one parcel if Alternative 5 is selected. I need to emphasize that our alignments are draft and we do not yet have project approval. As you know, we are in the public review period for our draft recirculated environmental document and welcome written comments on the project. As a reminder, the project website is www.midcountyparkway.org and the comment period closes on March 11, 2013. P-18-1

Sincerely,
Cathy Bechtel
Project Development Director
Riverside County Transportation Commission
P.O. Box 12008, Riverside 92502
(951) 787-7141

P-18-1

This is an email in the response to a request for maps showing the Build Alternatives in the vicinity of the requestor's neighborhood. Those maps were emailed to the requestor on February 21, 2013. No further response is required.

P-19

Victor and Lindsay Ropac
20310 Evans Rd.
Perris, CA 92571

Comments on The Riverside Mid County Parkway Project

We have lived on Evans Road for over twenty-two years. We moved to this community for a quiet rural life style where we could raise our family and our animals.

The Mid County Parkway will adversely affect our quality of life and that of our entire Perris community. Placentia is currently a dirt road where it crosses Evans Road. Changing this to a Parkway with four lanes of traffic with additional room for road shoulders for stalled vehicles, and off ramps, etc., will completely change the character of the neighborhood. Evans Road and our entire community will be bisected with an unending stream of commercial trucks and cars. It will increase air pollution and noise. And a once quiet neighborhood will be destroyed. Property values will plummet. P-19-1

There is an existing Parkway that would not destroy neighborhoods and the quality of life. It is the Ramona Expressway. With only minor improvements, it would serve the purpose of the transportation corridor and not disrupt existing neighborhoods. It has been a high-speed corridor for many years and making it into a Parkway would not change the character of the surrounding community.

If there is a need for more people, vehicular traffic, noise and pollution streaming to San Jacinto and Hemet, this need can be easily met by improving the Ramona Expressway. P-19-2

The rural nature of the Perris community with Perris Lake and its surrounding hills, meadows, and open areas is also a migration path for migratory waterfowl, bald eagles, peregrines, red-tailed hawks, kestrels, turkey vultures, and important song birds.

We strongly oppose bringing this Parkway along Placentia Avenue through Perris. Money, time, disruption of neighborhoods, and the rural nature of this area would be much better served by using the existing Ramona Expressway. Costs would be reduced using the existing Ramona P-19-3

Expressway, and all the natural attributes of Perris would be preserved, including those families who enjoy a rural life style. P-19-3

Thank you

Victor Rogers Lindsay Rogers

This comment letter includes introductory and other information that does not raise specific environmental issues that would require a response under Section 15088 of the State CEQA Guidelines. As a result, those parts of this comment letter were not bracketed, and no responses were provided related to those sections of the letter. However, RCTC has reviewed and responded to all the substantive comments in this comment letter and determined that the sections of this letter that were not bracketed did not make substantive comments that required substantive responses.[1]

P-19-1

It is acknowledged that the MCP Build Alternatives would result in impacts to the human environment in this part of Riverside County. Chapter 3, Affected Environment, Environmental Consequences, and Avoidance, Minimization, and Mitigation Measures, in the Final EIR/EIS provides detailed discussions of the potential effects of the Build Alternatives and measures to address those effects. Refer also to Appendix F, Environmental Commitments Record, in the Final EIR/EIS, which lists the avoidance, minimization, and mitigation measures incorporated in the Build Alternatives to address those effects, the timing for each measure, and the agency responsible for implementing each measure.

P-19-2

This commenter's support for improving the existing Ramona Expressway instead of the MCP Build Alternatives is noted. As shown on Figures 2.3.1a (page 2-11), 2.3.1b (page 2-15), and 2.3.1c (page 2-19) in the Final EIR/EIS, the alignments of the Build Alternatives generally follow existing Ramona Expressway from Warren Road on the east to Antelope Road on the west. As described in Chapter 2 in the original Draft EIR/EIS published in 2008, an alignment on Ramona Expressway was considered but was withdrawn due to concerns raised by the State Department of Water Resources regarding potential effects to the Perris Dam. (Refer to the subsection titled "Engineering Constraints (Dams)" on page 2-10 in Chapter 2.0, Alternatives, in the 2008 Draft EIR/EIS.)

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1 Section 15088(a) of the CEQA Guidelines notes that "The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response." As noted above, the parts of comment letters that did not raise specific environmental issues are not bracketed as individual comments and responses to those part of the comment letters are not provided.

The No Project/No Action Alternative 1B that would widen existing Ramona Expressway to six lanes was considered and evaluated (refer to Section 2.3.4.2 in the Final EIR/EIS). This alternative was not identified as the preferred alternative because it did not address the mobility needs in the MCP study area (refer to the traffic analysis provided in Section 3.6 in the Final EIR/EIS).

The potential costs of the MCP Build Alternatives were considered in the evaluation of the alternatives as discussed in Section 2.4, Comparison of the Alternatives, (page 2-69 in the Final EIR/EIS) and in Table 2.4.A (page 2-70). Alternative 9 Modified would cost substantially less than either Alternative 4 Modified or Alternative 5 Modified as shown on Table 2.4.A.

Section 3.17.2.3, Wildlife Corridors/Habitat Fragmentation, in the Final EIR/EIS discusses the effects of the MCP project on wildlife corridors and migration.

P-19-3

This commenter's opposition to the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the San Jacinto River Bridge Design Variation was identified as the preferred alternative. The current cost estimate for the MCP project is provided in Table 1.2.A, Preliminary Project Cost Estimate, on page 1-12 in the Final EIR/EIS. While the commenter is correct that the cost to improve Ramona Expressway (No Action Alternative 1B) would be less than the cost to construct the MCP project, Alternative 1B does not achieve the project purpose and therefore was not selected as the preferred alternative.

From: MCP comments <projectteam@midcountyparkway.org>
Sent: Friday, March 01, 2013 10:37 AM
To: sbein@rbf.com; Carmen Lo
Subject: Mid County Parkway Project: New Feedback - ID# 1296

P-20

From Neal De Witt nealdewitt@dslextreme.com
Phone: 951-789-7131
Address: 17333 idaleona road
City, State: perris. ca.
Zip: 92570
Parcel:
Comments:
When I was in grade school, we had a balding President names Eisenhower. He announced an interstate highway system from border to border. By the time I reached college, it was almost complete, and finished by the time I finished college.

P-20-1

I moved to my current address in the late seventies, and was told at that time that Caljco was to be a freeway. Here it is 2013 and multiple studies starts and stops, how many deaths and accidents later you are STILL screwing around with this. BUILD THE DAMN THING, AND GO ON TO SOMETHING ELSE!!!!!

It is beginning to look like this is a lifetime project for Cathy Becthel, let's let her accomplish this and many more projects befor she retires. She may only have another 20-25 years. Spending hundred of millions of dollars on study is a massive waste of taxpayer dollars. Lets GIT-R-DONE!!!!

From: MCP comments <projectteam@midcountyparkway.org>
Sent: Wednesday, March 06, 2013 9:54 AM
To: sbein@rbf.com; Carmen Lo
Subject: Mid County Parkway Project: New Feedback - ID# 1300

P-21

From Patricia Mayne noahdjnanny@yahoo.com
Phone: 951-654-4234
Address: 1766 carrera drive
City, State: san jacinto, ca.
Zip: 92583
Parcel:
Comments:
The Parkway will bring more vehicles west and east and impact north south traffic corridors. I am especially concerned about Soboba Road and Gilman Springs Road. Both are not configured to handle the amount of traffic now. Please include some solution for the increased traffic now from the Parkway on these corridors.

P-21-1

P-20 Neal De Witt

P-20-1

The first part of this comment supporting moving forward with improvements to Cajalco Road is noted. Cajalco Road is proposed to be widened in the future to six lanes by 2040 as a project separate from the proposed MCP project.

This commenter's support for moving the MCP project forward and constructed is noted. Please refer to Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS, which describes the process used to evaluate the alternatives and identify the preferred alternative for the MCP project. As discussed in Section 2.5.5, Alternative 9 Modified with the San Jacinto River Bridge Design Variation was identified as the preferred alternative.

P-21 Patricia Mayne

P-21-1

Section 3.6, Traffic and Transportation/Pedestrian and Bicycle Facilities, in the Final EIR/EIS, and the *Traffic Technical Report* (February 2012) provide detailed analyses of the potential traffic impacts of the MCP project. The MCP project is expected to increase traffic on certain roads, and traffic forecasts are documented with and without the MCP project. Refer to the *Traffic Technical Report*, Figures 5-1 through 5-3, 6-4 through 6-5, 6-13 through 6-14, 7-1 through 7-2, 7-16 through 7-17, 7-30 through 7-31, 7-44 through 7-45, 7-54, 9-8 through 9-11, and 10-2 for No Build and Build Alternatives average daily traffic forecasts for various future scenarios and similar figures for a.m. and p.m. peak-hour traffic conditions. The differences between the No Build and Build Alternatives traffic forecasts provide an indication of where the MCP project is expected to result in an increase or decrease in traffic conditions. For roads near the MCP facility and other roads where traffic increases caused by the MCP project would be substantial, detailed traffic analyses were conducted to determine the traffic impacts of the MCP project, and mitigation measures are included in the Build Alternatives to address those impacts. Pages 3.6-7 and 3.6-25 through 3.6-45 in Section 3.6 in the Final EIR/EIS describe these analyses.

The effect of the MCP project on the intersection of Soboba and Gilman Springs Roads can be analyzed by reviewing the a.m. and p.m. peak-hour traffic forecasts with and without the MCP project along Gilman Springs Road east of its interchange with State Route 79 (SR-79). The *Traffic Technical Report* provides that information on Figures 6-8, 6-18, 7-5, 7-23, 7-37, and 7-51 for 2020 No Build and Build conditions and 2040 No Build and Build conditions for Alternatives 4 Modified, 5 Modified, and 9 Modified. Traffic volumes at that intersection with the MCP project

are expected to be less than traffic volumes without the MCP project are shown in Table P.21.1.

Table P.21.1 Summary of AM and PM Peak-Hour Traffic Volumes at the Intersection of Gilman Springs and Soboba Roads

Scenario	AM Peak-Hour Traffic Volumes at the Intersection of Gilman Springs and Soboba Roads	PM Peak-Hour Traffic Volumes at the Intersection of Gilman Springs and Soboba Roads
2020 No Build Alternative	1,384	1,503
2020 Build Alternatives	1,375	1,503
2040 No Build Alternative	2,432	2,763
2040 Alternative 4 Modified	2,011	2,260
2040 Alternative 5 Modified	2,011	2,260
2040 Alternative 9 Modified	2,011	2,260

Source: *Traffic Technical Report* (February 2012).

As shown, the Build Alternatives are forecasted to result in decreased traffic levels at the intersection of Soboba and Gilman Springs Roads in 2020 and 2024 compared to the No Build Alternative. As a result, the MCP Build Alternatives would not adversely affect this intersection.

From: MCP comments <projectteam@midcountyparkway.org>
Sent: Monday, March 04, 2013 1:12 AM
To: sbein@rbf.com; Carmen Lo
Subject: Mid County Parkway Project: New Feedback - ID# 1297

P-22

From Sam greenhousefect@hotmail.com
Phone:
Address:
City, State:
Zip: 92583
Parcel:
Comments:

this freeway is way overdue.. like all planning in socal,, if its not done there will be home builders that build cookie cuter houses before roads are put in to support the existing framework. P-22-1

and yes it should go to the 15 since theres nothing in the way .. P-22-2

there is no reason for this not to be done already.

i saw many accidents on gilman springs and ramona express and many crosses on the side of the road...! one way nightmares P-22-3

gilman springs needs an extra lane .. P-22-4

From: MCP comments <projectteam@midcountyparkway.org>
Sent: Monday, March 04, 2013 1:20 AM
To: sbein@rbf.com; Carmen Lo
Subject: Mid County Parkway Project: New Feedback - ID# 1298

P-23

From Sam greenhousefect@hotmail.com
Phone:
Address:
City, State:
Zip: 92583
Parcel:
Comments:
I should be in charge of this...

do it . save lives. less stop and go traffic that causes smog. help the truck drivers that get passed for going 50mph. the highway patrol using passing lanes as speed traps. stop waste full stop lights on ramona express. P-23-1

P-22 Sam (no last name)

P-22-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the San Jacinto River Bridge Design Variation (SJRB DV) was identified as the preferred alternative.

P-22-2

Please refer to Section 1.2, Background, starting on page 1-1 in the Final EIR/EIS, which describes the history of the MCP project. Although originally proposed to extend from Interstate 15 (I-15) to State Route 79 (SR-79) as evaluated in the 2008 Draft EIR/EIS, in early 2009, the Riverside County Transportation Commission (RCTC) (the lead agency under the California Environmental Quality Act [CEQA]), the Federal Highway Administration (FHWA) (the lead agency under the National Environmental Policy Act [NEPA]), and the California Department of Transportation (Caltrans) developed an approach for completing the EIR/EIS process for the MCP project, by modifying the MCP project limits from 32 miles (mi) (I-15 to SR-79) to 16 miles (Interstate 215 [I-215] to SR-79) to focus transportation funding where the need is the greatest, between I-215 to SR-79, along or near existing facilities (i.e., Ramona Expressway). Fundamental to the modification of the MCP project alternatives to the shorter project between I-215 and SR-79 is the tenet that no improvements between I-15 and I-215 are planned, designed, or intended to be implemented as part of the modified MCP project. The MCP project no longer proposes any improvements west of I-215. It is acknowledged that the need for transportation improvements still exists between I-15 and I-215. The distinct transportation needs between I-15 and I-215 will be addressed by improvements to Cajalco Road as shown in the adopted County of Riverside General Plan Circulation Element.

P-22-3

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

P-22-4

The comment regarding the need for an additional lane on Gilman Springs Road is noted. Gilman Springs Road is northeast of the eastern terminus of the MCP Build Alternatives at SR-79. The provision of improvements to Gilman Springs Road would be the responsibility of the County of Riverside and not RCTC. No further response is necessary because this comment does not raise an environmental issue within the context of CEQA and/or NEPA, or comment on the adequacy of the technical information or environmental analyses in the EIR/EIS.

P-23 Sam (no last name)

P-23-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the San Jacinto River Bridge Design Variation was identified as the preferred alternative.

From: Cathy Bechtel <CBechtel@RCTC.org>
Sent: Monday, March 11, 2013 11:25 AM
To: Carmen Lo
Subject: FW: Your email to RCTC website re: Mid County Parkway EIR

P-24

From: Cathy Bechtel
Sent: Monday, March 11, 2013 11:25 AM
To: 'mdimbi@gmail.com'
Subject: Your email to RCTC website re: Mid County Parkway EIR

Good Morning,

I received your email requesting a copy of the draft EIR for the proposed Mid County Parkway project. It is huge—two very large volumes. It is available for viewing on the project website (www.midcountyparkway.org) and hard copies are available for viewing at RCTC, Caltrans in San Bernardino, as well as the public libraries in Perris, San Jacinto and Moreno Valley. P-24-1

Sincerely,

Cathy Bechtel
Project Development Director
RCTC

****

From: Website Submission [mailto:website-submission@rctc.org]
Sent: Monday, March 11, 2013 10:34 AM
To: Lupe Garibay; inbox@geomail.info
Subject: RCTC: Contact Form

First Name: madeline
Last Name: schleimer
Organization:
Phone Number:
Email: mdimbi@gmail.com
Street Address:
Apt/Suite:
City:
CA
Zip Code: 91003-0731
please email me the EIR for the mid county parkway project. i would like to submit a comment, but need the EIR to make the correct comment. thank you Check here if you would like to receive RCTC's monthly E-Newsletter - RCTC On The Move. P-24-1

P-24-1

This commenter requested that the Recirculated Draft EIR/Supplemental Draft EIS be emailed to her. The Riverside County Transportation Commission (RCTC) responded by telling this commenter that the files were very large and that the EIR/EIS was available on the RCTC website and at the RCTC and the California Department of Transportation (Caltrans) offices and the Perris, San Jacinto, and Moreno Valley public libraries. This commenter did not respond to the email. No further response is needed.

From: MCP comments <projectteam@midcountyparkway.org>
Sent: Wednesday, March 20, 2013 1:09 PM
To: sbein@rbf.com; Carmen Lo
Subject: Mid County Parkway Project: New Feedback - ID# 1307

P-25

From Brian brian100ca@sbcglobal.net
Phone:
Address:
City, State:
Zip: 90212
Parcel:
Comments:
Now is the time to reduce car and truck growth, population growth and out of control sprawl. The social cost for this project is too high for today and much too high for year 2040. After adding a road you will want to add others connecting to and from this one. I see roads/transportation as a wedge issue to allow more unneeded residential and commercial development via the oil culture of 2013. More roads equal more cars and soon lose any benefit. You are also going to move folks out of their homes for transportation? Who are you serving? Destroying the land for short-term solutions. Califiornia and America are ramping down CO2 emissions, and noise pollution from roadways. Planning today for year 2040 is a joke, you folks can't plan accurately for 5 years out never mind 27 years out. P-25-1

1A and 1B no build alternative is my choice, instead take the funds and build parks and clean the air and water and food supply. I don't have to drive from the 215 to the 57, but I do have to breath the air, drink the water and be. Stop selling 11-13 million new cars every year in the USA; stop selling estates in the mountains and deserts so folks do not need a new road to paradise, and stop the run away population growth. This project is also too close to San Jacinto and Santa Rosa Wilderness areas. I pick 1A and 1B NO BUILD alternatives.

From: MCP comments <projectteam@midcountyparkway.org>
Sent: Wednesday, March 20, 2013 1:15 PM
To: sbein@rbf.com; Carmen Lo
Subject: Mid County Parkway Project: New Feedback - ID# 1308

P-26

From Brian brian100ca@sbcglobal.net
Phone:
Address:
City, State:
Zip: 90212
Parcel:
Comments:
This project is also too close to San Jacinto and Santa Rosa Wilderness areas. I pick 1A and 1B NO BUILD alternatives.

Now is the time to reduce car and truck growth, population growth and out of control sprawl. The social cost for this project is too high for today and much too high for year 2040. After adding a road you will want to add others connecting to and from this one. I see roads/transportation as a wedge issue to allow more unneeded residential and commercial development via the oil culture of 2013. More roads equal more cars and soon lose any benefit. You are also going to move folks out of their homes for transportation? Who are you serving? Destroying the land for short-term solutions. California and America are ramping down CO2 emissions, and noise pollution from roadways. Planning today for year 2040 is a joke, you folks can't plan accurately for 5 years out never mind 27 years out. P-26-1

1A and 1B no build alternative is my choice, instead take the funds and build parks and clean the air and water and food supply. I don't have to drive from the 215 to the 57, but I do have to breathe the air, drink the water and eat food to live. Stop selling 11-13 million new cars every year in the USA; stop selling estates in the mountains and deserts so folks do not need a new road to paradise, and stop the run away population growth.

P-25 Brian (no last name)

P-25-1

This commenter's opposition to the MCP project and preference for the No Build Alternatives is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the San Jacinto River Bridge Design Variation was identified as the preferred alternative.

Please note that the authority for making land use decisions lies with the incorporated cities and the County of Riverside. The Riverside County Transportation Commission (RCTC), the California Department of Transportation (Caltrans), and the Federal Highway Administration (FHWA) are transportation agencies that have no land use planning or approval authority. Projects such as the MCP project are proposed to address existing and/or forecasted demand based on the Land Use Elements and Land Use Maps in locally adopted city and county General Plans. Please refer to Section 1.2, Background, on page 1-1 in the Final EIR/EIS, which explains how the MCP Build Alternatives are proposed in response to existing and future development in this part of western Riverside County. Refer also to Section 3.2, Growth, in the Final EIR/EIS, which describes the adopted population and employment growth projections for this part of western Riverside County. As discussed in those sections, the forecasted growth in western Riverside County is based on adopted land use plans and is not in response to or dependent on the MCP Build Alternatives.

This comment does not raise an environmental issue within the context of the California Environmental Quality Act (CEQA) and/or the National Environmental Policy Act (NEPA), or comment on the adequacy of the technical information or environmental analyses in the EIR/EIS. Consistent with the requirements of CEQA and NEPA, comments that raised environmental issues under CEQA and NEPA are responded to in this Final EIR/EIS. In addition, all comments received on the Recirculated Draft EIR/Supplemental Draft EIS are included in this Final EIR/EIS and were made available to the public and decision-makers prior to any action on the proposed project.

P-26 Brian (no last name)

P-26-1

This commenter's opposition to the MCP project and preference for the No Build Alternatives is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification

of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the San Jacinto River Bridge Design Variation was identified as the preferred alternative.

This comment correctly notes that part of the alignment of the MCP Build Alternatives is adjacent to and south of the southern part of the San Jacinto Wildlife Area. Refer to the following sections in the Final EIR/EIS, which discuss potential effects of the MCP Build Alternatives on biological resources, including resources in the San Jacinto Wildlife Area:

- 3.17 Natural Communities
- 3.18 Wetlands and Other Waters
- 3.19 Plant Species
- 3.20 Animal Species
- 3.21 Threatened and Endangered Species
- 3.22 Invasive Species

The Santa Rosa Wildlife Area is well to the east of the locations of the MCP Build Alternatives, generally south of Highway 111 in the vicinity of Cathedral City, Palm Desert, and La Quinta. As a result, the MCP Build Alternatives will not result in direct or indirect impacts on this wildlife area.

This comment does not raise an environmental issue within the context of the California Environmental Quality Act (CEQA) and/or the National Environmental Policy Act (NEPA), or comment on the adequacy of the technical information or environmental analyses in the EIR/EIS. Consistent with the requirements of CEQA and NEPA, comments that raised environmental issues under CEQA and NEPA are responded to in this Final EIR/EIS. In addition, all comments received on the Recirculated Draft EIR/Supplemental Draft EIS are included in this Final EIR/EIS and were made available to the public and decision-makers prior to any action on the proposed project.

From: MCP comments <projectteam@midcountyparkway.org>
Sent: Tuesday, March 26, 2013 1:18 PM
To: sbein@rbf.com; Carmen Lo
Subject: Mid County Parkway Project: New Feedback - ID# 1311

P-27

From richard I schmitt kdschmitt3@hotmail.com
Phone:
Address:
City, State:
Zip: 92544
Parcel:
Comments:
Mid County Parkway Comments
The EIR doesn't address the growth inducement result of this project. We do not have the water to supply the increased growth. P-27-1 The truck traffic to the Moreno Valley warehouse project will bring toxic air to the nearby conservation area. P-27-2
There should be no interchange at the closed Davis Rd., which goes through the S.J.W.A. as it would be destructive to the wildlife area. P-27-3
Six lanes should not be put in now if not needed now. The Moreno warehouse and Lake View project should be paying for road improvements, not the taxpayers. P-27-4
The EIR does not consider the latest science on climate change. P-27-5
Interchange lighting brings light pollution to the San Jacinto Wildlife Area. P-27-6

P-27-1

The comment asserts the Recirculated Draft EIR/Supplemental Draft EIS does not address project-related growth inducement. Section 3.2, Growth, starting on page 3.2-1 in the Final EIR/EIS provides a comprehensive analysis of growth-related effects associated with the MCP project. As noted on page 3.2-4, "…the growth-related effects of the MCP project were assessed using the California Department of Transportation (Caltrans) *Guidance for Preparers of Growth-Related, Indirect Impacts Analysis*. The guidance specifically deals with the subset of indirect effects referred to as "growth-related impacts" associated with highway projects that encourage or facilitate land use or development that changes the location, rate, type, or amount of growth."

The assertion that there is not enough water to support increased growth is noted. The assessment of whether an area can support residential and non-residential development, including water and other services, is outside the responsibility and authority of the Riverside County Transportation Commission (RCTC). In addition, RCTC does not have any authority to approve or implement any residential or nonresidential land uses except transportation facilities. Land use decisions for all other types of land uses are solely within the authority of individual incorporated cities and counties. Page 3.2-14 in the Final EIR/EIS acknowledges this as follows: "…there is a potential for unplanned and planned growth-related effects in the MCP study area. In areas where MCP Alternatives do not follow the CETAP Corridor alignment in the Riverside County General Plan Circulation Element or local General Plan Circulation Elements, there would be unplanned growth-related effects. Any intensification of currently planned land uses would require the approval of the local agency with land use jurisdiction."

Section 15151 in the *CEQA Guidelines* notes that "… an evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible." For assessment of whether planned land uses would be consistent with the applicable General Plan, the identification of overall water availability is typically taken into account through each jurisdiction's coordination with the applicable water provider's Urban Water Management Plan process. The Urban Water Management Plan process identifies future water supply for a water provider's service area and takes into account future development identified in a local agency's General Plan Land Use Element. Any future intensification of development in the MCP study area would be subject to review and approval by the applicable local agencies, including water agencies. This review and approval would require a separate environmental analysis

that includes the determination of water supply availability for those future potential projects.

P-27-2

This comment states that truck traffic associated with the Moreno Valley warehouse project will impact the nearby conservation area through reduced air quality. Assessment of and/or mitigation for the potential project-specific air quality impacts of traffic associated with that warehouse project are outside the scope of the MCP project. Please refer to Section 3.14, Air Quality, in the Final EIR/EIS, which concludes that the MCP Build Alternatives would help to improve traffic flow and reduce congestion on road links in the project vicinity. The MCP project would not violate any air quality standard; contribute substantially to an existing or projected air quality violation for carbon monoxide (CO), particulate matter less than 2.5 microns in size ($PM_{2.5}$), or particulate matter less than 10 microns in size (PM_{10}); result in an adverse impact related to Mobile Source Air Toxics (MSATs) or air toxics; or expose sensitive receptors to substantial pollutant concentrations.

As a result, as shown on page 3.25-14 in Section 3.25, Cumulative Impacts, in the Final EIR/EIS "…the [MCP] Build Alternatives would help to improve traffic flow and reduce congestion on road links in the project vicinity. As discussed in Section 3.14, The MCP project would not contribute to cumulative air quality impacts because it would not violate any air quality standard, would not contribute substantially to an existing or projected air quality violation for carbon monoxide (CO), particulate matter less than 2.5 microns in size ($PM_{2.5}$), or particulate matter less than 10 microns in size (PM_{10}), would not result in an adverse impact related to Mobile Source Air Toxics (MSATs) or air toxics, and would not expose sensitive receptors to substantial pollutant concentrations."

P-27-3

As described in Chapter 2.0, Project Alternatives, in the Final EIR/EIS, the MCP Build Alternatives do not include an interchange at Davis Road.

P-27-4

The MCP is proposed as a six-lane facility to meet the forecasted demand for east-west travel in this corridor in 2040, the planning horizon year for the project. That forecasted demand is based on existing land uses, as well as approved and planned land uses based on the adopted Land Use Elements in the County of Riverside and Cities of Perris and San Jacinto General Plans.

Please note that RCTC and Caltrans do not have the authority to assess fees on planned developments to contribute to the cost of constructing transportation

improvements. New development pays for roadway improvements through the Transportation Uniform Mitigation Fee (TUMF) program administered by the Western Riverside Council of Governments (WRCOG). Implemented in 2003, the TUMF is the largest multi-jurisdictional fee program in the nation. As Riverside County's growth rate continues to surpass all but a few regions nationwide, the TUMF has become a critical way to make sure that growth does not create gridlock on regional and local thoroughfares.

P-27-5

In January 2014, RCTC recirculated parts of the Draft EIR related to air quality in the "Recirculated Sections of Chapter 4.0 (III, Air Quality; VII, Greenhouse Gases; 4.5, Climate Change; and Table 4.10)." Sections III, Air Quality; VII, Greenhouse Gases; 4.5, Climate Change; and Table 4.10 in Chapter 4.0, California Environmental Quality Act Evaluation, in the Final EIR/EIS were updated to reflect the analyses documented in those recirculated sections of Chapter 4.0, as reflected in the "Recirculated Sections of Chapter 4.0 (III, Air Quality; VII, Greenhouse Gases; 4.5, Climate Change; and Table 4.10)."

Please refer to Section 4.5, Climate Change, starting on page 4-122 in the Final EIR/EIS for a detailed description of potential project effects related to short-term construction and long-term operational greenhouse gases and global climate change.

P-27-6

The comment states that interchange lighting would bring light pollution to the San Jacinto Wildlife Area. As discussed on page 3.7-62 in Section 3.7, Visual, in the Final EIR/EIS "…no lighting fixtures would be provided along the highway alignment, with the exception of safety lighting provided only at the service interchanges. To minimize light spill into adjoining areas, light fixtures required for safety would be designed with hoods that would direct light downward to only those areas requiring illumination for safety purposes." In addition, "…adherence to County of Riverside Ordinance No. 655, Regulating Light Pollution for Zone B, would be required for all the MCP Build Alternatives." Lighting would be shielded to focus light on the facility and away from adjacent sensitive land uses such as the San Jacinto Wildlife Area. Page 3.20-12 in Section 3.20.4, in the Final EIR/EIS further notes that "…edge effects resulting from an increase in light and glare associated with vehicles and daytime and nighttime construction activities will be reduced by incorporating shielded lighting near environmentally sensitive areas." It should be noted that a short segment of the MCP project would be adjacent to the San Jacinto Wildlife Area, on the same alignment as the existing Ramona Expressway in that area.

P-28

From: MCP comments <projectteam@midcountyparkway.org>
Sent: Thursday, March 28, 2013 10:07 AM
To: sbein@rbf.com; Carmen Lo
Subject: Mid County Parkway Project: New Feedback - ID# 1312

From Jay Jones jjones@laverne.edu
Phone: 909 982-5847
Address: 1130 e. arrow hwy.
City, State: upland, ca
Zip: 91786-8123
Parcel:
Comments:
This project sho9uld not be complete. We must change our course away from personal transportation. The entire sum allocated for this project should be redirected to public transport. P-28-1

From: MCP comments <projectteam@midcountyparkway.org>
Sent: Friday, March 29, 2013 4:22 PM
To: sbein@rbf.com; Carmen Lo
Subject: Mid County Parkway Project: New Feedback - ID# 1313

P-29

From DAVID SMITH dcsenterprises1@gmail.com
Phone: 7602191928
Address: 549 greco ct #b
City, State: san jacinto
Zip: 92582
Parcel:
Comments:
I would like to see bicycle lanes incorporated into the Parkway design as seperate Type 1 lanes. The next suggestion if that is not available would be Type 2 lanes. P-29-1 My company DCS Enterprises is a San Jacinto based General Contracting company that also would be interested and bidding on portions of this Mid County Parkway Project. P-29-2
Thank You
David Smith

P-28 Jay Jones

P-28-1

This commenter's opposition to the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the San Jacinto River Bridge Design Variation was identified as the preferred alternative.

This comment does not raise an environmental issue within the context of the California Environmental Quality Act (CEQA) and/or the National Environmental Policy Act (NEPA), or comment on the adequacy of the technical information or environmental analyses in the EIR/EIS. Consistent with the requirements of CEQA and NEPA, comments that raised environmental issues under CEQA and NEPA are responded to in this Final EIR/EIS. In addition, all comments received on the Recirculated Draft EIR/Supplemental Draft EIS are included in this Final EIR/EIS and were made available to the public and decision-makers prior to any action on the proposed project.

P-29 David Smith

P-29-1

The comment requests that separate Type 1 or 2 bicycle lanes be incorporated in the MCP Build Alternatives. As discussed in Section 2.3.2.2, Typical Sections, starting on page 2-28 in the Final EIR/EIS, the MCP is proposed as a six-lane limited access freeway. As shown on Figure 2.3.2 on page 2-33, the planned cross sections for the MCP Build Alternatives do not include bicycle facilities.

As discussed on page 3.6-50 in Section 3.6, Traffic and Transportation/Pedestrian and Bicycle Facilities, in the Final EIR/EIS "…as part of the MCP project, RCTC will provide facilities for bicycles and pedestrians in locations where local streets will cross the MCP. These facilities will be designed to be consistent with the applicable local jurisdiction's General Plan Circulation Element. In addition, existing and planned bike routes and trails are being considered in the design of the MCP project, and provisions are being made so that bike routes and trails can use the planned overcrossings and undercrossings to cross the MCP project where existing and/or planned features exist."

P-29-2

The design of an MCP Build Alternative, should one be selected for implementation, would be initiated in 2015 with construction anticipated to be initiated in 2016. It is anticipated that individual bid requests for design and construction work would be issued for different segments of the MCP and the interchanges with local streets, Interstate 215 (I-215), and Interstate 15 (I-15). The bid solicitation and selection process will be open to all qualified firms and companies. For more information, please refer to the "Doing Business" page of the Riverside County Transportation Commission (RCTC) website at rctc.org.

From: Cathy Bechtel <CBechtel@RCTC.org>
Sent: Monday, January 28, 2013 11:33 AM
To: Carmen Lo; Geographics
Subject: FW: Please sign me up for the news letter about the Mid County Pkwy.

P-30

Please add him to mailing list.

From: STANDIFO
Sent: Monday, January 28, 2013 7:18 AM
To: Cathy Bechtel
Subject: FW: Please sign me up for the news letter about the Mid County Pkwy.

Another one for action

From: mel wagstaff [mailto:mel.wagstaff@gmail.com]
Sent: Friday, January 25, 2013 11:12 AM
To: STANDIFO
Cc: Michael DeJong
Subject: Please sign me up for the news letter about the Mid County Pkwy.

P-30-1

Please sign me up for the newsletter about the Mid County Pkwy.

Thanks

Mel Wagstaff
Sperry Van Ness
Vice President
Specializing in Land & Commercial Corners
Office: 714-921-1398
Cell: 714-392-0806
Fax: 714-740-5050
mel.wagstaff@gmail.com
DRE #00841847

P-30-1

The following contact information was added to the project mailing list on page 7-43 in Chapter 7, Distribution List, in the Final EIR/EIS:

Mel Wagstaff, Vice President
Sperry Van Ness
118 South Olive Street
Anaheim, CA 92805

Mr. Wagstaff's email address was also added to the Riverside County Transportation Commission (RCTC) project email distribution list as follows: mel.wagstaff@gmail.com.

From: MCP comments <projectteam@midcountyparkway.org>
Sent: Monday, April 08, 2013 8:25 AM
To: sbein@rbf.com; Carmen Lo
Subject: Mid County Parkway Project: New Feedback - ID# 1315

P-31

From Lisa McCullough lisagmc@earthlink.net
Phone: 9515376360
Address: 912 e. washington ave.
City, State: san jacinto, ca
Zip: 92583
Parcel: 438600006
Comments:
Please expedite the MCP project to improve the East / West travel options available to the San Jacinto Valley, and the overall region. I've lived in San Jacinto for 8+ years, and find the need for better transportation options a high priority to keep us in the area. P-31-1

From: MCP comments <projectteam@midcountyparkway.org>
Sent: Monday, April 08, 2013 9:00 AM
To: sbein@rbf.com; Carmen Lo
Subject: Mid County Parkway Project: New Feedback - ID# 1316

P-32

From Daniel Charles Thomas daniel@dancharthos.com
Phone:
Address:
City, State:
Zip: 92116
Parcel:
Comments:
We often come and go through central Riverside county, visiting family and friends and traveling. Please know that we fully support this most necessary mid county parkway project for the continued development and safe growth of the county. Thank you. P-32-1

P-31 Lisa McCollough

P-31-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the San Jacinto River Bridge Design Variation was identified as the preferred alternative.

P-32 Daniel Charles Thomas

P-32-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the San Jacinto River Bridge Design Variation was identified as the preferred alternative.

From: MCP comments <projectteam@midcountyparkway.org>
Sent: Monday, April 08, 2013 10:54 AM
To: sbein@rbf.com; Carmen Lo
Subject: Mid County Parkway Project: New Feedback - ID# 1317

P-33

From lynn peterson sjlynnpeterson@gmail.com
Phone: 951-255-5598
Address: 26611 yale st
City, State: hemet ca
Zip: 92544
Parcel:
Comments:
our valley needs this mid county park way. If you were living here during the very high wind storm of 2007 I think our valley was cut-off from getting out of our valley. I travel this present road often it is very busy and illegal passing goes on all the time. Please consider this project it is very much needed to our area. P-33-1

From: MCP comments <projectteam@midcountyparkway.org>
Sent: Monday, April 08, 2013 2:30 PM
To: sbein@rbf.com; Carmen Lo
Subject: Mid County Parkway Project: New Feedback - ID# 1318

P-34

From Elaine Utterback elainesewing@hotmail.com
Phone:
Address:
City, State:
Zip: 92544
Parcel:
Comments:
I am all for the Mid County Parkway Project, all of us who live in the Hemet/ San Jacinto Valley can benefit from road improvements. Thank you P-34-1

P-33 Lynn Peterson

P-33-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the San Jacinto River Bridge Design Variation was identified as the preferred alternative.

P-34 Elaine Utterback

P-34-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the San Jacinto River Bridge Design Variation was identified as the preferred alternative.

P-35

From: MCP comments <projectteam@midcountyparkway.org>
Sent: Monday, April 08, 2013 4:36 PM
To: sbein@rbf.com; Carmen Lo
Subject: Mid County Parkway Project: New Feedback - ID# 1319

From Nathan Westphal nathan@raglm.org
Phone: 951-286-4572
Address: 3410 la sierra avenue
City, State: riverside, ca
Zip: 92503
Parcel:
Comments:
Monday, April 08, 2013

To Whom it May Concern,

Please make the following part of public record. The Residents Association of Greater Lake Mathews wishes to express its concern with regards to the Mid-County Parkway. Below are a list of issues that must be addressed.

On and off ramps from the MCP to the 215 freeway are a must. Pushing freeway loads of traffic onto a PARKWAY is simply unacceptable. The flow of traffic must be pushed onto the existing freeways and not into a sensitive habitat area. P-35-1

We urge you to consider a rubberized road as the noise levels can be drastically reduced with such materials used. Noise is not only a concern for residents and businesses in the area but it can be detrimental to the surrounding habitat as well. P-35-2

Jake-brakes must be limited to certain hours of the day as well as locations on where they may be used. This can be done as it is already in play on the CA 74 as well as some parts of Van Buren Blvd. P-35-3

We all would like to see lighting placed at a minimum, and use of low pressure sodium lighting, with 90% of the light shielded down, to conform to Riverside County Ordinance No. 655. Lighting MUST comply with existing ordinances. P-35-4

All construction must follow all MSHCP guidelines and must include ample crossings (non-traveled) under the road for all habitat areas. P-35-5

Rain water runoff needs to be mitigated properly so not to create any additional flood control issues and not to contaminate our ground water. Construction should also be consistent with the Rainwater Capture Act of 2012 AB1750. P-35-6 P-35-7

Thank you for your time and consideration.

Sincerely,

Nathan Westphal
RAGLM President
The Residents Association of Greater Lake Mathews Board

This comment letter includes introductory and other information that does not raise specific environmental issues that would require a response under Section 15088 of the State CEQA Guidelines. As a result, those parts of this comment letter were not bracketed, and no responses were provided related to those sections of the letter. However, RCTC has reviewed and responded to all the substantive comments in this comment letter and determined that the sections of this letter that were not bracketed did not make substantive comments that required substantive responses.[1]

P-35-1

All three MCP Build Alternatives (Alternative 4 Modified, Alternative 5 Modified, and Alternative 9 Modified) include direct connector or on- and off-ramps to/from Interstate 215 (I-215) to/from the MCP facility. In addition, the western terminus of the MCP project is at I-215, so any westbound traffic that has not already exited the MCP facility east of I-215 would go directly on to either I-215 north or I-215 south.

As shown on Figure 3.17.1 on page 3.17-5 in Section 3.17, Natural Communities, in the Final EIR/EIS, the alignments of the MCP Build Alternatives avoid or substantially avoid areas of natural resources including sensitive habitats; Western Riverside County MSHCP core areas, habitat blocks, and wildlife crossings; and the San Jacinto Wildlife Area. As a result, traffic on the MCP facility would not be pushed into sensitive habitat areas as suggested in this comment.

P-35-2

The design of the MCP Build Alternatives is not currently proposed to incorporate rubberized asphalt. A decision on the type of pavement surface for the MCP facility would not be made until the final design phase. Rubberized asphalt suggested in this comment would be one of the pavement materials considered during final design.

The potential noise impacts during operation of the MCP Build Alternatives are evaluated in Section 3.15.3, Environmental Consequences, starting on page 3.15-67, in Section 3.15, Noise, in the Final EIR/EIS. The potential for noise effects on surrounding habitats and the species in those habitats are discussed in the subsection titled "Noise" starting on page 3.17-39 in Section 3.17, Natural Communities, in the

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[1] Section 15088(a) of the CEQA Guidelines notes that "The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response." As noted above, the parts of comment letters that did not raise specific environmental issues are not bracketed as individual comments and responses to those part of the comment letters are not provided.

Final EIR/EIS. Potential indirect noise effects on animal species are discussed in the Section 3.20.3, Environmental Consequences, starting on page 3.20-4 in Section 3.20, Animal Species in the Final EIR/EIS; and in the subsection titled "Indirect Impacts (All Threatened and Endangered Species) starting on page 3.21-16, in Section 3.21, Threatened and Endangered Species, in the Final EIR/EIS.

This comment does not raise an environmental issue within the context of the California Environmental Quality Act (CEQA) and/or the National Environmental Policy Act (NEPA), or comment on the adequacy of the technical information or environmental analyses in the EIR/EIS. Consistent with the requirements of CEQA and NEPA, comments that raised environmental issues under CEQA and NEPA are responded to in this Final EIR/EIS. In addition, all comments received on the Recirculated Draft EIR/Supplemental Draft EIS are included in this Final EIR/EIS and were made available to the public and decision-makers prior to any action on the proposed project.

P-35-3

The design and operation of the MCP Build Alternatives are not currently proposed to include either restrictions on the use of jake brakes to certain hours of the day or prohibiting the use of jake brakes at specific locations along the facility. Placing restrictions on or prohibiting the use of jake brakes is a decision within the authority of local cities and counties and is typically enforced by the California Highway Patrol (CHP). The Riverside County Transportation Commission (RCTC) does not have the authority to place restrictions on or prohibit the use of jake brakes on facilities such as the MCP facility. The California Department of Transportation (Caltrans) does not have the authority to unilaterally set restrictions or implement prohibitions related to the use of jake brakes on state facilities. As a result, the MCP Build Alternatives do not include placing restrictions on or prohibiting the use of jake brakes on the MCP facility.

This comment does not raise an environmental issue within the context of CEQA and/or NEPA, or comment on the adequacy of the technical information or environmental analyses in the EIR/EIS. Consistent with the requirements of CEQA and NEPA, comments that raised environmental issues under CEQA and NEPA are responded to in this Final EIR/EIS. In addition, all comments received on the Recirculated Draft EIR/Supplemental Draft EIS are included in this Final EIR/EIS and were made available to the public and decision-makers prior to any action on the proposed project.

P-35-4

The comment requests the use of minimal lighting and conformance to Riverside County Ordinance No. 655. As discussed on page 3.7-62 in Section 3.7, Visual, in the Final EIR/EIS "…no lighting fixtures would be provided along the highway alignment, with the exception of safety lighting provided only at the service interchanges. To minimize light spill into adjoining areas, light fixtures required for safety would be designed with hoods that would direct light downward to only those areas requiring illumination for safety purposes." In addition, "…adherence to County of Riverside Ordinance No. 655, Regulating Light Pollution for Zone B, would be required for all the MCP Build Alternatives."

P-35-5

This comment notes the Residents Association of Greater Lake Mathews concerns that the project construction follow the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) guidelines and that the project include ample crossings (non-traveled) under the road for habitat areas.

RCTC is the Permittee under the Western Riverside County MSHCP for the MCP project as discussed in the subsection titled "Western Riverside County MSHCP" on page 3.17-27 in the Final EIR/EIS. As a result, RCTC will be required to construct the MCP consistent with the requirements of the Western Riverside County MSHCP.

As discussed in in the subsection titled "Wildlife Corridors/Habitat Fragmentation" starting on page 3.17-24 and as shown on Figure 3.17.1 on page 3.17-5 in the Final EIR/EIS, bridges, culverts, and one wildlife undercrossing that may provide for wildlife movement are located throughout the project, with larger features designed along public/quasi-public lands and areas for proposed conservation, including linkages and extension of Core Conservation areas.

Please also refer to Section S.5.1, Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan, on page S-6, for additional discussion regarding the requirements of the Western Riverside County MSHCP applicable to the MCP project and how the MCP project was determined to be consistent with the Western Riverside County MSHCP.

P-35-6

As discussed in the subsection titled "Drainage Culverts" in Section 2.3.2.17, Project Design Features to Minimize Environmental Impacts, on page 2-52, in the Final EIR/EIS, the MCP project would require new drainage facilities. The drainage facilities would be sized no less than the sizes in the Master Plan for the San Jacinto River Basin. The drainage improvements would allow off-site runoff to maintain the existing flow patterns. On-site drainage systems would drain to detention basins

before out-flowing to off-site culverts. The drainage facilities would be sized to not create additional flood control issues. As discussed in Section 3.10, Water Quality and Storm Water Runoff, in the Final EIR/EIS, biofiltration swales and infiltration basins are proposed as part of the Build Alternatives. Section 2.3.2.12, Runoff Management/Water Quality Best Management Practices, starting on page 2-45, in Chapter 2.0 in the Final EIR/EIS, describes the design pollution prevention best management practices (BMPs) and permanent treatment BMPs included in the Build Alternatives. These BMPs would collect, filter and treat storm water before the runoff is discharged for percolation into groundwater. Please refer to Section 2.3.2.12 for additional detail.

P-35-7

Assembly Bill (AB) 1750, the Rainwater Capture Act of 2012, stipulates that use of rainwater collected from rooftops does not require a water right permit from the State Water Resources Control Board. AB 1750 also allows licensed landscape contractors to design and install rainwater capture systems. Because the MCP is a road project and does not propose to capture, retain, and/or store rainwater for reuse on site, the requirements of AB 1750 are not applicable to this project.

From: MCP comments <projectteam@midcountyparkway.org>
Sent: Monday, April 08, 2013 7:37 PM
To: sbein@rbf.com; Carmen Lo
Subject: Mid County Parkway Project: New Feedback - ID# 1320

P-36

From Lea Deesing deesing@verizon.net
Phone:
Address:
City, State:
Zip: 92549
Parcel:
Comments:
The Mid County Parkway Project is to the continued growth and improved economic situation of the San Jacinto Valley. We need better transportation options in and out of our valley! P-36-1

From: MCP comments <projectteam@midcountyparkway.org>
Sent: Tuesday, April 09, 2013 10:12 AM
To: sbein@rbf.com; Carmen Lo
Subject: Mid County Parkway Project: New Feedback - ID# 1321

P-37

From Trip Hord ambrosehord@gmail.com
Phone: 951-684-9615
Address: po box 1235
City, State: riverside ca
Zip: 92502
Parcel: n/a
Comments:
It should be noted that the proposed MCP improvements will not change the hydrology of the San Jacinto River below the Ramona Expressway. Previous efforts to construct a levee at the Ramona Expressway were unsuccessful due to perceived alterations to the floodplain hydrology and its potential impacts to natural plant communities. The DEIR should acknowledge the fact that the proposed project does nothing to improve existing flooding of Interstate 215 at the San Jacinto River. The CETAP and RCIP are a failure if the County and RCTC are unable to secure a safe interstate highway/freeway system in the Mid-County area. Emergency vehicles, residents and travelers along I-215 will be unable to reach their destination during major flooding events as a result of the favored choice of flood plain preservation over public safety. P-37-1

P-36 Lee Dessing

P-36-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the San Jacinto River Bridge Design Variation was identified as the preferred alternative.

P-37 Trip Hord

P-37-1

As discussed in detail earlier in the response to comment IP-9-1, the MCP project will not impact or change the downstream flooding issue at Interstate 215. Addressing overall flooding associated with the San Jacinto River is outside the jurisdiction of Riverside County Transportation Commission and would appropriately be addressed as a river-wide flood assessment and control program. The MCP project at its crossing of the San Jacinto River has been designed to minimize any effect of the MCP project on the San Jacinto River, and so that the project is not affected by flooding. In addition, please refer to Section S.5.3, Master Response Related to the San Jacinto River Bridge, on page S-44, for discussion regarding the Base Case and Design Variation for the bridges crossing the San Jacinto River under all three Build Alternatives, including discussion regarding potential changes in the floodplain.

From: MCP comments <projectteam@midcountyparkway.org>
Sent: Tuesday, April 09, 2013 8:10 PM
To: sbein@rbf.com; Carmen Lo
Subject: Mid County Parkway Project: New Feedback - ID# 1324

P-38

From Joyce Schwartz herd18cats@gmail.com
Phone: 951-940-8054
Address: p.o. box 1327
City, State: nuevo, ca
Zip: 92567
Parcel:
Comments:
I am opposed to the mcp and believe the only logical alternative is the "no-build" alternative.
Many unmitigable negative impacts were identified in the DEIR and their cumulative negative impacts on the surrounding communities constitute sound reasons not to build. Impacts such as increased particulate air pollution are known to cause public health problems, as reported in Riverside County's Department of Public Health's 2013 Community Health Profile. The bases of the DEIR are proposed changes to the County's and surrounding cities' General plans, future land-use designations and land acquisitions. This is a false premise since one or more of the proposed changes may never occur, leaving gaping holes in the project. Increasing truck traffic and pollution perpetuates the myth that low-paying logistics jobs are the answer to the recession and in reality only perpetuate the "bedroom community" commuter quality of life. Riverside County needs to set its sights on high-paying jobs that will improve our quality of life and preserve our natural resources and health. P-38-1

From: MCP comments <projectteam@midcountyparkway.org>
Sent: Wednesday, April 10, 2013 4:54 PM
To: sbein@rbf.com; Carmen Lo
Subject: Mid County Parkway Project: New Feedback - ID# 1327

P-39

From Andrea Paris andy14396@hotmail.com
Phone:
Address:
City, State:
Zip: 92571
Parcel:
Comments:
Please be advised that alternate 9 will displace a lot of families who are not able to move to other locations in the area to keep their children from moving from schools. We love our children and want them to have a stable home with a sudden move or district move it will make the kids feel displaced. I urge you to reconsider the other two alternates. We love our home and wish to stay here and grow with our city of Perris. P-39-1

Thank you for your consideration.

P-38 Joyce Schwartz

P-38-1

This commenter's opposition to the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the San Jacinto River Bridge Design Variation was identified as the preferred alternative.

Please refer to the detailed analyses in the subsection titled "Particulate Matter (PM_{10} and $PM_{2.5}$) starting on page 3.14-19 in Section 3.14, Air Quality, in the Final EIR/EIS which concludes that "Alternative 4 Modified would not create a new, or worsen an existing, PM_{10} or $PM_{2.5}$ violation (of an air quality standard)." The same conclusion applies to Alternative 5 Modified and Alternative 9 Modified. Refer also to the subsection titled "Mobile Source Air Toxics" starting on page 3.14-27, which concludes that while Alternative 4 Modified, Alternative 5 Modified, and Alternative 9 Modified would result in small increases in localized mobile source air toxics (MSAT) emissions compared to the No Build conditions, the United States EPA vehicle and fuel regulations, coupled with fleet turnover, will result in substantial reductions over time that will result in regionwide MSAT levels that will be substantially lower than they are today.

Please note that the authority for making land use decisions lies with the incorporated cities and the County of Riverside. The Riverside County Transportation Commission (RCTC), the California Department of Transportation (Caltrans), and the Federal Highway Administration (FHWA) have no land use planning or approval authority. Projects such as the MCP project are proposed to address existing and/or forecasted demand based on the Land Use Elements and Land Use Maps in locally adopted city and county General Plans.

This comment does not raise an environmental issue within the context of the California Environmental Quality Act (CEQA) and/or the National Environmental Policy Act (NEPA), or comment on the adequacy of the technical information or environmental analyses in the EIR/EIS. Consistent with the requirements of CEQA and NEPA, comments that raised environmental issues under CEQA and NEPA are responded to in this Final EIR/EIS. In addition, all comments received on the Recirculated Draft EIR/Supplemental Draft EIS are included in this Final EIR/EIS and were made available to the public and decision-makers prior to any action on the proposed project.

P-39 Andrea Paris

P-39-1

This commenter's opposition to the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the San Jacinto River Bridge Design Variation was identified as the preferred alternative.

The commenter's concern on being relocated from her home is acknowledged. Please refer to Appendix D, Summary of Relocation Benefits, in the Final EIR/EIS for a description of the relocation process and benefits provided to relocatees.

-----Original Message-----
From: Jeffrey Thompson [mailto:jthompson178@COX.NET]
Sent: Wednesday, April 03, 2013 8:21 PM
To: bbotts@dc.rr.com
Subject: Approve the Mid County Parkway

P-40

Dear Mr. Bob Botts,

I urge you to approve the Mid County Parkway because it minimizes both unproductive, polluting traffic delays and its impact on land use in the area.

As a frequent traveler in Riverside County, I have seen how bad traffic can get in this area. The Mid County Parkway is a reasonable, well planned addition to the necessary infrastructure to support the residents and businesses in the area. I commute throughout Los Angeles County on a regular basis, and urge you not to follow their short-sighted "planning" that has led to impossibly long commute times and the resultant frustration and excess pollution.

In reviewing the maps, it is clear that the route selected strives to minimize any impact on the remaining nartural landscape, while also minimizing the disruption to existing property uses.

P-40-1

Finally, while some may argue that we should focus on trains and other mass transit, I can tell you that I have to drive (in a car) two miles to get on the train to L.A., then get off the train in downtown L.A. and transfer to another car for the 8 mile drive to my work location. The "other" car is the one I use to get around L.A. County before I head back home. This commute takes one hour and 35 minutes. If the freeways were not so badly congested, I could easily drive it in 35 minutes.

I urge you to NOT follow the L.A. model. Take advantage of your transportation dollars and help your businesses and residents be more efficient and less frustrated. Please APPROVE the Mid County Parkway.

Jeffrey Thompson
3801 Scottsdale Drive
Irvine, CA 92606
US

P-40-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the San Jacinto River Bridge Design Variation was identified as the preferred alternative.

From: natasha salgado <viega113@bell.net>
Sent: Wednesday, April 03, 2013 3:11 PM
To: Cathy Bechtel
Subject: Reject the Mid County Parkway

P-41

Dear Ms. Cathy Bechtel,

I urge you to oppose the Mid County Parkway because of its numerous, significant financial and environmental impacts. P-41-1

The parkway is unnecessary and will constitute a massive waste of taxpayer money. Existing roads like State Route 74 and the Ramona Expressway already serve the current traffic load; several of these roads are already slated for expansion and could provide a responsible alternative. The project's current cost of $1.94 to $2.52 billion will likely balloon as it encounters construction delays and problems due to its significant environmental harm. Approved funding would be far more wisely spent developing sounder alternatives, such as light rail and bus routes. P-41-2

Property and business owners will directly feel the negative impacts of the parkway. The project's environmental study finds it could displace up to 659 residents, 90 businesses and 350 employees. Up to 102 residential property owners could have their land and homes taken away; eminent domain may be invoked. Farmland will likely be lost, both through direct impacts and through the acceleration of ongoing conversion. P-41-3 P-41-4

The parkway project poses significant, immitigable impacts to open space and wildlife habitat areas of western Riverside County that can never be replaced. It threatens the San Jacinto Valley, a biodiversity hotspot and globally important bird area. Threatened and endangered species will be harmed -- especially in the San Jacinto Valley-Lake Perris area. Valuable arid-land streams and riparian resources will be lost. P-41-5

The parkway will encourage sprawl that requires costly public services from cities and Riverside County. It will create a self-fulfilling prophecy of unsustainable growth and real estate speculation. Instead of alleviating anticipated transit distress, it will bring traffic and freeway sprawl into the beautiful and rural area San Jacinto valley. P-41-6

Sprawl and vehicle emissions are some of the worst contributors of greenhouse gases and climate change. Building this parkway will undermine California's greenhouse gas emission reduction goals, undermine public transit by encouraging cars, and run contrary to the sound "Regional Transportation Plan" developed by the Southern California Association of Governments and required by the Sustainable Communities and Climate Protection Act of 2008, S.B. 375. P-41-7

I urge you to choose environmentally, financially sound alternatives for growth and development in western Riverside County and Southern California: Reject the Mid County Parkway. P-41-8

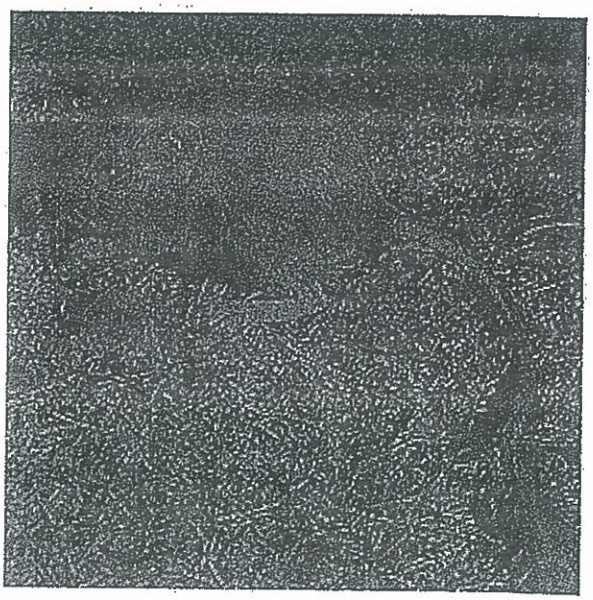
natasha salgado
5 maynard ave
toronto, ON m6k 2z7
CA

---------- Forwarded message ----------
From: **Center for Biological Diversity** <bioactivist@biologicaldiversity.org>
Date: Wed, Apr 3, 2013 at 1:34 PM
Subject: Protect Southern California Wildlife From Runaway Road Building
To: brian@janewilder.com

CENTER *for* BIOLOGICAL DIVERSITY *Because life is good.*

Dear Brian,

The Mid County Parkway -- a six-lane, $2 billion highway project slated to cut through environmentally sensitive areas in Southern California -- is wasteful, destructive and unneeded.



Please -- take action today to stop this project before it's too late.

The parkway would carve up habitat for endangered animals like the Stephens kangaroo rat and blaze a concrete path through the San Jacinto Valley -- a global biodiversity hotspot. It would hurt many birds, including bald eagles and burrowing owls. It would encourage urban sprawl and increase greenhouse gas emissions by putting more single-driver cars on the road.

P-41-9

Three other highways -- State Routes 74 and 60, both slated for their own expansions, and the Ramona Expressway -- already serve the area. With a price tag around $2 billion, the project is a foolish, shortsighted example of pork-barrel politics and waste. Our tax dollars would be far better spent on green transportation alternatives like new rail lines and commuter buses.

Please speak out now and send a letter to the Riverside County Transportation Commission to stop the Mid County Parkway.

Click here to take action and get more information.

If you can't open the link, go to http://action.biologicaldiversity.org/p/dia/action3/common/public/?action_KEY=13031.

Donate now to support the Center's work.

Photo of Stephens Kangaroo rat by T. L. Best, (c) American Society of Mammalogists .

This message was sent to brian@janewilder.com.

The Center for Biological Diversity sends out newsletters and action alerts through DemocracyInAction.org. Click here if you'd like to check your profile and preferences. Let us know if you'd like to stop receiving action alerts and newsletters from us.

Center for Biological Diversity P.O. Box 710 Tucson, AZ 85702 1-866-357-3349

P-41-1

During the public review period for the Recirculated Draft EIR/Supplemental Draft EIS, the Riverside County Transportation Commission (RCTC) received approximately 600 copies of this email requesting that RCTC reject the MCP project. A list of all parties who sent that email to RCTC during the public review period for the Recirculated Draft EIR/Supplemental Draft EIS is provided in Table A.1 in Attachment A, List of Parties Who Sent the "Reject the Mid County Parkway" email.

These commenters' opposition to the MCP project is noted. Please refer to responses to comments P-41-2 to P-41-8, below, for responses to individual comments in this email regarding the proposed MCP project.

P-41-2

Please refer to Section 1.3.2, Project Need, starting on page 1-15 in the Final EIR/EIS which describes the need for the MCP project based on adopted demographic projections for western Riverside County and forecasted traffic volumes and demand in this area based on the adopted General Plan Land Use Elements for the jurisdictions in the MCP shady area. Please also refer to Section 2.6.1, Alternatives Formally Considered and Withdrawn, starting on page 2-117 in the Final EIR/EIS, which describes the range of alternatives considered to address existing and forecasted traffic demand in western Riverside County including improvements to existing facilities like State Route 74 (SR-74) and Ramona Expressway, and transit and highway alternatives. Based on the information in the previous studies cited in those sections of the Final EIR/EIS, the three Modified Build Alternatives evaluated in the EIR/EIS were considered to be the alternatives that would best meet the existing and forecasted traffic demand in this part of Riverside County.

It is acknowledged that the proposed MCP project would be expensive, with the engineering, right of way, roadway structures, and environmental mitigation costs for the Alternative 9 Modified with the SJRB Design Variation (the preferred alternative) estimated to be $1.732 billion (Table 1.2.A, Cost Estimate for Alternative 9 Modified with the SJRB Design Variation (Preferred Alternative), page 1-12 in the Final EIR/EIS). It is further acknowledged that those costs may increase between now and when an MCP project is constructed, based on potential increased costs over time for right of way, construction materials, and labor over time. The costs of the MCP project cited here and potential future increases in those costs are not environmental issues under CEQA and NEPA, and any changes in those costs would not result in changes in the analysis of the potential environmental impacts of the Build

Alternatives under NEPA and CEQA, and would not change any of the significance conclusions of those impacts under CEQA as disclosed in the Final EIR/EIS.

P-41-3

This comment correctly notes that the Build Alternatives would require the acquisition of privately owned residential and non-residential properties and the displacement of the residents, tenants, and businesses on those properties. Those property acquisition effects of the Build Alternatives are summarized in Table 3.4.F, Full Parcel Acquisitions and Displacements by Alternative (page 3.4-34 in the Final EIR/EIS). Please note that affected properties would not be "taken." All property acquisition would be conducted consistent with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646, 84 Stat. 1894) (Uniform Act). The Uniform Act mandates that certain relocation services and payments by RCTC be made available to eligible residents, businesses, and nonprofit organizations displaced by its projects. It also provides for uniform and equitable treatment by federal or federally assisted programs of persons displaced from their homes, businesses, or farms, and establishes uniform and equitable land acquisition policies (starting on page 3.4-34 in the Final EIR/EIS and Measure CC-3 on page 3.4-31 in the Final EIR/EIS). Owners would be offered fair market value for their properties. Eminent domain would be used only in the cases where a property owner does not willingly choose to sell his/her property to RCTC. Refer also to Appendix D, Summary of Relocation Benefits, in the Final EIR/EIS, which provides additional detail on relocation benefits that would be provided to residents, tenants, and businesses displaced by the MCP project.

P-41-4

This comment correctly notes that the MCP Build Alternatives would result in the direct loss of farmland as a result of the conversion of designated farmland to nonfarmland uses as shown in Table 3.3.C, Impacts to Farmland per Alternative (acres) on page 3.3-10 in the Final EIR/EIS. As discussed in Section II, Agriculture and Forest Resources, on page 4-8 in Chapter 4.0, California Environmental Quality Act, in the Final EIR/EIS, "…the impacts of the MCP Build Alternatives and their design variations related to the permanent conversion of designated Farmlands to nonagricultural uses are adverse, significant, and unavoidable [under CEQA]." Mitigation Measures AG-1 through AG-3, provided starting on page 3.3-14 in Section 3.3, Farmlands and Timberlands, in the Final EIR/EIS, will partially reduce adverse project effects on agricultural lands and operations near the project limits. Measure AQ-4 would address the use of land currently in Williamson Act contracts for the MCP Build Alternatives.

Section II in Chapter 4.0 also indicates that "…the MCP Build Alternatives and their design variations would not result in adverse changes in the existing environment after mitigation which, due to their location or nature, could result in the conversion of designated Farmlands (other than those lands acquired for the MCP project) to nonagricultural uses."

P-41-5

The potential for the MCP Build Alternatives to impact biological resources is evaluated in detail in the following sections in the Final EIR/EIS:

- **Section 3.9, Hydrology and Floodplains:** This section discusses the potential effects of the Build Alternatives on local hydrology and floodplains.
- **Section 3.17, Natural Communities:** This section discusses the potential effects of the Build Alternatives on natural communities including riparian resources.
- **Section 3.18, Wetlands and Other Waters:** This section discusses the potential effects of the Build Alternatives on protected wetlands and other federal and state waters.
- **Section 3.19, Plant Species:** This section discusses the potential effects of the Build Alternatives on special-interest plant species not protected as threatened or endangered.
- **Section 3.20, Animal Species:** This section discusses the potential effects of the Build Alternatives on special-interest animal species not protected as threatened or endangered.
- **Section 3.21, Threatened and Endangered Species:** This section discusses the effects of the Build Alternatives on species designated as threatened and endangered.

Those sections of the Final EIR/EIS include extensive measures to avoid, minimize, and/or mitigate the adverse effects of the Build Alternatives on the biological resources evaluated in those sections. As discussed in Section S.6.2, Summary of Significant Unavoidable Adverse Impacts Under CEQA After Mitigation, on page ES-23, in the Summary in the Final EIR/EIS the MCP Build Alternatives would not result in significant unavoidable adverse impacts to biological resources, open space, or the other types of resources cited in this comment.

Please also refer to the following Master Responses for additional discussion of resources in the MCP study area:

- Master Response Related to the Western Riverside County Multiple Species Habitat Conservation Plan on page S-6

- Master Response Related to the Stephens' Kangaroo Rat on page S-39
- Master Response Related to the San Jacinto River Bridge on page S-44

It is acknowledged that the City of San Jacinto is in the northernmost part of the San Jacinto Valley (which consists of the Cities of San Jacinto and Hemet, and the Soboba Indian Reservation. As a result, the easternmost segments of the MCP alignment traverse the northernmost part of the San Jacinto Valley. As noted above, although the analyses for the MCP project in the Final EIR/EIS evaluated the potential project effects on a wide range of resources, those analyses did not necessarily focus on specific geographic areas such as the San Jacinto Valley. The analyses focused on specific studies areas for individual resources. For example, the wetlands and other waters analyses considered water systems and not water resources by city or county. Nonetheless, the analyses in the Final EIR/EIS did consider environmental effects in the City of San Jacinto and surrounding areas and, as a result, considered effects in the northern part of the San Jacinto Valley.

P-41-6

Please refer to Section 3.2, Growth, starting on page 3.2-1 in the Final EIR/EIS, which describes the forecasted growth in this part of western Riverside County and the potential for the MCP project to result in growth beyond that shown in the adopted General Plans for Perris and San Jacinto and Riverside County. As discussed in that section, much of the currently vacant and undeveloped land in those Cities and that part of unincorporated Riverside County is either at some stage in the development entitlement process (i.e., Specific Plan, Tentative Tract Map, etc.) or is land that will likely be dedicated for preservation for inclusion in the Western Riverside MSHCP Reserve in accordance with the conservation goals for each MSHCP criteria cell. As a result, there is not a substantial amount of land remaining in this area that is currently vacant and undeveloped and not already earmarked for development or conservation. Nonetheless, as discussed in detail in Section 3.2, based on the land development trends in the MCP study area, implementation of the MCP project is expected to have some influence on the location, amount, rate, or type of growth in the area because:

- The MCP project will provide improved access to remaining undeveloped lands and agricultural lands. Although much of this land is already planned for future development, the MCP project would provide additional transportation system capacity and may accelerate opportunities to convert these lands to nonagricultural and urban uses beyond what is currently occurring;

- Existing land uses (such as vacant, agriculture, and low-density residential) adjacent to and in the vicinity of the proposed local service interchanges may experience additional pressures for conversion from existing rural community land uses to higher-density residential and commercial/industrial uses; and
- The MCP project is expected to improve travel times between State Route 79 and Interstate 215, which would make surrounding undeveloped and developed lands more accessible and, therefore, more attractive for development or for existing development to be intensified.

It should be noted that because land use decisions are within the jurisdiction of the applicable local jurisdiction (city or county), the control of development, including sprawl, in this part of western Riverside County is within the authority of those agencies and not RCTC or the California Department of Transportation (Caltrans) because RCTC and Caltrans, as transportation agencies, do not have any land use planning or approval authority.

Finally, it is not clear what "transit distress" this commenter believes would be alleviated by the MCP project. As noted in Section 1.3.1, Project Purpose, on page 1-14, the purpose of the proposed MCP project is to:

- Provide increased capacity to support the forecast travel demand for the 2040 design year;
- Provide a limited access facility;
- Provide roadway geometrics to meet state highway design standards;
- Accommodate Surface Transportation Assistance Act National Network trucks; and
- Provide a facility that is compatible with a future multimodal transportation system.

P-41-7

The comment asserts that the vehicle emissions associated with the proposed MCP project would undermine California's greenhouse gas (GHG) reduction goals, undermine the use of public transit, and conflict with the Sustainable Communities and Climate Protection Act of 2008 (Senate Bill [SB] 375) goals in the *Regional Transportation Plan* (RTP). The operational GHG emissions for the No Build Alternatives and the Build Alternatives, quantified using the EMFAC2007 emission model, are listed in Tables 3.14.T through 3.14.V in Section 3.14.3.1, Permanent Impacts, starting on page 3.14-36 in the Final EIR/EIS. In addition, Section 4.5.2.2, on page 4-109 of the Recirculated Draft EIR/Supplemental Draft EIS, stated the following:

> "The existing conditions plus MCP project alternatives would result in a 5 percent reduction in CO_2 emissions within the region when compared to the existing conditions. However, as discussed above, the MCP project would result in a small increase (less than 1 percent) in CO_2 emissions within the region in 2020 and 2040 when compared to the 2020 and 2040 without project conditions."

In January 2014, RCTC recirculated parts of the Draft EIR related to air quality in the "Recirculated Sections of Chapter 4.0 (III, Air Quality; VII, Greenhouse Gases; 4.5, Climate Change; and Table 4.10)." Sections III, Air Quality; VII, Greenhouse Gases; 4.5, Climate Change; and Table 4.10 in Chapter 4.0, California Environmental Quality Act Evaluation, in the Final EIR/EIS were updated to reflect the analyses documented in those recirculated sections of Chapter 4.0. The text from the Recirculated Draft EIR/Supplemental Draft EIS in Chapter 4.0 cited above was expanded based on the "Recirculated Sections of Chapter 4.0 and now reads:

> "The existing conditions in 2008 plus MCP project alternatives would result in a 5 percent reduction in CO_2 emissions within the region when compared to the existing conditions. However, as discussed above, the MCP project would result in a small increase (less than 1 percent) in CO_2 emissions within the region in 2020 and 2040 when compared to the 2020 and 2040 without project conditions. As shown in Table 4.5.C, it is estimated that the MCP project would contribute up to 1,557,347 metric tons of CO_2 to the project area between 2020 and 2040. CEQA says that there is no "iron clad definition of significant effect" (State CEQA Guidelines Section 15064(b)), and so leaves it to a lead agency's discretion to determine when GHG

> emission are significant under CEQA (State CEQA Guidelines, Section 15064.4.) Therefore, in the absence of a state-established numerical threshold and in an abundance of caution, RCTC has concluded that the proposed project would generate greenhouse gas emissions that may have a significant impact on the environment [under CEQA]."

Within its 2011 update to the 2008 Assembly Bill (AB) 32 Scoping plan, ARB determined that under business-as-usual (BAU) conditions that the state's 2020 GHG emissions would be 507 million metric tons. According to Executive Order S-3-05, California is required to reduce its annual emissions to 1990 levels by 2020. ARB has established that the level of annual GHG emissions in 1990 for California was 427 million metric tons of "CO_2 equivalence" (CO_2e). To meet the 427 million metric ton goal the state would need to reduce the 2020 emissions by 80 million metric tons or approximately 15.8 percent from BAU. Based on the results shown in Table 4.5.A, in 2020, the proposed project would add up to 45,600 metric tons of CO_2 to the project area. By adding emissions to the project area that would not be generated under the no-build conditions, the proposed Build Alternatives could delay the state's goal of reducing the GHG emissions to 1990 levels by 2020. Therefore, the proposed project would conflict with the emission reduction goals in AB 32.

The majority (up to 99 percent as shown in Table 4.5.C) of these emissions is generated by on-road vehicles. Because RCTC does not have the legal authority to control on-road vehicle emissions, there are no measures that can be implemented by RCTC to reduce that impact to less than significant under CEQA. In addition, RCTC lacks the land use authority to construct off-site GHG reducing facilities, such as solar or wind farms, capable of offsetting some or all of the project's GHG emissions. Therefore, the MCP Build Alternatives would result in a significant unavoidable adverse impact [under CEQA] due to generation of GHG emissions."

In addition, as shown on Figure 2.3.2 on page 2-29 in the Final EIR/EIS, the typical cross section on the modified MCP includes a 42-foot-wide center median that could be used for high occupancy vehicle lanes, bus only lanes, additional mixed flow lanes, or rail in the future. Therefore, the MCP Build Alternatives would not restrict consideration of alternatives for other reasonably foreseeable transportation improvements including transit.

P-41-8

This commenter's opposition to the MCP project is noted.

P-41-9

Please refer to the responses to comments P-41-2 to P-41-8 for discussion regarding the issues raised in this part of the "Reject the Mid County Parkway" email.

This attachment to comment P-41 is apparently an email from the Center for Biological Diversity encouraging the recipient/recipients to send letters to RCTC opposing the MCP project. It does not specifically raise issues regarding the adequacy of the environmental evaluation of the project effects under NEPA or CEQA. The potential effects of the MCP Build Alternatives related to topics cited in this email are addressed in the Final EIR/EIS as follows:

Impacts on Stephens' Kangaroo Rat and Bald Eagle: Refer to Section 3.21, Threatened and Endangered Species; and Appendix T, Mid County Parkway MSHCP Consistency Determination Including Determination of Biologically Equivalent or Superior Preservation Analysis.

Impacts on Burrowing Owl: Refer to Section 3.20, Animal Species, and Appendix T.

Greenhouse Gas Emissions: Refer to Section 3.14, Air Quality.

Biological Resources in the San Jacinto Valley: Refer to Sections 3.17, Natural Communities; 3.18, Wetlands; 3.19, Plant Species; 3.20, Animal Species; 3.21, Threatened and Endangered Species; and Appendix T.

Urban Sprawl: Refer to Section 3.2, Growth.

S.6.8 Verbal Comments (transcript) from the February 20, 2013, Public Hearing and Responses (T-1)

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T-1

PUBLIC HEARING COMMUNITY OUTREACH

MID-COUNTY PARKWAY PROJECT

LAKESIDE MIDDLE SCHOOL

27720 WALNUT STREET, PERRIS CA 92571

WEDNESDAY, FEBRUARY 20, 2013

5:00 p.m. to 8:00 p.m.

In the matter of the)
Mid-County Parkway Project)
Public Meeting/Hearing)
_____)

REPORTED BY:
CHERE DAVIS, HEARING REPORTER

CHEREDAVIS24@GMAIL.COM

MCP CONSULTANTS:

Lynette Overcamp, EPIC, Right of Way
Merideth Cann, JACOBS, Engineering
David Garcia, JACOBS, Engineering
Tricia Walbaum, JACOBS, Engineering
Rob McCann, LSA, Environmental
Kelly Czechowski, LSA, Environmental
Wendy Davis, LSA, Biology
Keith Lay, LSA, Air Quality/Noise
Tom Flahive LSA, GIS
Zac Henderson, LSA, GIS
Cathy Bechtel RCTC
Gustavo Quintero, RCTC, Engineering
Eliza Echevarria, RCTC, Outreach
Gina Gallagher, RCTC, Right of Way
Will Von Klug, RCTC, Right of Way

1 I N D E X

2

PERRIS RESIDENTS: PAGE

3

1 - Lindsay Ropac 4
4 20310 Evans Road
Perris, Ca 92571

5

2 - Victor Ropac 6
6 20310 Evans Road
Perris, Ca 92571

7

3 - Judi Hileman 7
8 Perris, Ca

9 4 - Susan Rakes 7
26744 Toliver Road
10 Perris, Ca

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MS. ROPAC: My name is Lindsay, L-i-n-d-s-a-y, middle initial M, last name Ropac, R-o-p-a-c, like in "cat." And my husband is Victor Ropac. And we live at 20310 Evans Road, Perris, California 92571.

Okay. I'm going to go ahead and read this. We're not a big fan of this.

It has been something in the works for about ten years. These are comments on the Mid-County Parkway Project:

We've lived on Evans Road for over 22 years. We moved to this community for a rural lifestyle where we could raise our family and our animals. T-1

The Mid-County Parkway will adversely affect our quality of life and that of our entire Perris community. Placentia, spelled P-l-a-c-e-n-t-i-a, is currently a dirt road where it crosses Evans Road.

Changing this to a parkway with four lanes of traffic with additional room for road, shoulders, for stalled vehicles, and off-ramps, et cetera, will completely change the character of the neighborhood.

Evans Road and our entire community will be bisected with an unending stream of commercial trucks and cars. It will increase air pollution and noise, and a once quiet neighborhood will be destroyed.

Property values will plummet. There is an existing parkway that would not destroy neighborhoods and the quality of life. It is the Ramona Expressway. With only minor improvements, it would serve the purpose of the transportation corridor and not disrupt existing neighborhoods.

It has been a high-speed corridor for many years and making it into a parkway would not change the character of the surrounding community.

If there is a need for more people, vehicular traffic, noise and pollution streaming into San Jacinto and Hemet, this need can be easily met by improving the Ramona Expressway. T-1-1

The rural nature of the Perris community with Perris Lake and its surrounding hills, meadows, and open areas is also a migration path for migratory water foul, bald eagles, Perigrine, red-tailed hawks kestrels, turkey vultures, and important song birds.

We strongly oppose bringing the parkway along Placentia Avenue for Perris. Money, time disruption, of neighborhoods and the rural nature of this area would be much better served by using the existing Ramona Expressway.

Costs would be reduced by using the Ramona expressway. And all the natural attributes of Perris

1 would be preserved, including the families who enjoy
2 those lifestyles.
3 We just hope they will look more -- focus
4 more on the existing Ramona Expressway because we can
5 see by the maps already that it would affect many
6 households and especially ours.
7 MR. ROPAC: My name is Victor Ropac,
8 R-o-p-a-c. And I live at 20310 Evans Road.
9 And in addition to my wife's comments, we
10 just had a chance to look at the alternative, and we
11 don't really like any of them: Four, five, or nine.
12 Because nine, basically, takes our property.
13 And four and five puts the six-lane road and
14 the off-ramp next to our property.
15 As far as, you know, we're concerned, if
16 they are going to build this thing, we would probably
17 rather see nine, so that we don't have to live next to
18 the freeway.
19 We, basically, lived once by Van Buren. And
20 we moved out here 23 years ago for it to be quiet. And,
21 basically, you're putting one in next to us again.
22 So of all the alternatives, personally, I
23 would rather see nine and second alternative four.
24 And most preferably is don't do this. Leave
25 us alone. But I don't think that will happen.

T-1-

T-1-

MS. HILEMAN: Judi Hileman, H-i-l-e-m-a-n. I feel this is only for commerce. It's not for the people. It's not anything to do with what the people need. It's big business, not for people.

And it's not wanted. And it will inconvenience everybody. And then it's going to go to the other side, who doesn't want it either. So forget it. T-1-3

They should use the 74, use the background down where there's nothing between the Lake Matthews area and Gavilan Hills and the Lake Elsinore. There's absolutely nothing. They could build something big there to build the commerce truck and the 74 to get them out of the way.

MS. RAKES: I'm Susan Rakes, R-a-k-e-s. I live on Toliver, 26744 Toliver Road. And we've been waiting for years, you know, for them to come in and decide what they're going to do.

And because my husband's retired, I'm retired, I want to get out of California. I hate California. I hate it. We've lived there 23 years in the same house. There was hardly anything on the street when we moved there. It was quite nice. T-1-4

But now it's just getting too much traffic. And if they put that freeway in and miss our house,

we're going to have so much noise, so much traffic.

I don't want to live there. So I'm hoping they pick Number 4. It goes right through our property. And I can go to Oregon where I'll be very happy. My family's up there.

The only reason I was down here is because I worked for Stater Bros for 15 years and drove a truck for them. And now that I'm retired, I want to go.

T-1-4

Both my parents passed away. There's nothing here for me. So I just wish they would hurry up and do something, instead of leaving the whole community hanging. Because, you know, I want to -- there's so many improvements I'd love to do to my home.

If they're going to take it, why -- why spend the money? They're just going to tear it down. It seems a little crazy, huh? That's it.

My husband and I both would love for them to take Number 4 so we can get out of California. That's all.

(Whereupon, at the hour of 8:00 p.m., the proceedings Were concluded.)

-oOo-

1 State of California)
)ss
2 County of Los Angeles)
3
4 I, CHERE DAVIS, HEARING REPORTER for the State of
5 California, hereby certify:
6 The foregoing proceedings were taken before me at the
7 time and place therein set forth;
8 The proceedings were recorded stenographically by me
9 and were thereafter transcribed;
10 The foregoing transcript is a true and correct
11 transcript of my shorthand notes so taken;
12 I further certify that I am neither counsel for, nor
13 related to any party to said action, nor in any way
14 interested in the outcome thereof.
15 IN WITNESS WHEREOF, I have hereunto subscribed my
16 name this 26th day of February, 2013.
17
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19 _____
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25

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T-1-1

The verbal comments provided in comment T-1-1 are the same as the written comments provided in letter P-19. Please refer to the responses to comments P-19-1 through P-19-3 for the responses to these comments.

T-1-2

This commenter's preference for the No Build Alternative is noted. The MCP would be generally aligned along Placentia Avenue, south of the location of this commenter's home. The potential for noise effects on sensitive land uses along the alignments is evaluated in detail starting on page 3.15-1 in Section 3.15, Noise, in the Final EIR/EIS. Based on the analyses described in that section, no feasible and reasonable noise barriers were identified for the land uses north of the MCP interchange at Evans Road under Alternatives 4 Modified and 5 Modified. Feasible and reasonable noise barriers were identified for land uses north of the MCP and west of Old Evans Road. However, the cited residence would not benefit from those noise barriers because that residence would be acquired under Alternative 9 Modified.

T-1-3

This commenter's opposition to the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the San Jacinto River Bridge Design Variation (SJRB DV) was identified as the preferred alternative.

The suggestion to improve State Route 74 (SR-74) instead of the MCP project is noted. As shown on Figure 1.2.1 on page 1-7 in Chapter 1, Proposed Project, in the Final EIR/EIS, SR-74 extends east-west between Interstate 15 (I-15) just north of Lake Elsinore in western Riverside County and State Route 243 (SR-243) in eastern Riverside County. SR-74 is south of the Cities of Perris and San Jacinto, and Lake Perris as shown on Figure 1.2.1.

As discussed in Section 1.3.2.1 on page 1-17 in Chapter 1 in the Final EIR/EIS, the previous Hemet to Corona/Lake Elsinore Community and Environmental Transportation Acceptability Process (CETAP) studies evaluated several alternatives along Ramona Expressway, Cajalco Road, and El Sobrante Road, and alternatives to the south along segments of SR-74, Domenigoni Parkway, Ethanac Road, and Newport Road. While the Riverside County General Plan identifies several major east-west arterials south of SR-74 that provide alternative east-west routes, Ramona Expressway is the only existing major transportation corridor between SR-74 and

State Route 60 (SR-60)/State Route 91 (SR-91) (refer to Figure 1.3.1 on page 1-17 in Chapter 1) that provides a connection between Interstate 215 (I-215) and State Route 79 (SR-79).

As discussed in Section 1.3.1, Project Purpose, on page 1-14 in Chapter 1 in the Final EIR/EIS, the purpose of the proposed MCP project is to provide a transportation facility that would effectively and efficiently accommodate regional west-east movement of people, goods, and services between and through Perris and San Jacinto. More specifically, the MCP project is proposed to:

- Provide increased capacity to support the forecast travel demand for the 2040 design year;
- Provide a limited access facility;
- Provide roadway geometrics to meet state highway design standards;
- Accommodate Surface Transportation Assistance Act National Network trucks; and
- Provide a facility that is compatible with a future multimodal transportation system.

Because SR-74 is south of the Cities of Perris and San Jacinto, it would not effectively serve east-west travel demand across the two Cities or as a connection between SR-79 and I-215. As a result, improvements to SR-74 were not considered as an alternative to the proposed MCP.

T-1-4

This commenter's preference for Alternative 4, which would likely result in the acquisition of this commenter's property, is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS.

This comment does not raise an environmental issue within the context of CEQA and/or NEPA, or comment on the adequacy of the technical information or environmental analyses in the Recirculated Draft EIR/Supplemental Draft EIS. Consistent with the requirements of CEQA and NEPA, all comments received on the Recirculated Draft EIR/Supplemental Draft EIS are included in this Final EIR/EIS and have been made available to the public and decision-makers prior to any action on the proposed project.

S.6.9 Comment Cards from the February 20, 2013, Public Hearing and Responses (CC-1)

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RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

SAN JACINTO—PERRIS

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

Please hand this comment to staff or mail this postage paid card.
*All comment cards are due by March 11, 2013. **Thank you!***
*Favor de entregar el siguiente comentario al personal o enviar esta tarjeta con porte pagado (no necesita estampilla). Todas las tarjetas nos deben llegar a más tardar el 11 de marzo de 2013. **Gracias.***

CC-1

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

I AM ALL FOR THE MID COUNTY PARKWAY PRODUCT. CC-1
I WOULD ALSO LIKE TO SAY PLEASE START IN SAN JACINTO
THANK YOU!!

Name (Nombre) Bill Bryant
Representing (En representación de)
Email (Email)
Address (Domicilio)
City (Ciudad)
Zip Code (Código Postal) 92583

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

SAN JACINTO—PERRIS

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

Please hand this comment to staff or mail this postage paid card.
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*Favor de entregar el siguiente comentario al personal o enviar esta tarjeta con porte pagado (no necesita estampilla). Todas las tarjetas nos deben llegar a más tardar el 11 de marzo de 2013. **Gracias.***

CC-2

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

If this is being done, start on the east end San Jacinto CC-2-
and go west — makes more sense.

Name (Nombre) Ron Stull
Representing (En representación de)
Email (Email)
Address (Domicilio)
City (Ciudad) Hemet
Zip Code (Código Postal) 92543

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

SAN JACINTO—PERRIS

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

Please hand this comment to staff or mail this postage paid card.
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*Favor de entregar el siguiente comentario al personal o enviar esta tarjeta con porte pagado (no necesita estampilla). Todas las tarjetas nos deben llegar a más tardar el 11 de marzo de 2013. **Gracias.***

CC-3

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

A plus situation for the County of Riverside. CC-3-1

Name (Nombre) Dan Mudrovich
Representing (En representación de) Riverside
Email (Email) mudroone@yahoo.com
Address (Domicilio) 3149 Mumford Ave.
City (Ciudad) Riverside
Zip Code (Código Postal) 92503

CC-1 Bill Bryant

CC-1-1

This commenter requested that if the proposed project moves forward, the construction of the MCP project will begin on the east end in the San Jacinto area. As described on page 2-53 in the Final EIR/EIS, the Riverside County Transportation Commission (RCTC) is planning to construct the MCP as a single-phase project. Should phased construction be required, RCTC would continue to work cooperatively with the City of Perris, the County of Riverside, and the City of San Jacinto to construct initial phases where the transportation needs are the greatest. Refer also to Section 2.3.2.18, Construction, on page 2-53, in the Final EIR/EIS for discussion of a possible phasing plan for the MCP project.

This comment does not raise an environmental issue within the context of the California Environmental Quality Act (CEQA) and/or the National Environmental Policy Act (NEPA), or comment on the adequacy of the technical information or environmental analyses in the Recirculated Draft EIR/Supplemental Draft EIS. Consistent with the requirements of CEQA and NEPA, all comments received on the Recirculated Draft EIR/Supplemental Draft EIS are included in this Final EIR/EIS and have been made available to the public and decision-makers prior to any action on the proposed project.

CC-2 Pam Stull

CC-2-1

This commenter requested that if the proposed project moves forward, the construction of the MCP project will begin on the east end in the San Jacinto area. As described on page 2-53 in the Final EIR/EIS, RCTC is planning to construct the MCP as a single-phase project. Should phased construction be required, RCTC would continue to work cooperatively with the City of Perris, the County of Riverside, and the City of San Jacinto to construct initial phases where the transportation needs are the greatest. Refer also to Section 2.3.2.18, Construction, on page 2-53, in the Final EIR/EIS for discussion of a possible phasing plan for the MCP project.

This comment does not raise an environmental issue within the context of CEQA and/or NEPA, or comment on the adequacy of the technical information or environmental analyses in the Recirculated Draft EIR/Supplemental Draft EIS. Consistent with the requirements of CEQA and NEPA, all comments received on the Recirculated Draft EIR/Supplemental Draft EIS are included in this Final EIR/EIS

and have been made available to the public and decision-makers prior to any action on the proposed project.

CC-3 Dan Mudrovich

CC-3-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the San Jacinto River Bridge Design Variation (SJRB DV) was identified as the preferred alternative.

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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All comment cards are due by March 11, 2013. ***Thank you!***
Favor de entregar el siguiente comentario al personal o enviar esta tarjeta con porte pagado (no necesita estampilla). Todas las tarjetas nos deben llegar a más tardar el 11 de marzo de 2013. ***Gracias.***

CC-4

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

I believe this will be extremely beneficial to the City. The City will benefit from having easier freeway access. CC-4-1

Name (Nombre): Aurelia Varela
Representing (En representación de): Citizen San Jacinto
Email (Email):
Address (Domicilio): 648 Camino Los Bandos
City (Ciudad): San Jacinto
Zip Code (Código Postal): 92583

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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All comment cards are due by March 11, 2013. ***Thank you!***
Favor de entregar el siguiente comentario al personal o enviar esta tarjeta con porte pagado (no necesita estampilla). Todas las tarjetas nos deben llegar a más tardar el 11 de marzo de 2013. ***Gracias.***

CC-5

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

I support this project because it will enhance San Jacinto's ability to remain a sustainable and viable community. With the access this project will provide, San Jacinto will be able to attract a wider range of commercial development and residents. CC-5-1

Name (Nombre): Thomas Prill
Representing (En representación de):
Email (Email): prillman@hotmail.com
Address (Domicilio): 2151 Daisy Court
City (Ciudad): San Jacinto
Zip Code (Código Postal): 92582

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

Please hand this comment to staff or mail this postage paid card.
All comment cards are due by March 11, 2013. ***Thank you!***
Favor de entregar el siguiente comentario al personal o enviar esta tarjeta con porte pagado (no necesita estampilla). Todas las tarjetas nos deben llegar a más tardar el 11 de marzo de 2013. ***Gracias.***

CC-6

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

Making travel time limited between 1215 + our City will allow for businesses to expand to the new traffic routes. Making it easier for people to come & go without planning out a special trip... just a quick drive! ☺ We have the population, we just need access. CC-6-1

Name (Nombre): Crystal Yanez
Representing (En representación de): San Jacinto Employee
Email (Email): cyanez@sanjacintoca.us
Address (Domicilio): 565 Sandalwood St.
City (Ciudad): San Jacinto
Zip Code (Código Postal): 92582

CC-4 Aurelia Varela

CC-4-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

CC-5 Thomas Prill

CC-5-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

CC-6 Crystal Yanez

CC-6-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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Favor de entregar el siguiente comentario al personal o enviar esta tarjeta con porte pagado (no necesita estampilla). Todas las tarjetas nos deben llegar a más tardar el 11 de marzo de 2013. ***Gracias.***

CC-7

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

I support this project. The MCP is a vital link between Perris & San Jacinto, as well as a vital regional circulation system link between the I-15 and Hwy 79. I encourage RCTC to start construction of the MCP at the easterly end in San Jacinto and proceed westerly to Perris, as this roadway is necessary to enhance the economy and fiscal stability of San Jacinto. CC-7-

Name (Nombre) ASHER HARTEL
Representing (En representación de) City of San Jacinto
Email (Email) ahartel@sanjacintoca.us
Address (Domicilio) 595 S. San Jacinto Ave.
City (Ciudad) San Jacinto
Zip Code (Código Postal) 92583

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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Favor de entregar el siguiente comentario al personal o enviar esta tarjeta con porte pagado (no necesita estampilla). Todas las tarjetas nos deben llegar a más tardar el 11 de marzo de 2013. ***Gracias.***

CC-8

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

I Support CC-8-1

Name (Nombre) Evita Rodriguez
Representing (En representación de)
Email (Email)
Address (Domicilio) 1223 Avenida Floribunda
City (Ciudad) San Jacinto
Zip Code (Código Postal) 92583

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-9

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

Please move forward with this project with all possible dispatch. Also consider starting MCP in San Jacinto. CC-9-1

Name (Nombre) DAVID CLAYTON
Representing (En representación de) SAN JACINTO RESIDENT
Email (Email) DUCEMUS@VERIZON.NET
Address (Domicilio) PO Box 1531
City (Ciudad) SAN JACINTO
Zip Code (Código Postal) 92581

CC-7 Asher Hartel

CC-7-1

This commenter requested that if the proposed project moves forward, the construction of the MCP project will begin on the east end in the San Jacinto area. As described on page 2-53 in the Final EIR/EIS, RCTC is planning to construct the MCP as a single-phase project. Should phased construction be required, RCTC would continue to work cooperatively with the City of Perris, the County of Riverside, and the City of San Jacinto to construct initial phases where the transportation needs are the greatest. Refer also to Section 2.3.2.18, on page 2-53 Alternatives, in the Final EIR/EIS for discussion of a possible phasing plan for the MCP project.

This comment does not raise an environmental issue within the context of CEQA and/or NEPA, or comment on the adequacy of the technical information or environmental analyses in the Recirculated Draft EIR/Supplemental Draft EIS. Consistent with the requirements of CEQA and NEPA, all comments received on the Recirculated Draft EIR/Supplemental Draft EIS are included in this Final EIR/EIS and have been made available to the public and decision-makers prior to any action on the proposed project.

CC-8 Evita Rodriguez

CC-8-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the San Jacinto River Bridge Design Variation was identified as the preferred alternative.

CC-9 David Clayton

CC-9-1

This commenter requested that if the proposed project moves forward, the construction of the MCP project will begin on the east end in the San Jacinto area. As described on page 2-53 in the Final EIR/EIS, RCTC is planning to construct the MCP as a single-phase project. Should phased construction be required, RCTC would continue to work cooperatively with the City of Perris, the County of Riverside, and the City of San Jacinto to construct initial phases where the transportation needs are

the greatest. Refer also to Section 2.3.2.18, Construction, on page 2-53 in the Final EIR/EIS for discussion of a possible phasing plan for the MCP project.

This comment does not raise an environmental issue within the context of CEQA and/or NEPA, or comment on the adequacy of the technical information or environmental analyses in the Recirculated Draft EIR/Supplemental Draft EIS. Consistent with the requirements of CEQA and NEPA, all comments received on the Recirculated Draft EIR/Supplemental Draft EIS are included in this Final EIR/EIS and have been made available to the public and decision-makers prior to any action on the proposed project.

MID COUNTY PARKWAY

SAN JACINTO—PERRIS

SUPPLEMENTAL DRAFT EIS COMMENTS

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-10

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

I believe the completion of the Mid-County Pkway will be extremely instrumental for the growth of San Jacinto & Hemet. The Parkway is the shot in the arm that area desperately needs. Thank you.

CC-10

Megan Kirnadt

Encore Income Tax & Management

Mailing Box 33

Carlsbad, CA

92009

RECIRCULATED DRAFT EIR
SUPPLEMENTAL DRAFT EIS COMMENTS

CC-11

RECIRCULATED DRAFT EIR
SUPPLEMENTAL DRAFT EIS COMMENTS

CC-12

CC-10 Megan Kornacker

CC-10-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

CC-11 Kevin Cozad

CC-11-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

CC-12 Beverly Castleton

CC-12-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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All comment cards are due by April 10, 2013. Thank you!
Favor de entregar el siguiente comentario al personal o enviar esta tarjeta con porte pagado (no necesita estampillo). Todas las tarjetas nos deben llegar a más tardar el 10 de abril de 2013. Gracias.

CC-13

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

I AM IN FULL SUPPORT OF THE SR MID COUNTY PARKWAY PROJECT | CC-13-1

Name (Nombre): SEAN MOTLAGH
Representing (En representación de):
Email (Email): samotlagh@gmail.com
Address (Domicilio): 27056 TUBE ROSE ST.
City (Ciudad): MURRIETA
Zip Code (Código Postal): 92562

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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Favor de entregar el siguiente comentario al personal o enviar esta tarjeta con porte pagado (no necesita estampillo). Todas las tarjetas nos deben llegar a más tardar el 10 de abril de 2013. Gracias.

CC-14

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

I AM IN FULL SUPPORT OF THIS PROJECT | CC-14

Name (Nombre): Rudy Lopez
Representing (En representación de):
Email (Email): Rudyg1@yahoo.com
Address (Domicilio): 409 E THORNTON AVE
City (Ciudad): HEMET CA
Zip Code (Código Postal): 92543

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-15

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

I APPROVE THE PROJECT | CC-15-1

Name (Nombre): Rev. Jerry Hall
Representing (En representación de):
Email (Email): Revjerry@valleyrock.org
Address (Domicilio): 200 E. Menlo
City (Ciudad): Hemet
Zip Code (Código Postal): 92543

CC-13 Sean Motlagh

CC-13-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

CC-14 Rudy Lopez

CC-14-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

CC-15 Reverend James Hall

CC-15-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

MID COUNTY PARKWAY

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-16

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

More Cleanup for Safety | CC-16-1

Name (Nombre): Sherilin Bartel
Representing (En representación de):
Email (Email):
Address (Domicilio): 744 Inverness Dr.
City (Ciudad): Rancho Mirage, CA
Zip Code (Código Postal): 92270

MID COUNTY PARKWAY

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-17

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

How about a four lane road to Lake Perris | CC-17-1

Name (Nombre): Dale Bartel
Representing (En representación de):
Email (Email):
Address (Domicilio): 744 Inverness Drive
City (Ciudad): Rancho Mirage, CA
Zip Code (Código Postal): 92270

MID COUNTY PARKWAY

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-18

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

LETS MOVE FORWARD. I LIKE THE SOUTHERN VARIATION WHERE MLP HITS 79 | CC-18-1

Name (Nombre): Randy Wurtz
Representing (En representación de):
Email (Email): rwurtz@gmail
Address (Domicilio): 1405 Manzanita Dr #106
City (Ciudad): San Jacinto
Zip Code (Código Postal): 92024

CC-16 Sharitin Bartel

CC-16-1

This comment requests "more lanes for safety" and does not raise an environmental issue within the context of CEQA and/or NEPA, or comment on the adequacy of the technical information or environmental analyses in the EIR/EIS. Consistent with the requirements of CEQA and NEPA, comments that raised environmental issues under CEQA and NEPA are responded to in this Final EIR/EIS. In addition, all comments received on the Recirculated Draft EIR/Supplemental Draft EIS are included in this Final EIR/EIS and were made available to the public and decision-makers prior to any action on the proposed project.

CC-17 Dale Bartel

CC-17-1

The MCP Build Alternatives all propose a six-lane controlled access freeway. As shown on Figures 2.3.1a (page 2-11), 2.3.1b (page 2-15), and 2.3.1c (page 2-19) in the Final EIR/EIS, the MCP Build Alternatives would provide east-west access to the Lake Perris State Recreation Area between Interstate 215 (I-215) and State Route 79 (SR-79). To access Lake Perris, travelers on the MCP would exit the MCP facility and use either Ramona Expressway to Lake Perris Drive to the entrance on the north side of Lake Perris, or Bernasconi Road north to the southeast entrance to Lake Perris.

CC-18 Randy Wastal

CC-18-1

This commenter's preference for the more southerly alignment of the MCP is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified (with the southerly alignment in San Jacinto) with the SJRB DV was identified as the preferred alternative.

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-19

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

I support the mid-county parkway project as it will greatly reduce the commute traffic to & from the San Jacinto Valley. It will also make the valley more attractive for commercial development. CC-19

Name (Nombre): Michelle Holmes
Representing (En representación de): Resident
Email (Email): m-holmes@live.com
Address (Domicilio): PO Box 831
City (Ciudad): San Jacinto
Zip Code (Código Postal): 92581

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-20

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

I vote for getting the MCP in now. CC-20-1

Name (Nombre): Roger Dover
Representing (En representación de):
Email (Email): rdover@[illegible]
Address (Domicilio): 2025 Murietta Ave #106
City (Ciudad): Escondido
Zip Code (Código Postal): 92027

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-21

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

Lets move forward with the San Jacinto South Route Alternative. CC-21-1

Name (Nombre): Jacqueline Vasquez
Representing (En representación de):
Email (Email): jacqueline.vasquez@[illegible].com
Address (Domicilio): 2025 Murietta Ave
City (Ciudad): Escondido
Zip Code (Código Postal): 92027

CC-19 Michelle Holmes

CC-19-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

CC-20 Roger Duerr

CC-20-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

CC-21 Jacqueline Wastal

CC-21-1

This commenter's preference for the more southerly alignment of the MCP is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified (with the southerly alignment in San Jacinto) with the SJRB DV was identified as the preferred alternative.

SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-22

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

LET'S GET MCP DONE. CC-22-1

Name: ART MANNING (Nombre)
Representing: (En representación de)
Email: (Email)
Address: 4405 Mallard Ave #101 (Domicilio)
City: CARLSBAD (Ciudad)
Zip Code: 92009 (Código Postal)

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-23

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

PRIORITIZE STARTING PROJECT IN SAN JACINTO. THE GREATEST IMPACT WILL BE COMMUTER SAFETY. SUBSTANTIAL ACCIDENTS HAVE OCCURRED ON THE EASTERN PORTION CAUSING MANY TRAFFIC RELATED DEATHS. ALSO, THE MCP IS A VITAL LINK FOR COMMERCE TO THIS VALLEY, CREATING ECONOMIC INTEREST AND VITALITY. BEGINNING THIS PROJECT IN SAN JACINTO WILL HAVE THE GREATEST IMPACT. CC-23-

Name: Barry Mulcahy (Nombre)
Representing: (En representación de)
Email: (Email)
Address: (Domicilio)
City: (Ciudad)
Zip Code: 92582 (Código Postal)

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-24

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

Start first in San Jacinto CC-24-1

Name: Frank Zaloval (Nombre)
Representing: City of San Jacinto (En representación de)
Email: (Email)
Address: 28820 Oleacea Ave (Domicilio)
City: Moreno Valley (Ciudad)
Zip Code: 92555 (Código Postal)

CC-22 Art Marino

CC-22-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

CC-23 Barry Mulcock

CC-23-1

This commenter requested that if the proposed project moves forward, the construction of the MCP project will begin on the east end in the San Jacinto area. As described on page 2-53 in the Final EIR/EIS, RCTC is planning to construct the MCP as a single phase project. Should phased construction be required, RCTC would continue to work cooperatively with the City of Perris, the County of Riverside, and the City of San Jacinto to construct initial phases where the transportation needs are the greatest. Refer also to Section 2.3.2.18, Construction, on page 2-53 in the Final EIR/EIS for discussion of a possible phasing plan for the MCP project.

This comment does not raise an environmental issue within the context of CEQA and/or NEPA, or comment on the adequacy of the technical information or environmental analyses in the Recirculated Draft EIR/Supplemental Draft EIS. Consistent with the requirements of CEQA and NEPA, all comments received on the Recirculated Draft EIR/Supplemental Draft EIS are included in this Final EIR/EIS and have been made available to the public and decision-makers prior to any action on the proposed project.

CC-24 Frank Zaloivar

CC-24-1

This commenter requested that if the proposed project moves forward, the construction of the MCP project will begin on the east end in the San Jacinto area. As described on page 2-53 in the Final EIR/EIS, RCTC is planning to construct the MCP as a single phase project. Should phased construction be required, RCTC would continue to work cooperatively with the City of Perris, the County of Riverside, and the City of San Jacinto to construct initial phases where the transportation needs are

the greatest. Refer also to Section 2.3.2.18, Construction, in Chapter 2.0, on page 2-53 in the Final EIR/EIS for discussion of a possible phasing plan for the MCP project.

This comment does not raise an environmental issue within the context of CEQA and/or NEPA, or comment on the adequacy of the technical information or environmental analyses in the Recirculated Draft EIR/Supplemental Draft EIS. Consistent with the requirements of CEQA and NEPA, all comments received on the Recirculated Draft EIR/Supplemental Draft EIS are included in this Final EIR/EIS and have been made available to the public and decision-makers prior to any action on the proposed project.

MID COUNTY PARKWAY

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

Please hand this comment to staff or mail this postage paid card.
*All comment cards are due by March 11, 2013. **Thank you!***
*Favor de entregar el siguiente comentario al personal o enviar esta tarjeta con porte pagado (no necesita estampilla). Todas las tarjetas nos deben llegar a más tardar el 11 de marzo de 2013. **Gracias.***

CC-25

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

4/65 - 6175 6.0 / CC-25-1

Name (Nombre) Vickie Morrison
Address (Domicilio) 4405 Murietta Ave #106
Representing (En representación de)
City (Ciudad) Lake Elsinore
Email (Email)
Zip Code (Código Postal) 92024

MID COUNTY PARKWAY

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

Please hand this comment to staff or mail this postage paid card.
*All comment cards are due by April 10, 2013. **Thank you!***
*Favor de entregar el siguiente comentario al personal o enviar esta tarjeta con porte pagado (no necesita estampilla). Todas las tarjetas nos deben llegar a más tardar el 10 de abril de 2013. **Gracias.***

CC-26

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

Very important! CC-26-1

Name (Nombre) Cathy Remily
Address (Domicilio) 102 Glenn Way
Representing (En representación de)
City (Ciudad) Hemet
Email (Email)
Zip Code (Código Postal) 92543

MID COUNTY PARKWAY

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

Please hand this comment to staff or mail this postage paid card.
*All comment cards are due by April 10, 2013. **Thank you!***
*Favor de entregar el siguiente comentario al personal o enviar esta tarjeta con porte pagado (no necesita estampilla). Todas las tarjetas nos deben llegar a más tardar el 10 de abril de 2013. **Gracias.***

CC-27

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

I fully support this project CC-27-1

Name (Nombre) Melinda Larkin
Address (Domicilio) 3390 Park Ave
Representing (En representación de)
City (Ciudad) Hemet
Email (Email)
Zip Code (Código Postal) 92544

CC-25 Vicki Merriman

CC-25-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

CC-26 Cathy Remily

CC-26-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

CC-27 Melinda Larkin

CC-27-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-28

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

I highly support this project as its very important to the San Jacinto Community! Thank you! CC-28-1

Name (Nombre): Carla Adame
Representing (En representación de):
Email (Email):
Address (Domicilio): 1805 Washington Ave
City (Ciudad): San Jacinto
Zip Code (Código Postal): 92583

RECIRCULATED DRAFT EIR/
SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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Favor de entregar el siguiente comentario al personal o enviar esta tarjeta con porte pagado (no necesita estampilla). Todas las tarjetas nos deben llegar a más tardar el 10 de abril de 2013. Gracias.

CC-29

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

INFRASTRUCTURE IS GOOD but this would increase access to the 215. CC-29-1

Name (Nombre): DANIEL TOLEDO
Representing (En representación de):
Email (Email): toledo_daniel@yahoo.com
Address (Domicilio): 1400 E. MENLO AVE #30
City (Ciudad): Hemet
Zip Code (Código Postal): 92544

RECIRCULATED DRAFT EIR/
SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-30

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

I SUPPORT CONSTRUCTION CC-30-1

Name (Nombre): CHRIS COZAD
Representing (En representación de):
Email (Email): CRC_COZAD@YAHOO.COM
Address (Domicilio): 44394 IMMERRY
City (Ciudad): HEMET
Zip Code (Código Postal): 92544

CC-28 Carla Adame

CC-28-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

CC-29 Daniel Toledo

CC-29-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

CC-30 Chris Cozad

CC-30-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

MID COUNTY PARKWAY

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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Favor de entregar el siguiente comentario al personal o enviar esta tarjeta con porte pagado (no necesita estampilla). Todas las tarjetas nos deben llegar a más tardar el 11 de marzo de 2013. Gracias.

CC-31

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

support Alt 9. → start west side first and move eastwards. CC-31-1

Name (Nombre): Shailesh Shah
Representing (En representación de):
Email (Email): sshah5@netzero.com
Address (Domicilio): 14082 Andy Pl
City (Ciudad): Riverside
Zip Code (Código Postal): 92508

MID COUNTY PARKWAY

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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Favor de entregar el siguiente comentario al personal o enviar esta tarjeta con porte pagado (no necesita estampilla). Todas los tarjetas nos deben llegar a más tardar el 11 de marzo de 2013. Gracias.

CC-32

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

This project has been planned for many years and is greatly needed for our growing region. The RCTC leaders have planned ahead with the foresight to protect our economy and improve regional circulation. CC-32-1

Name (Nombre): Darcy Kuhnz
Representing (En representación de): Menifee Action Group
Email (Email): darcyk@email.com
Address (Domicilio): 29515 Merganian Rd
City (Ciudad): Menifee
Zip Code (Código Postal): 92584

MID COUNTY PARKWAY

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-33

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

Build it! CC-33-1

Name (Nombre): Rick Hoffman
Representing (En representación de): Self
Email (Email): Hoffmanconsult@hotmail.net
Address (Domicilio): 26620 Pinyon Road
City (Ciudad): Hemet
Zip Code (Código Postal): 92544

CC-31 Shailesh Shah

CC-31-1

This commenter's preference for Alternative 9 Modified is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

The commenter also requested that if the proposed project moves forward, the construction of the MCP project begin on the west end in the Perris area and proceed east to the terminus in the San Jacinto area. As described on page 2-53 in the Final EIR/EIS, RCTC is planning to construct the MCP as a single-phase project. Should phased construction be required, RCTC would continue to work cooperatively with the City of Perris, the County of Riverside, and the City of San Jacinto to construct initial phases where the transportation needs are the greatest. Refer also to Section 2.3.2.18, Construction, on page 2-53 in the Final EIR/EIS for discussion of a possible phasing plan for the MCP project.

These comments do not raise an environmental issue within the context of CEQA and/or NEPA, or comment on the adequacy of the technical information or environmental analyses in the Recirculated Draft EIR/Supplemental Draft EIS. Consistent with the requirements of CEQA and NEPA, all comments received on the Recirculated Draft EIR/Supplemental Draft EIS are included in this Final EIR/EIS and have been made available to the public and decision-makers prior to any action on the proposed project.

CC-32 Darcy Kuenzi

CC-32-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

CC-33 Rick Hoffman

CC-33-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

MID COUNTY PARKWAY

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

February 20, 2013 – Public Meeting

Please hand this comment to staff or mail this postage paid card.
All comment cards are due by March 11, 2013. Thank you!
Favor de entregar el siguiente comentario al personal o enviar esta tarjeta con porte pagado (no necesita estampilla). Todas las tarjetas nos deben llegar a más tardar el 11 de marzo de 2013. Gracias.

CC-34

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)
The RCTC failure to respond to the public and agency comments previously submitted for the October 2008 Draft EIR/EIS is improper segmentation/piecemealing the public participation process of the CEQA/NEPA environmental review for this project. At a minimum RCTC needs to respond to public and agency comments received on the Draft EIR/EIS circulated in October 2008 that are applicable to the modified project limits in the Final Recirculated Draft EIR/EIS. Does the RCTC believe the prior public and agency comments on the 2008 Draft EIR/EIS are not worthy of RCTC response. The public needs to know the extent to which RCTC has been responsive to the 2008 comments and issues/impacts of concern. CC-34

Name (Nombre): Tom Paulak
Representing (En representación de): Citizen
Email (Email): etpaul44@earthlink.net
Address (Domicilio): P.O. Box 4036
City (Ciudad): Idyllwild
Zip Code (Código Postal): 92549

MID COUNTY PARKWAY

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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Favor de entregar el siguiente comentario al personal o enviar esta tarjeta con porte pagado (no necesita estampilla). Todas las tarjetas nos deben llegar a más tardar el 11 de marzo de 2013. Gracias.

CC-35

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)
That alt. 9 will be the best option because it will be the one that least effects the public. CC-35-1

Name (Nombre):
Representing (En representación de):
Email (Email):
Address (Domicilio):
City (Ciudad):
Zip Code (Código Postal):

MID COUNTY PARKWAY

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

February 20, 2013 – Public Meeting

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CC-36

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)
The only public access to the San Jacinto Wildlife Area is off Davis Road. The MCP as presently presented will eliminate public access off Davis Road (only public access) to SJWA. This impact needs to be addressed and specific remedies need to be documented in the Final EIR/EIS. How will the public be able to access the San Jacinto Wildlife Area should the MCP be approved. CC-36

Name (Nombre): Tom Paulak
Representing (En representación de): Citizen
Email (Email): etpaul44@earthlink.net
Address (Domicilio): P.O. Box 4036
City (Ciudad): Idyllwild
Zip Code (Código Postal): 92549

CC-34 Tom Paulek

CC-34-1

This commenter (Mr. Tom Paulek) provided very similar comments in letter IP-8 regarding the comments received on the 2008 Draft EIR/Draft EIS. Please refer to responses to comments IP-8-1 and IP-8-3 for a detailed response to these comments.

CC-35 No name given

CC-35-1

This commenter's preference for Alternative 9 Modified is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

This comment does not raise an environmental issue within the context of CEQA and/or NEPA, or comment on the adequacy of the technical information or environmental analyses in the Recirculated Draft EIR/Supplemental Draft EIS. Consistent with the requirements of CEQA and NEPA, all comments received on the Recirculated Draft EIR/Supplemental Draft EIS are included in this Final EIR/EIS and have been made available to the public and decision-makers prior to any action on the proposed project.

CC-36 Tom Paulek

CC-36-1

This commenter (Mr. Tom Paulek) provided very similar comments in letter IP-8 regarding access to the San Jacinto Wildlife Area via Davis Road. Please refer to the response to comment IP-8-18 for a detailed response to this comment.

The MCP Build Alternatives would not result in long-term traffic circulation or access impacts on the San Jacinto Wildlife Area because access to this area would be maintained in the long term during project operations. Alternative 4 Modified, Alternative 5 Modified, and Alternative 9 Modified would result in the permanent removal of the connection of Davis Road and Hansen Avenue to Ramona Expressway. Ramona Expressway in this area would be replaced by the four- to six-lane MCP facility with controlled access limited to interchanges only. The proposed access point for the San Jacinto Wildlife Area would be via the service interchange at

Reservoir Road. This would not result in long-term traffic impacts because although access from Ramona Expressway to Davis Road, or Hansen Road to Davis Road would no longer be provided, access to the San Jacinto Wildlife Area would be available via Reservoir Road, crossing over the MCP facility (from the south side to the north side), or by exiting the MCP at Reservoir Road and proceeding north to an east/west road connecting to Davis Road. The east/west road maybe an extension of Marvin Road or some other east/west road constructed as the area is built out according to the adopted Riverside County General Plan Land Use and Circulation Elements. If at the time the construction of the MCP in this area is initiated, the east/west road connecting Reservoir Road to Davis Road has not been built by others, the MCP project would be responsible for providing access to Davis Road so that no area is left without access during the MCP construction and operation. This commitment to ensure access is described in detail in Measure TR-2 on page 3.6-59 in this Final EIR/EIS.

SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-37

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

There is no justification for a freeway w/ off ramps into Ag fields. → On 4 lane Ramona Expressway. Its present location is sufficient, illegal to put the cart before the horse. We need Ag to grow food — we need the San Jacinto Wildlife Area. Not the City of Idyllwild — (Friends of the Northern) CC-37-1 CC-37-2

Name (Nombre) Susan Nash Representing (En representación de) San Jacinto Valley Friends of the Northern Email (Email) nothinfriends@

Address (Domicilio) PO Box 4266 City (Ciudad) Idyllwild, CA 92549 Zip Code (Código Postal) 92549 nothinfriends.org

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-38

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

Our house on Alt. 9 is right on the edge of the freeway and not needed to be destroyed, but we are worried about noise issues due to the nearby highway if it would be constructed through this Alt. 9 CC-38-1

Name (Nombre) Angelo Leon Representing (En representación de) Email (Email)

Address (Domicilio) 28018 Lakeview Dr. City (Ciudad) Perris Zip Code (Código Postal) 92571

SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-39

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

Please contact me if you have questions about the information I am looking for.

Please provide copy of map covering area between Redlands & Wilson along Placentia (see back hatched area) not 8½x11 size map, bigger size map at least 11X17 size CC-39-1

I would like detailed information about where the 3 Perris alternatives meet. 17X17 OK

Name (Nombre) OMAR MONTT Representing (En representación de) my neighbors Email (Email) MONTTIC@HOTMAIL.COM

Address (Domicilio) 571 PLACENTIA AVE City (Ciudad) PERRIS CA Zip Code (Código Postal) 92571

CC-37 Susan Nash

CC-37-1

This commenter's opposition to the MCP project is noted. Section 1.3.2, Project Need, starting on page 1-15 in the Final EIR/EIS, provides a detailed discussion of existing and forecasted demand for east-west travel in western Riverside County. That analysis indicates that improvements such as the MCP project are needed in order to meet this existing and future demand, including the demand experienced on and forecasted for Ramona Expressway.

CC-37-2

It is acknowledged that the MCP Build Alternatives would result in the conversion of land currently used or designated for agricultural production to transportation uses, as discussed in the subsection titled "Conversion of Designated Farmland" on page 3.3-7 in Section 3.3.3, Farmlands/Timberlands, in the Final EIR/EIS. The total acres of agricultural land converted under the Build Alternatives are provided in Table 3.3.C on page 3.3-10 in the Final EIR/EIS. As discussed in Section 3.1, Land Use, on page 3.1-53 in the Final EIR/EIS, the MCP project would be inconsistent with Land Use Policies LU 16.2 and 16.4 in the Riverside County General Plan, which protects agricultural lands in unincorporated Riverside County. The EIR for the Riverside County General Plan determined that, cumulatively across Riverside County, the permanent conversion of agricultural land to a variety of nonagricultural uses would occur. The County General Plan EIR further noted that although the General Plan contains policies that will reduce or minimize the effects of future development on agricultural resources, those policies do not set specific requirements that will limit the conversion of agricultural lands to nonagricultural uses. The analysis in the General Plan EIR concludes that because no feasible or reasonable mitigation has been identified to reduce those potential impacts to a less than significant level, impacts to farmland remain significant and unavoidable and will contribute to a cumulative adverse effect on farmland. Table 3.3.D on page 3.3-11, in the Final EIR/EIS, shows the acreage of the impacts of the Build Alternatives on areas zoned agricultural by the local jurisdictions. As shown by comparing Tables 3.3.C and 3.3.D, less than 20 percent of the designated farmlands that would be impacted by the Build Alternatives are zoned for agricultural uses in the long term. This is reflective of the continuing shift from agricultural to nonagricultural uses across Riverside County. Because it is not possible to mitigate for the loss of soils from designated farmlands, no mitigation is proposed for the impacts of the Build Alternatives on

designated farmlands. As a result, as discussed in the response to Item II.a in the CEQA Checklist on page 4-8 in Chapter 4.0, CEQA Evaluation, in the Final EIR/EIS, the impacts of the MCP Build Alternatives and their design variations related to the permanent conversion of designated Farmlands to nonagricultural uses are adverse, significant, and unavoidable.

With regard to the commenter's concern about the San Jacinto Wildlife Area, please see Section 2.5.5, Identification of the Preferred Alternative, starting on page 2-98 in this Final EIR/EIS which discusses the southerly shift of the MCP alignment to completely avoid the acquisition of any land from the San Jacinto Wildlife Area.

CC-38 Angelo Leon

CC-38-1

As noted in this comment, if Alternative 9 Modified is selected for implementation, noise levels are predicted to increase by 7 A-weighted decibels (dBA) from existing levels of 50 dBA equivalent continuous sound level (L_{eq}) to future noise levels under Alternative 9 Modified at 57 dBA L_{eq}. Noise abatement measures in the form of noise barriers were considered and evaluated in accordance with the Caltrans' *Traffic Noise Analysis Protocol* (May 2011). As listed in Table 3.15.2, Noise Barrier Feasibility and Reasonableness, in the Final EIR/EIS, a noise barrier at this location was determined to be feasible, but not reasonable (cost effective). As a result, no noise barrier at this location is included under Alternative 9 Modified.

CC-39 Omar Montti

CC-39-1

The detailed list of partial and full property acquisitions provided in Appendix O, Parcel Acquisitions, in the Recirculated Draft EIR/Supplemental Draft EIS was provided specifically to allow readers to locate individual parcels of interest and to determine if those parcels would be full or partial acquisitions or unaffected by the Build Alternatives. Parcels can be researched in Appendix O by Assessor's Parcel Number or street addresses. Appendix O also includes aerial photos showing the anticipated full and partial acquisitions for each of the Build Alternatives.

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

Please hand this comment to staff or mail this postage paid card.
*All comment cards are due by April 10, 2013. **Thank you!***
*Favor de entregar el siguiente comentario al personal o enviar esta tarjeta con porte pagado (no necesita estampilla). Todas las tarjetas nos deben llegar a más tardar el 10 de abril de 2013. **Gracias.***

CC-40

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

I SUPPORT THIS PROJECT. CC-40-1

RECEIVED
MAR 26 2013
RIVERSIDE COUNTY
TRANSPORTATION COMMISSION

Name (Nombre): JAMES LARKIN
Representing (En representación de):
Email (Email):
Address (Domicilio): 3390 PARK AVENUE
City (Ciudad): HEMET
Zip Code (Código Postal): 92544

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-41

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

We approve this project CC-41-1

Name (Nombre): Matt & Laura Minor
Representing (En representación de):
Email (Email):
Address (Domicilio): 953 Harvest Dr.
City (Ciudad): San Jacinto
Zip Code (Código Postal): 92583

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-42

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

I AM PRO GROWTH FOR OUR VALLEY SO I BELIEVE THIS PROJECT HAS MANNY MORE POSITIVE ASPECTS THAN NEGATIVE. CC-42-1
COUNT ME AS A SUPPORTER OF THE NEW ROADWAY!

Name (Nombre): DANIEL L. STRAUB, MD
Representing (En representación de): SELF
Email (Email): Daniel L Straub MD
Address (Domicilio): 8381 MARUYAMA (4 SEASONS)
City (Ciudad): HEMET
Zip Code (Código Postal): 92545

CC-40 James Larkin

CC-40-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

CC-41 Matt and Laura Minor

CC-41-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

CC-42 Daniel L. Straub, M.D.

CC-42-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-43

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

- I'm in favor of this project. It's much needed and will improve the traffic flow. CC-43-1
- I prefer Alternative 5.

Name (Nombre): Nancy Urtado
Representing (En representación de): N/A
Email (Email): nancyurtado2006@yahoo.com
Address (Domicilio): 483 Lyle Drive
City (Ciudad): Hemet
Zip Code (Código Postal): 92545

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

Please hand this comment to staff or mail this postage paid card.
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Favor de entregar el siguiente comentario al personal o enviar esta tarjeta con porte pagado (no necesita estampillo). Todas las tarjetas nos deben llegar a más tardar el 11 de marzo de 2013. Gracias.

CC-44

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

I think this project will benefit our city CC-44-1

Name (Nombre): Heidi Bartel
Representing (En representación de):
Email (Email): heidimarbartel@gmail.com
Address (Domicilio): 1228 Raintree Ln.
City (Ciudad): San Jacinto
Zip Code (Código Postal): 92582

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-45

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

I think its a good idea CC-45-1

Name (Nombre): Roger Bartel
Representing (En representación de):
Email (Email):
Address (Domicilio): 1228 Raintree ln
City (Ciudad): San Jacinto
Zip Code (Código Postal): 92582

CC-43 Nancy Urtado

CC-43-1

This commenter's preference for Alternative 5 is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

This comment does not raise an environmental issue within the context of CEQA and/or NEPA, or comment on the adequacy of the technical information or environmental analyses in the Recirculated Draft EIR/Supplemental Draft EIS. Consistent with the requirements of CEQA and NEPA, all comments received on the Recirculated Draft EIR/Supplemental Draft EIS are included in this Final EIR/EIS and have been made available to the public and decision-makers prior to any action on the proposed project.

CC-44 Heidi Bartel

CC-44-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

CC-45 Roger Bartel

CC-45-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-46

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

I think the City of San Jacinto will benefit from this project

CC-46

Name (Nombre): Kristen Bartel
Representing (En representación de):
Email (Email):
Address (Domicilio): 1228 Raintree Ln
City (Ciudad): San Jacinto
Zip Code (Código Postal): 92582

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-47

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

1. I am in full support of this project.
2. I recommend alternative 5 modified as it appears to be the most direct route to I-215, requiring the least travel time.
3. This project has been delayed long enough. Cut the red tape & proceed

CC-47

Name (Nombre): Steve Sanford
Representing (En representación de):
Email (Email): sanford.47@verizon.net
Address (Domicilio): 483 Lyle Dr
City (Ciudad): Hemet
Zip Code (Código Postal): 92545

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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MAR 01 2013

CC-48

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

I Believe this Draft to be Environmentally friendly. It will help with Traffic and Smog Related Issues. At the Same time New Highways for Good Movement will open which will lead to JOB Creation in the Valley.

CC-48

Name (Nombre): Marc Bartel
Representing (En representación de): City of San Jacinto
Email (Email): mBartel@SanJacinto-ca.us
Address (Domicilio): 459 Westminster Dr.
City (Ciudad): San Jacinto
Zip Code (Código Postal): 92583

CC-46 Kristin Bartel

CC-46-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

CC-47 Steve Sanford

CC-47-1

This commenter's preference for Alternative 5 is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

This comment does not raise an environmental issue within the context of CEQA and/or NEPA, or comment on the adequacy of the technical information or environmental analyses in the Recirculated Draft EIR/Supplemental Draft EIS. Consistent with the requirements of CEQA and NEPA, all comments received on the Recirculated Draft EIR/Supplemental Draft EIS are included in this Final EIR/EIS and have been made available to the public and decision-makers prior to any action on the proposed project.

CC-48 Mark Bartel

CC-48-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-49

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

Sounds like this project could really help out the community. CC-49

RECEIVED
MAR 07 2013

Name (Nombre): Martin Ramirez
Representing (En representación de): RIVERSIDE COUNTY TRANSPORTATION COMMISSION
Email (Email): Mramirez72006@gmail.com
Address (Domicilio): 555 E 3rd Street
City (Ciudad): San Jacinto
Zip Code (Código Postal): 92583

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-50

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

THIS IS A GREAT THROUGH FARE THE CONNECTING ROUTE TO THE PROPOSED 79 FREEWAY ALLOWS FOR GREAT ACCESS IN AROUND AND THROUGH THE VALLEY. CC-50-

Name (Nombre): DANIEL GOODRICH
Representing (En representación de): SIERRA DAWN ESTATES
Email (Email): OFFICE@SIERRADAWNESTATES.HOA.COM
Address (Domicilio): 950 S. LYON AVE
City (Ciudad): HEMET
Zip Code (Código Postal): 92543

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

MID COUNTY PARKWAY

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-51

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

I support this. CC-51-1

Name (Nombre): Joseph Girard
Representing (En representación de):
Email (Email):
Address (Domicilio):
City (Ciudad):
Zip Code (Código Postal):

CC-49 Martin Ramirez

CC-49-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

CC-50 Daniel Goodrich

CC-50-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

CC-51 Joseph Gurard

CC-51-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

MID COUNTY PARKWAY

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-52

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

I HIGHLY SUPPORT THE MID COUNTY PARKWAY PROJECT SOUTHERN ROUTE TO SANDERSON AVE IN SAN JACINTO AND MOD ALT 5 OR 9 IN PERRIS AREA — CC-52-1

Name (Nombre) TERRY WHITE, SR
Representing (En representación de)
Email (Email) WOLWHITE1@YAHOO.COM
Address (Domicilio) 979 SAGECREST DR
City (Ciudad) SAN JACINTO
Zip Code (Código Postal) 92583

MID COUNTY PARKWAY

RECIRCULATED DRAFT EIR/ SUPPLEMENTAL DRAFT EIS COMMENTS

Informe Preliminar Distribuido EIR Comentarios Adicionales al Informe Preliminar EIS

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CC-53

My comments on the Recirculated Draft EIR/Supplemental Draft EIS are:
(Mis comentarios sobre el Informe Preliminar EIR y el Informe adicional EIS son:)

I am in favor of the Mid County Parkway. It would improve the flow of traffic and increase safety. — CC-53-1

Name (Nombre) Peter Edwards
Representing (En representación de)
Email (Email)
Address (Domicilio) 32656 Cullen CT
City (Ciudad) Winchester
Zip Code (Código Postal) 92596

CC-52 Terry White, Sr.

CC-52-1

This commenter's preference for the more southerly alignment of the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

CC-53 Peter Edwards

CC-53-1

This commenter's support for the MCP project is noted. The process used to evaluate the alternatives and identify the preferred alternative for the MCP project is described in Section 2.5.5, Identification of the Preferred Alternative, on page 2-98 in the Final EIR/EIS. As discussed in Section 2.5.5, Alternative 9 Modified with the SJRB DV was identified as the preferred alternative.

S.6.10 Requests to be Added to the RCTC Email Distribution List

A number of people asked to be added to the Riverside County Transportation Commission (RCTC) distribution list for the MCP project but did not raise issues or concerns regarding the project or the environmental documentation and process for the project. Table S.6.1 lists the parties who requested to be included in the RCTC email distribution list.

Table S.6.1 Summary of Requests to be Added to the RCTC Email Distribution List

Name	Email Address	Name	Email Address
Steve Agor	steve.agor@skanska.com	Jonathan Nadler	nadler@scag.ca.gov
Mark Bartel	mbartel@sanjacintoca.us	Wilma Offibga	wilmaandsid@aol.com
P.R. Clark	petec3@gmail.com	James Olsen	jamesolsen03@gmail.com
Rett Coluccio	rcoluccio@provincewest.com	Marcus Paris	andy14396@hotmail.com
No name given	ehikel@msn.com	Johnny Payan	johnnypayan25@gmail.com
Gary	gary@hammerleconsulting.com	Cindy Pedraza	cindy_pedraza@mcgraw-hill.com
Angel Gonzalez	patioawnings@yahoo.com	Kathleen Robles	krobles2000@gmail.com
Amanda Hurley	Amanda.hurley@mail.house.gov	Larry Russell	lrussell@gfnet.com
Tom Ionta	tionta@ch2m.com	Arnold	sanmigue@scag.ca.gov
Julio	juliobjn9712@gmail.com	Isaac Segovia	isegovia@morgnerco.com
David MacDonald	david@highmarkventures.com	Larry Self	selftech@hotmail.com
Lisa McCullough	lmccullough@sanjacintoca.us	Dan Silver	dsilverla@me.com
Jason Mernick	Jasonmernick@gmail.com	Juan	wiaa81_1@hotmail.com
Arlene Chun	abchun@rcflood.org	Rebecca	rdeleon@mwdh20.com
Jonathan Evans	jevans@biologicaldiversity.org	Susan Nash	snash22@earthlink.net
Tom Paulek	atpaul44@earthlink.net	Eustolia Valladares	carbajalt1976@gmail.com
Carlos Valladares	max0279@gmail.com		

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Attachment A List of Parties Who Sent the "Reject the Mid County Parkway" Email

A large number of parties sent a common email titled "Reject the Mid County Parkway" during the public review period for the Recirculated Draft EIR/ Supplemental Draft EIS. That email is provided as comment letter P-41 in Section S.6.7, Members of the General Public Comments and Responses. The addresses and email addresses for the parties who sent that email are listed in Table A.1.

Table A.1 Name and Addresses for Parties who sent the "Reject the Mid County Parkway" Email

A Custer 827 S. Verona Street Anaheim, CA 92804 sleepyturtle2@yahoo.com	Alena Kastin 439 8th Street Brooklyn, NY 11215 alenakastin@yahoo.com	Amber Tidwell 2420 1/2 N. Beachwood Drive Los Angeles, CA 90068 Etoile90230@yahoo.com
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Table A.1 Name and Addresses for Parties who sent the "Reject the Mid County Parkway" Email

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Table A.1 Name and Addresses for Parties who sent the "Reject the Mid County Parkway" Email

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