

U.S. DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

MID COUNTY PARKWAY

RIVERSIDE COUNTY, CALIFORNIA

District 8-RIV-MCP (PM 0.0/16.3) and 215 (PM 28.0/34.3)

EA 08-0F3200/Project ID 0800000125

RECORD OF DECISION

This document constitutes the Federal Highway Administration's (FHWA) Record of Decision (ROD) for the proposed Mid County Parkway (MCP) Project. This ROD complies with the requirements of the National Environmental Policy Act (NEPA) of 1969 and of 23 Code of Federal Regulations (CFR) 771.127 and 40 CFR 1505.2. The FHWA is the lead agency for the Environmental Impact Statement (EIS) for the MCP Project under NEPA and the Riverside County Transportation Commission (RCTC) is the project proponent and the lead agency for the Environmental Impact Report (EIR) for the MCP Project under the California Environmental Quality Act (CEQA).

The RCTC, the FHWA, and the California Department of Transportation (Caltrans) have identified transportation improvements needed to provide for the efficient movement of people and goods and to improve west-east transportation in western Riverside County (County) between Interstate 215 (I-215) in the west and State Route 79 (SR-79) in the east, a distance of approximately 16 miles. The project will construct a new freeway, known as the MCP, which will provide a direct and continuous route connecting major population/employment centers as identified in the Land Use Elements of the County of Riverside General Plan and the General Plans of the Cities of Perris and San Jacinto. The joint Final EIR/EIS, completed in April 2015, is incorporated in this ROD by reference.

The Notice of Availability for the Final EIR/EIS and Final Section 4(f) Evaluation was published in the Federal Register on April 24, 2015.

As described in the Final EIR/EIS (Section 1.3.1, page 1-14), the objectives of the MCP Project are to:

- 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.

FHWA based its decision on the following:

- April 2015 Final EIR/EIS
- Technical studies in support of the Final EIR/EIS (2005 to 2014); those reports are listed in Appendix G, List of Technical Studies, in the Final EIR/EIS
- Consideration of substantive comments received on the January 2013 Recirculated Draft EIR/Supplemental Draft EIS and the January 2014 “Recirculated Sections of Chapter 4.0 (III, Air Quality; VII, Greenhouse Gases; 4.5, Climate Change; and Table 4.10)”

1.0 DECISION

This ROD approves the selection of the preferred alternative identified in the Final EIR/EIS as the project for implementation. The selected alternative will provide a six-lane controlled-access east-west freeway in western Riverside County between the Cities of Perris and San Jacinto, including a southerly alignment through the City of Perris along Placentia Avenue. The selected alternative for the MCP Project will include system interchanges at I-215 and SR-79 and service interchanges at several local roads.

As documented in the Final EIR/EIS (Section 2.5, starting on page 2-70), after considering public comments and coordinating with federal and state regulatory agencies and local stakeholders, it was determined that Alternative 9 Modified with the San Jacinto River Bridge Design Variation and the base case alignment in the City of San Jacinto (Alternative 9 Modified SJRB DV) is the Environmentally Preferable Alternative and is the Least Environmentally Damaging Practicable Alternative (LEDPA). This determination was based on an evaluation process consistent with the Memorandum of Understanding for the NEPA and Clean Water Act Section 404 Integration Process for Federal Aid Surface Transportation Projects in California April 2006 (NEPA/404 MOU). The United States Army Corps of Engineers (USACE), the United States Environmental Protection Agency (USEPA), and the United States Fish and Wildlife Service (USFWS) concurred in the determination that Alternative 9 Modified SJRB DV was the preliminary LEDPA (Final EIR/EIS, Section 2.5.4, page 2-97). The Alternative 9 Modified SJRB DV has also been identified by FHWA as the selected alternative (Final EIR/EIS, Section 2.5.5, page 2-98).

2.0 ALTERNATIVES CONSIDERED IN THE EIR/EIS (FINAL EIR/EIS, SECTION 2.3, STARTING ON PAGE 2-8)

Three Build Alternatives (Alternatives 4 Modified, 5 Modified, and 9 Modified) with two design variations (SJRB DV and San Jacinto North Design Variation [SJNI DV]) and two No Project/No Action Alternatives (Alternatives 1A and 1B) were evaluated in the Final EIR/EIS. This ROD summarizes the key features of the alternatives evaluated in the Final EIR/EIS.

2.1 Build Alternatives (Final EIR/EIS, Section 2.3, starting on page 2-8)

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). CETAP was one component of a comprehensive regional planning process called the Riverside County Integrated Project (RCIP), which provided for an integrated land use, transportation, and habitat conservation plan. A Draft Tier 1 EIR/EIS for the HCLE Corridor circulated for public review in 2002 considered 14 build alternatives that extended from San Jacinto/Hemet on the east to Corona/Lake Elsinore on the west. The alternatives included highway alternatives and transit options such as expanded bus and commuter rail services. Several alternatives were variations of routes along Ramona Expressway and Cajalco/El Sobrante Road, in the northwest part of the HCLE study area. Transportation analyses were conducted for these and other alternatives to the south, along segments of State Route 74 (SR-74), Domenigoni Parkway, Ethanac Road, and Newport Road. Those analyses indicated that the alternative with the greatest transportation benefit was the alternative along Ramona Expressway, Cajalco Road, and El Sobrante Road, with a connection to Interstate 15 (I-15). That 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. Public comments on the Draft Tier 1 EIR/EIS identified concerns regarding adverse impacts to existing communities for the segments of the alternatives north of Lake Mathews. As a result of the information 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 east-west alternative that included the Ramona Expressway/Cajalco Road alignment 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. Alternative 9 Modified and the other two Build Alternatives evaluated in the EIR/EIS for the MCP Project are described in the following sections.

2.1.1 Alternative 9 Modified (MCP Project, the Selected Alternative) (Final EIR/EIS, Section 2.3.1.3, page 2-17)

As noted earlier, Alternative 9 Modified is the selected alternative for the MCP Project. Alternative 9 Modified will provide a six-lane controlled-access freeway on a southern alignment through the City of Perris along Placentia Avenue. Alternative 9 Modified includes the following service and systems interchanges:

- (1) Redlands Avenue
- (2) Evans Avenue
- (3) Ramona Expressway/Antelope Road

- (4) Bernasconi Road
- (5) Reservoir Avenue
- (6) Town Center Boulevard (proposed new arterial shown on the Riverside County General Plan)
- (7) Park Center Boulevard (proposed new arterial shown on the Riverside County General Plan)
- (8) Warren Avenue, one new interchange at I-215
- (9) I-215 /Placentia Avenue, one modified interchange at I-215
- (10) I-215/Cajalco Road/Ramona Expressway, one new interchange at SR-79
- (11) SR-79/Ramona Expressway/Sanderson Avenue
- (12) MCP/I-215
- (13) MCP/SR-79

Alternative 9 Modified includes the following improvements to I-215:

- (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 between the MCP and I-215.
- (2) The addition of an operational/mixed-flow lane from 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 Harley Knox Boulevard to facilitate weaving on I-215.
- (4) The addition of a new interchange on I-215 at Placentia Avenue.
- (5) Modification of the existing interchange at I-215/Cajalco Road/Ramona Expressway and restriping at the existing I-215/Nuevo Road interchange.
- (6) Realignment of I-215 to the east, due to limited right of way on the west side, from Ramona Expressway to Harley Knox Boulevard.
- (7) Ramp modification to the existing Harley Knox Boulevard interchange.
- (8) Access to Cajalco Road/Ramona Expressway is precluded from I-215/MCP direct connectors and is via the Perris Boulevard/MCP interchange.

Alternative 9 Modified includes two design variations: SJRB DV and SJN DV, described later in this ROD.

2.1.2 Alternative 4 Modified: North Perris (Drain) (Final EIR/EIS, Section 2.3.1.1, page 2-9)

Alternative 4 Modified proposes a six-lane controlled access freeway on a northern alignment through the City of Perris, adjacent to the Perris Drain. Alternative 4 includes

the same system and service interchanges, improvements to I-215, and design variations as Alternative 9 Modified.

2.1.3 Alternative 5 Modified: South Perris (at Rider Street) (Final EIR/EIS, Section 2.3.1.2, page 2-13)

Alternative 5 Modified proposes a six-lane controlled-access freeway, on a central alignment through the City of Perris along Rider Street. Alternative 5 Modified includes the same systems and service interchanges, I-215 improvements, and design variations as Alternative 9 Modified.

2.1.4 Design Variations for the Build Alternatives (Final EIR/EIS, Section 2.3.1.4, starting on page 2-17)

2.1.4.1 San Jacinto River Bridge Design Variation (SJRBDV) for Alternatives 4, 5, and 9 Modified

The base case design in all three Build Alternatives proposes one 4,321-foot-long bridge to span the entire San Jacinto River floodplain and Martin Street. Under the SJRBDV, the MCP Project would include two bridges in the Lakeview Nuevo area, a 508-foot-long bridge spanning Martin Street and a 1,953-foot-long bridge spanning the San Jacinto River, for a total of 2,461 linear feet of bridge. The SJRBDV would also include a total of 1,849 linear feet of fill on either end of the bridges within the same limits as the base case bridge design. In both the base case and the SJRBDV, the bridges would be south of the existing 255-foot long Ramona Expressway Bridge over the San Jacinto River, which would not be modified by any of the Build Alternatives.

2.1.4.2 San Jacinto North Design Variation (SJNDV) for Alternatives 4, 5, and 9 Modified

Under the SJNDV, the alignment diverges from the base case alignment from west of Warren Road, following an alignment to the east approximately 1,140 feet north of the existing Ramona Expressway, including a connection to existing Ramona Expressway from Warren Road, similar to the base case design.

2.2 No Build/No Action Alternatives (Final EIR/EIS, Section 2.3.4, starting on page 2-67)

2.2.1 Alternative 1A: No Build/No Action—Existing Ground Conditions

This alternative assumes 2040 land use conditions and implementation of transportation improvements to the regional and local circulation system, as accounted for in the adopted Riverside County General Plan (2008), RCTC's Measure A program, and other adopted transportation plans and policies. Alternative 1A represents 2040 traffic on the planned street network with the existing Ramona Expressway and no MCP Project. Future west-east traffic would be served by the existing Ramona Expressway between I-215 and SR-79.

2.2.2 Alternative 1B: No Build/No Action—General Plan Circulation Element Conditions

Alternative 1B represents 2040 traffic levels on the planned street network, based on the Circulation Element in the Riverside County General Plan including improvements to Ramona Expressway but no MCP Project. Under Alternative 1B, Ramona Expressway would be widened to a six-lane arterial street as needed to meet expected traffic demand. These improvements would result in the construction of a six-lane roadway along Ramona Expressway between I-215 and SR-79.

2.3 Alternatives Considered and Withdrawn from Further Study (Final EIR/EIS, Section 2.6, starting on page 2-117)

Several alternatives were evaluated and eliminated from further study during the alternatives refinement and EIR/EIS process for the MCP Project. Eight alternatives were presented in scoping meetings in 2004 for the MCP Project. After the Notice of Intent and the Notice of Preparation were published in 2004, Caltrans conducted a *Value Analysis Study* (2005) to determine whether other alignment refinements could more effectively and efficiently meet the project purpose and need. As a result of the *Value Analysis Study*, new information was developed with regard to the practicability of some of the alternative alignments, as well as opportunities to further avoid or minimize adverse environmental impacts to existing habitat reserves, Section 404 aquatic resources, Section 4(f) properties, and existing communities. During that same period, engineering studies, environmental studies, fieldwork, public scoping meetings, and traffic modeling were conducted for the MCP Project. Based on those studies and consistent with the procedures and analytical requirements of the NEPA/404 MOU, the MCP Resource Agency Coordination group considered and approved a refined set of alternatives to be evaluated in the Draft EIR/EIS for the MCP. That revised set of alternatives included the following changes:

- Elimination of Alternatives 2 and 3 that included a parkway north of Lake Mathews due to engineering feasibility issues;
- Rerouting of a segment of Alternatives 4 and 6 away from the Perris Dam due to engineering safety concerns raised by the California State Department of Water Resources;
- Renumbering Alternative 8 to Alternative 1B (No Build/No Action General Plan Circulation Element Conditions); and
- Adding Alternative 9, which avoided the Metropolitan Water District of Southern California (Metropolitan) reserve lands established by the Lake Mathews Multiple Species Habitat Conservation Plan (MSHCP).

Five 32-mile-long parkway alternatives (Alternatives 4, 5, 6, 7, and 9) between I-15 and SR-79 evaluated in a 2008 Draft EIR/EIS were eliminated from further analysis as a result of the modification to the project limits in response to two primary concerns expressed during public review of that Draft EIR/EIS:

- Concern about the cost and timing of available funds for the project. Many comments noted that, given the current economy and difficulty in securing funding for the entire project, limited financial resources should be focused on areas of greatest need.
- Suggestions that making improvements to existing facilities rather than building the MCP facility would be a better expenditure of public funding in the western part of the project area between I-15 and I-215. In that area, improving existing facilities, such as Cajalco Road, instead of building the MCP facility would minimize impacts to the rural communities of Gavilan Hills and Lake Mathews Estates, as well as existing habitat reserves. Impacts to rural communities and existing habitat reserves were major concerns raised in the public comments.

Based on those public concerns, the MCP Project limits were modified to extend between I-215 and SR-79 (a distance of approximately 16 miles) instead of from I-15 to SR-79 (a distance of approximately 32 miles). As a result, the following alternatives were withdrawn from further study in the 2013 Recirculated Draft EIR/Supplemental Draft EIS:

- **Alternative 4 (South Lake Mathews/North Perris (Drain) Alternative):** Provide a six- to eight-lane controlled-access parkway south of Lake Mathews with a northern alignment through the City of Perris, adjacent to the Perris Drain.
- **Alternative 5 (South Lake Mathews/South Perris (Rider Street) Alternative):** Provide a six- to eight-lane controlled-access parkway located south of Lake Mathews with a southern alignment through the City of Perris along Rider Street.
- **Alternative 6 (General Plan/North Perris (Drain) Alternative):** Implementation of General Plan Circulation Element improvements between I-15 and El Sobrante Road and a new six- to eight-lane controlled-access parkway east of El Sobrante Road to SR-79, including a four-lane urban arterial north of Lake Mathews, a four-lane controlled-access expressway south of Lake Mathews, west of El Sobrante Road, and a six- to eight-lane controlled access parkway east of El Sobrante Road, on a northern alignment through the City of Perris.
- **Alternative 7 (General Plan/South Perris Alternative):** Implementation of General Plan Circulation Element improvements between I-15 and El Sobrante Road and a new six- to eight-lane controlled-access parkway east of El Sobrante Road to SR-79 including a four-lane urban arterial north of Lake Mathews, a four-lane controlled-access expressway south of Lake Mathews, west of El Sobrante Road, and a six- to eight-lane controlled access parkway east of El Sobrante Road. This alternative followed a southern alignment through the City of Perris along Rider Street.

- **Alternative 9 (Far South/Placentia Avenue Alternative):** Provide a four- to six-lane controlled-access parkway south of Lake Mathews and Mead Valley, a six- to eight-lane controlled-access parkway between Old Elsinore Road and I-215, and a six- to eight-lane controlled-access parkway between I-215 and SR-79.

3.0 IDENTIFICATION OF THE SELECTED ALTERNATIVE (FINAL EIR/EIS, SECTION 2.5, PAGE 2-70)

As the CEQA and NEPA lead agencies, respectively, RCTC and FHWA identified a Preferred Alternative after comments were received from the public during the public review period of the 2013 Recirculated Draft EIR/Supplemental Draft EIS through a process pursuant to the NEPA/404 MOU. The two-step analysis process to identify the LEDPA is summarized below from the “Preferred Alternative/Preliminary LEDPA Identification (NEPA/404 Checkpoint 3)” technical memorandum provided in Appendix M in the Final EIR/EIS. The two-step process involved first identifying a preferred alignment from Alternatives 4, 5, and 9 Modified, and then, after a preferred alignment was identified, identifying whether any design variations should be included in the project.

3.1 Evaluation of the Alignment Alternatives (Final EIR/EIS, Section 2.5.3.1, starting on page 2-79)

The evaluation criteria used to assess the alignment alternatives included the ability of each alignment to meet the project purpose and need; reasonable and practicable criteria (cost, technological constraints, logistical constraints, and other NEPA/404 criteria); and environmental criteria (water resources/aquatic systems, threatened and endangered species, plant communities, effects on habitat conservation plans (HCPs), Western Riverside County MSHCP, Section 4(f) resources, Section 6(f) lands, cultural resources, land use impacts, socioeconomic/community impacts, air quality impacts, and noise impacts) (Table 2.5.A, starting on page 2-81 in the Final EIR/EIS).

Based on those criteria, the environmental impacts of Alternative 4 Modified were determined to be consistently greater than the impacts of Alternatives 5 and 9 Modified. The impacts to natural resources were 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 was determined to result in slightly more total (permanent and temporary) impacts to federal jurisdictional waters than Alternative 5 Modified (0.6 acre) and would result in fewer acres of disturbed soil and fewer acres of new pavement than Alternative 5 Modified, resulting in lower water quality impacts. Alternative 9 Modified had lower impacts to Riversidean upland scrub communities than Alternative 5 Modified (by 2.4 acres), and fewer impacts to public/quasi-public lands.

With respect to land use and socioeconomic impacts, Alternative 9 Modified would result in fewer business and employee displacements than Alternative 5 Modified. Although Alternative 9 Modified would result in the highest residential displacements, it would not result in a disproportionately high and adverse impact to minority/low income

populations, whereas Alternative 5 Modified would result in such impacts as a result of its impacts to employment-generating land uses. Because Alternative 5 Modified would have these impacts to environmental justice populations and the other Build Alternatives would not, Alternative 5 was eliminated from further consideration pursuant to FHWA's 2011 policy in considering environmental justice impacts in the context of NEPA. Alternative 9 Modified would have the least impacts to designated farmland overall and Prime Farmland, and is the only Build Alternative with no impacts to schools.

The City of Perris identified Alternative 9 Modified as its locally preferred alternative, and specifically 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 6.5 percent) less than Alternative 5 Modified and \$490 million (23 percent) less than Alternative 4 Modified.

In summary, based on detailed evaluation of a range of criteria (Table 2.5.A starting on page 2-81 in the Final EIR/EIS), RCTC recommended to the NEPA/404 MOU signatory agencies (FHWA, Caltrans, USACE, USEPA, and USFWS) that Alternative 9 Modified be designated as the preliminary LEDPA alignment.

3.2 Evaluation of the Section 404 No Federal Action Alternative and the Design Variations (Final EIR/EIS, Section 2.5.3.2, starting on page 2-93)

The evaluation criteria described above were also used to assess the Section 404 No Federal Action Alternative and two design variations for Alternative 9 Modified at the San Jacinto River as described in the following sections.

3.2.1 Section 404 No Federal Action Alternative (Final EIR/EIS, Section 2.5.3.2, starting on page 2-93, and Appendix M in the Final EIR/EIS)

A specific Section 404 No Federal Action Alternative (avoidance alternative) was developed for purposes of compliance with the Section 404(b)(1) Guidelines and USACE regulations (33 CFR 325, Appendix B). The Section 404 No Federal Action Alternative includes measures (e.g., bridges) to fully avoid the placement of dredge or fill within waters of the United States. The Section 404 No Federal Action Alternative would result in no construction that would require a Section 404 permit from the USACE. The Section 404 No Federal Action Alternative follows the Alternative 9 Modified alignment, but provides for bridge structures to be built over the majority of water crossings to fully avoid dredge or fill within waters of the U.S. Alternative 9 Modified was chosen as the base for the Section 404 No Action Alternative because it is the Build Alternative with the least impact to waters of the United States (U.S.). The alignment and proposed interchange locations for the Section 404 No Federal Action Alternative are the same as in Alternative 9 Modified. The Section 404 No Federal Action Alternative would necessitate longer spans for 9 bridge structures and 34 additional bridge structures to completely avoid waters of the U.S. Because the Section

404 No Federal Action Alternative would provide essentially the same highway facility and capacity as Alternative 9 Modified, it would meet the project purpose.

Compared to Alternative 9 Modified, the Section 404 No Federal Action Alternative could result in greater impacts related to several environmental parameters as a result of modifications to 9 bridge structures and the placement of 34 additional bridge structures. Those impacts are increased risks associated with seismic effects on structures as a result of the increased number of bridge structures included in this alternative; increase in short-term air quality and noise effects as a result of the construction of more structures than in Alternative 9 Modified; and use of more concrete, steel, and other materials to construct bridges which would increase greenhouse gas (GHG) emissions attributable to the project.

Compared to Alternative 9 Modified, the Section 404 No Federal Action Alternative could result in beneficial effects or reduced adverse effects related to several parameters, as a result of modifications to 9 bridge structures and the placement of 34 additional bridge structures to avoid waters of the U.S. in and near water courses and floodplains. Those beneficial effects are avoidance of impacts to waters of the U.S. and similar reductions in impacts to other waters; reductions in changes in local hydrology and floodplains; potential for slightly reduced effects on natural communities and associated plants and animals, threatened and endangered species, and wildlife movement, especially in open space or other undeveloped areas, due to greater openness ratios associated with longer bridge spans.

The Section 404 No Federal Action Alternative would not be expected to result in impacts substantially different than the impacts of Alternative 9 Modified related to growth, utilities and emergency services, traffic and transportation, cultural resources, paleontology, hazardous materials and wastes, water quality and storm water runoff, long-term air quality and noise, and invasive species.

As documented in the Mid County Parkway Preferred Alternative/Preliminary LEDPA Identification (NEPA/404 Checkpoint 3) (Appendix M in the Final EIR/EIS), the Section 404 No Action Alternative was determined not to be practicable because it would add an additional \$340 million (approximately 21 percent more than Alternative 9 Modified) to the cost of the MCP Project. As a result, the Section 404 No Federal Action Alternative was not evaluated any further in the Preliminary LEDPA analysis in Appendix M in the Final EIR/EIS.

3.2.2 SJRB and SJN Design Variations (Final EIR/EIS, Section 2.5.3.2, starting on page 2-93)

Two design variations for Alternative 9 Modified, the SJRB DV and the SJN DV, were evaluated to complete the identification of the preliminary LEDPA. For most of the evaluation criteria, there were few, if any, differences between the Alternative 9 Modified base case and the two design variations as described in the following sections.

3.2.2.1 SJRB Design Variation

Because the SJRB DV requires less bridge structure to construct than the base case design, the SJRB DV would result in a cost savings of \$34 million. The SJRB DV would result in additional impacts related to: aquatic ecosystem functions and values; water quality during construction; sensitive plant communities; and the Western Riverside County MSHCP Criteria Area. Compared to the base case bridge design, the SJRB DV would not result in additional impacts to floodplains, waters of the U.S. or additional impacts to any other listed or special-status plant or animal species associated with the San Jacinto River.

The County of Riverside expressed a preference for the SJRB DV because of the \$34 million in cost savings, resulting in the ability for the RCTC and the County to fund other needed transportation improvements in western Riverside County. Therefore, when considering the additional impacts to San Jacinto River alkali plant communities and the Western Riverside County MSHCP Criteria Area and Conservation Area (both of which are fully mitigated through RCTC's compliance with the Western Riverside County MSHCP) in comparison to the extra cost of \$34 million for the longer bridge (i.e., the base case design), the SJRB DV is a cost-effective design variation that is acceptable to the affected communities and will meet the project purpose with minimal additional environmental impacts.

3.2.2.2 SJN Design Variation

Although the SJN DV would cost \$80 million less than the Alternative 9 Modified base case design, the SJN DV is not acceptable to the City of San Jacinto, the local community directly affected by the SJN DV. The City of San Jacinto has been on record supporting the southerly base case MCP alignment as its preferred alignment since 2007 because of its greater compatibility with future land uses in the City.

In addition to this local preference by the City of San Jacinto, the SJN DV would result in the following adverse effects: it does not meet Caltrans' design criteria for interchange spacing where the MCP would connect to SR-79; it impacts fewer acres of federal jurisdictional waters; however, waters impacted by the SJN DV have a higher value than the federal jurisdictional waters impacted by the base case alignment; it impacts slightly more area of state jurisdictional waters; it results in slightly greater floodplain impacts than the base case alignment; it results in 3.4 acres of permanent impacts to riparian habitat, compared to 2.4 acres under the base case alignment; and it results in greater loss of access for existing and future land uses than the base case alignment.

In summary, although the \$80 million cost savings of the SJN DV is a desirable benefit, the SJN DV is unacceptable to the affected community (the City of San Jacinto) and it results in additional environmental impacts that would not occur under the base case alignment.

3.3 Preliminary LEDPA Determination (Final EIR/EIS, Section 2.5.4, starting on page 2-97)

Based on the analyses described above, RCTC recommended Alternative 9 Modified, with the SJRB DV and the base case southerly alignment through the City of San Jacinto, as the Preliminary LEDPA.

A NEPA/404 Integration Checkpoint 3 coordination meeting with the USFWS, the USACE, and the USEPA was held on December 18, 2013. Pursuant to the procedures stipulated in the NEPA/404 MOU, FHWA formally requested each agency's Concurrence/Agreement on the Preliminary LEDPA in letters to the agencies dated December 19, 2013.

In a letter dated February 6, 2014, the USACE concurred with the determination that Alternative 9 Modified SJRB DV is the preliminary LEDPA.

In a letter dated February 10, 2014, the USEPA agreed that the Alternative 9 Modified base case design, with the base case southerly alignment and the SJRB DV, is the preliminary LEDPA.

In a letter dated February 18, 2014, the USFWS agreed with the selection of Alternative 9 Modified SJRB DV as the preliminary LEDPA subject to the inclusion of mitigation that provides biologically equivalent or superior preservation of sensitive alkali plant species.

In letters dated April 16, 2014, Caltrans notified the USFWS, the USACE, and the USEPA that the transportation agencies (FHWA, RCTC, and Caltrans) made the decision to identify Alternative 9 Modified with the base case southerly alignment and the SJRB DV as the Preliminary LEDPA for the MCP Project.

This completed compliance with Checkpoint 3 in the NEPA/404 MOU.

4.0 REFINEMENTS OF THE SELECTED ALTERNATIVE (FINAL EIR/EIS, SECTION 2.5.5, STARTING ON PAGE 2-98)

After Alternative 9 Modified SJRB DV was identified as the selected alternative, RCTC and FHWA evaluated two refinements to that alignment, to further reduce the environmental effects of the MCP Project. Those refinements, which have been incorporated in the selected alternative, are described in the following sections.

4.1 Alignment Refinement in the Vicinity of the San Jacinto Wildlife Area (Final EIR/EIS, Section 2.5.6.1, starting on page 2-98)

RCTC and FHWA evaluated a refinement to the alignment of the selected alternative to avoid the permanent or temporary use of land from the San Jacinto Wildlife Area. The original alignment would have resulted in the permanent use of 3.4 acres of land from the San Jacinto Wildlife Area. The refinement realigned an approximately 1.5-mile-long segment of the MCP facility between Antelope Road and Bernasconi Road, which

resulted in minor changes in the amount of right of way needed for the project, and changes in the environmental effects associated with that segment of the MCP Project, including avoiding direct impacts to 3.4 acres of land from the San Jacinto Wildlife Area and reduced impacts to Los Angeles pocket mouse (LAPM) habitat, which is also habitat that potentially supports Stephens' kangaroo rat and Coastal California gnatcatcher. Because the realignment will not individually or cumulatively result in new adverse environmental impacts, and no new avoidance, minimization, and/or mitigation measures will be required, this realignment was incorporated in the alignment of the selected alternative by RCTC and FHWA.

4.2 Design Refinements to Reduce Impacts to the Los Angeles Pocket Mouse and Other Species Covered Under the Western Riverside County MSHCP (Final EIR/EIS, Section 2.5.6.2, starting on page 2-114)

The original Alternative 9 Modified alignment between approximately Antelope Road and Bernasconi Road would have permanently impacted 44 acres of LAPM habitat. RCTC and FHWA evaluated three retaining walls (totaling 5,203 linear feet on the north side of the MCP facility) that would reduce the project impacts on LAPM habitat. The use of those retaining walls resulted in a reduction of 23 acres of LAPM habitat impacted by Alternative 9 Modified. Because these walls will reduce impacts on that habitat, RCTC and FHWA incorporated those three retaining walls into the design of the selected alternative.

4.3 Selected Alternative (Final EIR/EIS, Section 2.5.5, Page 2-114)

In summary, the selected alternative for the MCP Project is Alternative 9 Modified SJRB DV and with the additional refinements in the vicinity of the San Jacinto Wildlife Area and between Antelope Road and Bernasconi Road described above.

5.0 SECTION 4(F) (FINAL EIR/EIS, APPENDIX B)

Section 4(f) of the Department of Transportation Act of 1966 (49 USC 303) declares that it is the policy of the United States Government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites. The Section 4(f) Evaluation (Appendix B in the Final EIR/EIS) provides specific information for each of the identified properties and/or resources.

The *Historic Property Survey Report and Attachments* (June 2012) determined that one property, P-33-16598 (CA-RIV-8712) Multi-Use Prehistoric Site, is eligible for the National Register of Historic Places (National Register) and four milling station sites (P-33-19862, P-33-19863, P-33-19864, and P-33-19866) were assumed eligible for the National Register for purposes of this project. As a result, those five properties were evaluated under Section 4(f).

5.1 Use of Section 4(f) Properties

As discussed in Appendix B in the Final EIR/EIS, Alternative 9 Modified SJRB DV will result in permanent use under Section 4(f) at the following properties:

- P-33-16598 (CA-RIV-8712) Multi-Use Prehistoric Site
 - Permanent use of 2.6 acres of land on the north side of, and within the boundary of, this National Register eligible site, or approximately 3.3 percent of the total area of this site.
 - There will be no temporary use of land from, and no permanent surface, aerial, or subsurface easements at, this site.
- P-33-19862, P-33-19863, P-33-19864, and P-33-19866: Milling Station Sites
 - Permanent use of all of the land occupied by these sites, which were assumed eligible for the National Register for purposes of this project.
 - There will be no temporary use of land from, and no permanent surface, aerial, or subsurface easements at these sites.

5.2 Minimization and Mitigation Measures

The FHWA, the State Historic Preservation Officer (SHPO), and nine Native American Tribes were involved in a consultation process to identify and develop measures to minimize and mitigate the project effects at P-33-16589 (CA-RIV-8712), the Multi-Use Prehistoric Site, and P-33-19862, P-33-19863, P-33-19864, and P-33-19866, the Milling Station Sites. Caltrans and RCTC also participated in the consultation regarding measures to address those project effects. Those measures are provided in an MOA between FHWA and SHPO, with Caltrans and RCTC as Invited Signatories to the MOA and the nine Native American Tribes as Concurring Parties to the MOA. The MOA is provided in Appendix U, Memorandum of Agreement between the Federal Highway Administration and the California State Historic Preservation Officer Regarding the Mid County Parkway Project, in the Final EIR/EIS. Those measures are provided in detail in the Environmental Commitments Record (ECR) provided as Attachment A to the ROD. Those measures are CUL-1 (prepare a Cultural Landscape Study of western Riverside County focused on the region surrounding the MCP Project Area of Potential Effects), CUL-2 (conduct analysis of surface residue from the milling station sites), CUL-3 (implement the Archaeological Discovery and Monitoring Plan), CUL-4 (use of archaeological monitors including Native American monitors per the Archaeological Discovery and Monitoring Plan), CUL-5 (management and disposition of Native American burials, human remains, cremations, and associated grave goods), CUL-6 (curation of archaeological collections) and CUL-7 (Native American consultation).

6.0 SUMMARY OF BENEFICIAL PROJECT EFFECTS

The MCP Project will result in the following beneficial effects:

- The MCP Project will improve west-east transportation in western Riverside County between I-215 and SR-79 by providing a direct and continuous route connecting major population and employment centers as identified in the Land Use Elements of the County of Riverside General Plan and the General Plans of the Cities of Perris and San Jacinto.
- The MCP Project will serve an area in western Riverside County that has undergone and will continue to undergo population and employment growth. The population in Riverside County is expected to double, from 1.5 million residents in 2010 to approximately 3.3 million residents by 2025, and employment is projected to increase to 1.29 million jobs by 2035. The MCP Project will link the population centers of the Cities of Perris and San Jacinto in western Riverside County.
- Riverside County is an origin for many commuters traveling to jobs in Orange and Los Angeles Counties. The west-east corridor provided by the MCP Project is a needed connection to facilitate regional traffic movement and to meet future west-east travel demand. The MCP Project will improve mobility within the project limits by enabling people to travel between I-215 and SR-79 in 14 minutes compared to 44 minutes in the No Build condition during a typical weekday peak hour (Table 3.6.M, page 3.6-5 in the Final EIR/EIS).
- The west-east corridor provided by the MCP Project will accommodate the movement of goods and services, as well as people, between and through the Cities of Perris and San Jacinto. The Perris/Moreno Valley/March Air Reserve Base area is an existing and growing major distribution hub for goods in the Inland Empire. The development of that area as a major goods distribution center will result in increased travel demand by commuters, as well as by trucks carrying goods in and out of the area, which would be served in part by the MCP Project.
- The alignment of the MCP Project through the City of Perris offers an opportunity to create a link between the MCP Project and two major transit projects in the City, the Perris Valley Line and the Perris Multimodal Facility. The Perris Valley Line will provide commuter rail service from the City of Perris to the City of Riverside and areas to the west by extending existing service (Metrolink 91 Line) that links the City of Riverside with downtown Los Angeles via Fullerton. The Perris Valley Line will connect with the Perris Multimodal Facility in downtown Perris off C Street and will provide for connecting bus (including the Riverside Transit Agency) and rail (including Metrolink) service. The Perris Multimodal Facility is in proximity to the MCP Project. By reducing travel time and traffic congestion in the MCP study area, the MCP Project will help improve accessibility to stations serving the Perris Valley Line.
- The MCP Project will have beneficial effects on the ability of the Riverside County Fire Department and the Riverside County Sheriff's Department to provide services in the MCP Project area. Emergency response times will be improved because the ability to move fire protection and emergency service resources from one area to another will be enhanced by the improved transportation network.

- Two bioswales and 36 infiltration basins included in the MCP Project will treat 114.8 percent of the net new impervious surface area for the MCP Project and will specifically target constituents of concern from the transportation facilities. Because runoff in the area is currently untreated and the project BMPs will treat existing and new impervious surface areas, the MCP Project will result in a net benefit to water quality.
- Treated storm water runoff from the freeway to riparian/riverine areas will be used to provide additional water to maintain riparian vegetation that is already established and will provide water to create riparian/riverine conditions where they do not currently exist at mitigation sites for jurisdictional waters.

7.0 SUMMARY OF ADVERSE ENVIRONMENTAL IMPACTS AND MINIMIZATION AND MITIGATION MEASURES (FINAL EIR/EIS, CHAPTER 3.0)

The adverse environmental impacts and minimization and mitigation measures for the MCP Project are summarized in the following sections. The complete language of each measure is provided in the ECR attached to this ROD.

7.1 Existing and General Plan Land Uses (Final EIR/EIS, Section 3.1.1.2, starting on page 3.1-37)

The *Air Installation Compatible Use Zone Study for March Air Reserve Base* (2005) is the airport land use plan for March Air Reserve Base. The west segment of the MCP Project, from I-215 to approximately Antelope Road, is within the March Air Reserve Base Influence Area. In the City of Perris, the MCP Project is aligned perpendicularly through Influence Zones B1, B2, C1, C2, D, and E. Near I-215, the MCP Project is aligned perpendicularly through Zones B1, B2, C1, C2, D, and E. As required by the *Air Installation Compatible Use Zone Study*, objects taller than 35 feet are subject to airspace review for Zones B1 and B2, and objects taller than 70 feet are subject to airspace review in Zones C1, C2, D, and E. The light standards for the MCP facilities will not exceed 35 feet in height. The MCP/Redlands Boulevard interchange in Influence Zones B1 and B2 will also be less than 35 feet high. However, the MCP/I-215 interchange in the City of Perris will be between 75 and 100 feet high and is within Zone C2. That interchange will be subject to airspace review during final design to ensure the MCP Project does not introduce new hazards to the operation of the March Joint Powers Authority Airport on the March Air Reserve Base.

The MCP Project will permanently convert existing residential, commercial (retail/office), industrial, transportation (existing roads), agricultural, open space, parklands, and undeveloped lands to transportation uses. Among existing land uses, agricultural uses will be the most impacted category, followed by vacant land, and transportation, residential, and commercial uses.

Construction of the MCP Project will temporarily affect nearby land uses by disrupting local traffic patterns and vehicular and pedestrian access to residences and businesses;

and increasing traffic congestion, noise, vibration, and dust. Loss of access could cause some businesses to close or relocate during a prolonged construction period.

Minimization and/or Mitigation Measures. Measure LU-4 will provide for an airspace review of the MCP Project to ensure that the MCP Project does not introduce new hazards to the operations at March Joint Powers Authority Airport.

The following measures will minimize impacts related to compatibility with existing land uses during construction: Measures LU-1 (providing for pedestrian and vehicular access adjacent to and around construction areas), LU-2 (providing for pedestrian access during project operation), and LU-3 (implementation of a public information field office during construction). However, these measures will not completely eliminate those impacts of the MCP Project. In addition, as part of the Traffic Management Plan specified in Measure TR-1 (discussed later in this ROD), a plan to maintain business access will be provided during project construction.

7.2 Consistency with State, Regional, and Local Plans (Final EIR/EIS, Section 3.1.2.2, starting on page 3.1-51)

The segments of the MCP Project that follow existing Ramona Expressway (specifically between Antelope Road and SR-79) are generally consistent with local agency land use plans because these areas have been planned to include future construction of either a CETAP corridor or a General Plan road as an expressway or urban arterial. Because the City of San Jacinto General Plan Circulation Element (Figure C-2, Roadway System) shows an MCP facility in that area, the MCP Project would be compatible with planned land uses in the City of San Jacinto and unincorporated areas under the jurisdiction of the County of Riverside.

In areas where the MCP Project does not follow the alignment of the original CETAP corridor along Ramona Expressway, there will be land use compatibility impacts. In the City of Perris between I-215 and Antelope Road, the MCP Project crosses areas where there are existing and planned residential, commercial, and industrial uses. In Perris, the alignment does not follow the alignment of the original CETAP corridor and is in areas where no road currently exists or is planned, or where the existing or planned roads are two- to six-lane arterials (e.g., Placentia Avenue and Rider Street in the City of Perris), rather than the six-lane limited access MCP Project.

The MCP Project is inconsistent with Land Use Policies LU 16.2 and 16.4 in the Riverside County General Plan, which are intended to protect agricultural lands. It is also inconsistent with designated roads and land uses in the City of Perris General Plan because it does not follow original CETAP alignment.

Minimization and/or Mitigation Measures. Under Measure LU-5, RCTC will request the County of Riverside and the City of Perris to amend their respective General Plans to reflect the MCP Project alignment, interchange locations, and modification of land use designations for property that will be acquired for the project to provide consistency between the MCP Project and those General Plans. While Measure LU-5 is not

enforceable, it is expected that these amendments will be approved because of RCTC's ongoing coordination with the County and Cities.

7.3 Parks and Recreational Facilities (Final EIR/EIS, Section 3.1.3.2, starting on page 3.1-65, and Appendix B)

The MCP Project will result in temporary impacts to one park and several recreational trails. Liberty Park in the City of Perris would be temporarily impacted by an approximately 0.01 acre temporary construction easement (TCE) on the south side of the park needed during construction of a retaining wall. Due to the small scale and temporary nature of the TCE, that TCE will not constitute a use under Section 4(f). As part of the formal consultation under Section 4(f) regarding the effects of the MCP Project on Liberty Park, FHWA requested the City of Perris's concurrence with the determination that the TCE at Liberty Park under Alternative 9 Modified SJRB DV will not trigger the requirement for protection under Section 4(f). The City of Perris concurred with that determination in a letter to FHWA dated February 20, 2014; that letter is provided in Attachment B, Consultation Correspondence, in Appendix B in the Final EIR/EIS.

The MCP Project will also result in temporary impacts to several regional, bike, and community trails as a result of temporary trail closures and/or rerouting during construction. However, those impacts to trails and trail users will be temporary and will cease on project completion.

Minimization and/or Mitigation Measures. The following measures will minimize impacts to pedestrian facilities and trails during construction: Measures LU-6 (development and implementation of a *Pedestrian and Trail Facilities Temporary Closure Plan* addressing short-term impacts to existing pedestrian facilities and trail crossings), LU-7 (Coordination of temporary closures of trails and trail detours with the Riverside County Department of Public Works), LU-8 (provision of signing for alternative trail routes and detours during construction), LU-9 (provision of contact information at trail detours regarding upcoming or active trail closures), LU-10 (restoration of trail segments closed temporarily during construction to their original, or better, condition after completion of construction), LU-11 (coordination of permanent trail closures and maintenance of trail connectivity in the community), and LU-12 (coordination of permanent trail changes with the affected local jurisdictions to maintain trail connectivity in the community). In addition, Measure TR-1 will also minimize impacts to trails and trail users during construction.

7.4 Growth (Final EIR/EIS, Section 3.2.3, starting on page 3.2-4)

Because of its inclusion as a CETAP corridor in the overall Riverside County Integrated Project (RCIP) planning process that led to its inclusion in the updated Riverside County General Plan and inclusion as a covered project in the Western Riverside County MSHCP, the MCP Project is not expected to result in adverse growth-related effects. The CETAP corridors were an integral component of the RCIP to provide transportation infrastructure to support existing and approved land uses, and planned land uses in the

Riverside County General Plan. However, some segments of the MCP Project are in areas not previously analyzed under CETAP and, therefore, those areas may be subject to growth-related effects to resources of concern.

Minimization and/or Mitigation Measures. Any MCP Project growth-related effects impacting environmental resources of concern in areas previously not addressed through the RCIP will be minimized based on compliance with the Western Riverside County MSHCP, and the Habitat Conservation Plan for the Stephens' Kangaroo Rat, as well as compliance of local agencies with land use approval authority (County of Riverside, City of Perris, and City of San Jacinto) with the policies in their respective General Plans.

7.5 Farmlands/Timberlands (Final EIR/EIS, Section 3.3.3, starting on page 3.3-7)

The MCP Project will convert approximately 1,043 acres of Prime Farmland, Farmland of State Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land to transportation uses. According to the Natural Resource Conservation Service (NRCS) requirements for completing instructions for completing Form NRCS-CPA-106 to analyze farmland conversion impacts, sites receiving a total score of less than 160 points shall be given a "minimum level of consideration for protection." Based on its score of 137 points, the MCP Project should be given the "minimum level of consideration for protection," and no further analysis was needed for farmland issues under the Farmland Protection Policy Act.

The MCP Project was aligned to minimize impacts to agricultural lands (e.g., routing the alignment along the edges of agricultural parcels rather than dividing them). Potential indirect impacts to farmlands will be minimized through the compliance of local agencies with land use approval authority (County of Riverside, City of Perris, and City of San Jacinto) with the policies contained in their respective General Plans. Therefore, the MCP Project is not expected to result in adverse impacts to farmlands or inconsistencies with these General Plans.

Temporary impacts to farmland as a result of construction of the MCP Project will occur due to the proximity of construction activities to field crops or grazing lands.

The MCP Project will affect 70.6 acres of land held in Williamson Act contracts for farmland conservation in California, which will be a conflict with those contracts.

Minimization and/or Mitigation Measures. The following measures will minimize temporary impacts on agricultural operations during construction of the MCP Project and will ensure the project complies with the Williamson Act notification procedures: Measures AG-1 (written notification to agricultural property owners or leaseholders immediately adjacent to the disturbance to provide them sufficient lead time to make any changes to their operations due to MCP Project construction), AG-2 (coordination with agricultural property owners or leaseholders to provide temporary livestock and equipment crossings of the MCP right of way), AG-3 (final design will include permanent realignments of affected access roads to provide equipment crossings to minimize

impediments to routine agricultural operations during operation of the MCP Project), and AG-4 (required notices will be sent to the Director of Conservation and the local governing body responsible for the administration of agricultural preserves pursuant to Section 51291 of the Williamson Act for any part of the MCP Project within established agricultural preserves). In addition to these measures, the MCP Project will be required to comply with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (as amended) (Uniform Act) for the acquisition of any farmlands (Measure CC-3, discussed later in this ROD). Fugitive dust emissions from grading and exhaust emissions from construction equipment will be minimized through implementation of air quality and dust control measures (Measures AQ-1 through AQ-6, discussed later in this ROD). Noise impacts during construction will be minimized through implementation of Caltrans Standard Specification, Section 5-1, "Sound Control Requirements," and compliance with local jurisdictions' Noise Ordinances (Measures N-2 and N-3, discussed later in this ROD).

7.6 Community Impacts: Community Character and Cohesion (Final EIR/EIS, Section 3.4.1.3, starting on page 3.4-25)

The MCP Project will result in a physical change that will permanently alter the character of existing communities in the study area as a result of the construction of a six-lane controlled access freeway. The MCP Project will also benefit these communities by providing improved mobility in the area and better connectivity to other parts of the project area, western Riverside County, and the Southern California region as a whole.

The MCP Project will bisect a residential community between Placentia Avenue and Rider Street and a group of businesses in the northeast quadrant of the MCP Project/Redlands interchange in the City of Perris.

The MCP Project will not result in direct impacts to schools.

The MCP Project was aligned to avoid existing and planned communities as much as possible. Overcrossings and undercrossings included in the MCP Project will help maintain connectivity within communities bisected by the MCP Project.

Minimization and/or Mitigation Measures. Measures LU-1 and LU-2, discussed earlier in this ROD, will reduce the impacts of the MCP Project on community cohesiveness during construction by ensuring that pedestrian circulation and access are maintained during construction. As discussed later in this ROD, Measure TR-1, which provides for a Transportation Management Plan (TMP) during construction, will reduce temporary construction-related impacts to communities. Additional measures that address potential effects of the MCP Project related to community character and cohesion are Measures CC-1 (school crossing guards or contractor traffic control staff in the vicinity of any construction areas near schools in and near the project limits when students are present) and CC-2 (restoration of the disrupted areas in residential communities along Placentia Avenue with landscaping and hardscape treatments

consistent with the area's existing community character consistent with Measures VIS-3, VIS-4, and VIS-5, which are discussed later in this ROD).

7.7 Community Impacts: Relocations and Real Property Acquisitions (Final EIR/EIS, Section 3.4.2.3, starting on page 3.4-34)

The MCP Project will result in the following property acquisitions and displacements:

- Residential displacements: 99 housing units
- Nonresidential displacements: 29 parcels
- Total full parcel acquisitions: 128 parcels
- Businesses displaced: 35 businesses
- Residents displaced: 396 residents
- Employees displaced: 171 employees

The MCP Project will result in an annual loss of property tax revenues of nearly \$540,000 and loss of sales tax revenues of nearly \$1,522,000. Considering the abundant housing stock developed in recent years in the MCP Project area, as well as numerous other planned residential development projects, a sufficient replacement dwellings meeting decent, safe, and sanitary standards exist in the affected and neighboring communities. It is anticipated that finding replacement housing for owner or tenant-occupied residences will not present unusual problems. However, it may be difficult to relocate residents from mobile homes. The inventory for mobile home unit sales and rentals is scarce, and the area lacks in-kind mobile home replacement housing suitable as decent, safe, and sanitary. One option is for mobile home displacees to relocate into slightly larger single-family residences.

TCEs will affect properties in the Cities of Perris and San Jacinto, and Riverside County during construction of the MCP Project.

Minimization and/or Mitigation Measures. The following measures will be implemented for the MCP Project to address potential effects related to relocations and real property acquisitions: Measures CC-3 (compliance with the provisions of the Uniform Act and the 1987 Amendments as implemented by the Uniform Relocation Assistance and Real Property Acquisition Regulations for Federal and Federally Assisted Programs, and the conduct of parking studies to address replacement of parking removed as part of partial parcel acquisitions) and CC-4 (the use of Spanish-speaking relocation agents during the right of way acquisition process).

7.8 Community Impacts: Environmental Justice (Final EIR/EIS, Section 3.4.3.3, starting on page 3.4-53)

The MCP Project will result in impacts related to community cohesion, property acquisitions/displacements, aesthetics, air quality, noise, including those types of effects

on environmental justice populations. The MCP Project will result in impacts related to the acquisition of residential properties and the displacement of residents in areas with minority and low-income populations; however, there is ample supply of existing housing stock in the immediate area that will facilitate the ability to relocate residents within their existing communities. Therefore, the MCP Project is not considered to have disproportionately higher or adverse impacts to environmental justice populations.

The MCP Project will benefit all residents in the study area, including minority and low-income populations, by improving mobility and circulation throughout the MCP project area and this part of western Riverside County.

Minimization and/or Mitigation Measures. The following measures, discussed elsewhere in this ROD, address potential effects of the MCP Project on environmental justice populations related to land use, community character and cohesion, property acquisition/displacements, traffic, aesthetics, air quality, and noise:

- Measures LU-1 and LU-2 under Land Use (Section 7.1 in this ROD)
- Measures CC-1, CC-2, and CC-3 under Community Character and Cohesion (Section 7.6 in this ROD)
- Measures CC-3 and CC-4 under Relocations and Real Property Acquisition (Section 7.7 in this ROD)
- Measures TR-1 to TR-7 under Traffic and Transportation/Pedestrian and Bicycle Facilities (Section 7.10 in this ROD)
- Measures VIS-1 to VIS-7 under Visual/Aesthetics (Section 7.11 in this ROD)
- Measures AQ-1 to AQ-6 under Air Quality (Section 7.18 in this ROD)
- Measures N-1, N-2, N-3, and N-5 under Noise (Section 7.19 in this ROD)

7.9 Utilities and Emergency Services (Final EIR/EIS, Section 3.5.2, starting on page 3.5-3)

Operation of the MCP Project will have beneficial effects on the ability of the Riverside County Sheriff's Department, the Riverside County Fire Department, the City of Perris Fire Department, and the City of Perris Police Department to provide services to the MCP study area.

The MCP Project will require relocation or protection in place of existing utility facilities during construction.

Construction activities, such as temporary road closures, lane closures, and detour routes, could result in traffic delays that could affect the ability of fire, law enforcement, and emergency service providers to meet response time goals in the MCP Project area in the short term.

The risk of wildfires will increase during construction of the MCP Project due to the use of combustion engines in construction equipment, welding equipment, and other sources of combustion.

Minimization and/or Mitigation Measures. The following measures will reduce the temporary impacts of the MCP Project related to wildfires and fire risks during construction, protection of emergency access during construction and operations, and temporary impacts on utility facilities and lines: Measures U&ES-1 (identification of areas adjacent to the project construction limits subject to wildfires, description of when the high fire season is, installation of signs warning of high fire risk), U&ES-2 (maintenance during construction of fire and emergency access roads crossing or immediately adjacent to construction areas), U&ES-3 (provision of long-term access to the existing fire road grid along the project alignment), U&ES-4 (signing of fire hazard areas and fuel modification adjacent to construction limits), U&ES-5 (fire protection activities during construction), U&ES-6 (brush management zones in areas adjacent to existing reserves, the Western Riverside County MSHCP Conservation Area, and other undeveloped lands), U&ES-7 (incorporation of fire, emergency medical, and law enforcement call boxes in the project design), and U&ES-8 (relocation or protection in place of utility facilities). In addition, Measure TR-1, discussed in Section 7.10 in this ROD, will reduce the temporary traffic impacts on emergency services providers during construction.

7.10 Traffic and Transportation/Pedestrian and Bicycle Facilities (Final EIR/EIS, Section 3.6, starting on page 3.6-23)

The MCP Project will not cause an increase in traffic in relation to the existing and projected traffic load and capacity of the street system. Travel times will improve, with the travel time between I-215 and SR-79 at 14 minutes for traffic using the MCP facility.

The MCP Project will result in temporary impacts to traffic circulation due to detours resulting from local road closures and temporary ramp and I-215 mainline lane closures during construction. In addition, the MCP Project will result in temporary and permanent impacts to existing and planned trails that cross the MCP alignment.

The MCP Project will permanently modify access between Ramona Expressway and the San Jacinto Wildlife Area.

Minimization and/or Mitigation Measures. The TMP required in Measure TR-1, which will reduce the temporary construction-related traffic impacts of the MCP Project, will include a public information/public awareness campaign, traveler information strategies, incident management activities, construction management strategies, and implementation of the TMP during construction.

Measure TR-2 will reduce the impacts of the MCP Project related to access to the San Jacinto Wildlife Area by ensuring that access to Davis Road is provided during construction and operation of the MCP Project.

Measures LU-6 through LU-12, discussed earlier in this ROD, address impacts of the MCP Project on existing and planned trails that cross the MCP alignment.

7.11 Visual/Aesthetics (Final EIR/EIS, Section 3.7,3, starting on page 3.7-51)

The MCP Project will result in long-term adverse visual impacts as a result of the permanent alteration of the visual environment by the new highway and its associated bridges, interchange structures, retaining walls, and sound walls.

Short-term visual impacts to sensitive viewers during construction of the MCP Project would include views of demolition of existing structures, clearing of existing vegetation, grading of cut and fill slopes, construction of the MCP roadway and structures, construction vehicles, and construction staging areas. In addition, construction activities may be required during the night, early evening, and/or early morning to minimize impacts to traffic on existing facilities, such as I-215, and lighting will be required to provide a safe work environment during those time periods. Construction activities are temporary, and the adverse visual impacts related to construction activity will cease after completion of construction. The effects of vegetation clearing will gradually decrease over time as landscaping for the MCP Project matures.

Minimization and/or Mitigation Measures. Although the following measures will reduce the adverse visual impacts that may result from the construction and operation of the MCP Project, there will still be a residual visual impact due to the introduction of a major new highway and its associated structures into the visual landscape in the MCP study area: Measures VIS-1 (construction and staging areas will be noted on the project plans and the project will be constructed in accordance with Caltrans Standard Construction Specifications, including measures in the Specifications to address visual impacts during construction), VIS-2 (construction lighting will be properly located and directed within the construction area), VIS-3 (development and implementation of an *MCP Corridor Master Plan*), VIS-4 (incorporation of specific structural, hardscape, and decorative elements including sound walls, retaining walls, and bridge elements), VIS-5 (development and implementation of an *MCP Landscape Plan*), VIS-6 (minimize the removal of existing mature trees), and VIS-7 (implementation of a facility lighting plan).

7.12 Cultural Resources (Final EIR/EIS, Section 3.8,3, starting on page 3.8-14)

Site P-33-16598 (CA-RIV-8712) Multi-Use Prehistoric Site is eligible for listing on the National Register. The MCP Project will result in the permanent incorporation of 2.6 acres of land on the north side of, and within the boundary of, this site (totaling approximately 3.3 percent of the total area of this prehistoric site) into the MCP facility and right of way.

Sites P-33-19862, P-33-19863, P-33-19864, and P-33-19866, the Milling Station sites, are assumed eligible for listing on the National Register for purposes of this project. The MCP Project will fully impact these four sites because they are within the physical footprint of the MCP facility and right of way.

During construction of the MCP Project, there is potential that previously unknown cultural resources and/or human remains could be discovered.

The State Historic Preservation Officer (SHPO) approved the Memorandum of Agreement (provided in Appendix U in the Final EIR/EIS) for the MCP Project on October 30, 2014.

Minimization and/or Mitigation Measures. Measures CUL-1 through CUL-7, discussed earlier in Section 5.2 of this ROD, address the potential effects of the MCP Project on Site P-33-16598 (CA-RIV-8712) Multi-Use Prehistoric Site, the Milling Station sites, and previously unknown cultural resources and human remains if discovered during construction.

7.13 Hydrology and Floodplains (Final EIR/EIS, Section 3.9.3, starting on page 3.9-10)

The MCP Project will cross floodplains at the Perris Valley Storm Drain (transverse encroachment), the San Jacinto River at Lakeview (transverse encroachment), and the San Jacinto River at the SR-79 interchange (longitudinal encroachment). Those encroachments were determined to be low risk and do not present a significant risk to life or property.

The new bridge crossings are on the MCP alignment (not on Ramona Expressway) and, therefore, should result in minimal detours on Ramona Expressway. Fire and emergency service providers may experience detours or limited access during construction. All temporary lane closures and detours will be coordinated with local emergency and jurisdictions to minimize temporary delays in response times. In the long term, the MCP Project will improve the transportation network in the area and will alleviate existing emergency services interruptions caused by flooding.

Potential temporary impacts to natural and beneficial floodplain values include direct impacts caused by grading and construction. Best Management Practices (BMPs) will be implemented during construction and operation of the MCP Project to reduce impacts to beneficial uses of the San Jacinto River.

Minimization and/or Mitigation Measure. Measure FP-1 addresses the need to modify the Federal Emergency Management Agency Flood Insurance Rate Maps to reflect the effects of the MCP Project on 100-year floodplains and floodways (with a Conditional Letter of Map Revision and Letter of Map Revision). In addition, compensatory mitigation for impacts to wetlands and other floodplain values will help reduce impacts to water resource beneficial floodplain values, as discussed in Measures WET-1 through WET-4 in Section 7.22 of this ROD.

7.14 Water Quality and Storm Water Runoff (Final EIR/EIS, Section 3.10.3, starting on page 3.10-17)

Pollutants of concern during construction of the MCP Project include sediment, trash, petroleum products, and chemicals, each of which on its own or in combination with

other pollutants can have a detrimental effect on water quality and aquatic habitats. Construction of the MCP Project will disturb existing soils and there will be increased potential for soil erosion and sedimentation due to rainfall/runoff and wind. Chemicals, liquid products, petroleum products (such as paint, solvents, and fuels), and concrete-related waste may be spilled or leaked during construction with the potential for that material to be transported via storm runoff into receiving waters. Approximately 1,100 acres will be disturbed during construction of the MCP Project. The MCP Project will be required to comply with the Caltrans National Pollutant Discharge Elimination System (NPDES) permit if the MCP facility will be adopted by Caltrans as a state highway or the Riverside County NPDES permit if it will be a local highway under the jurisdiction of the County.

The MCP Project will add approximately 480 acres of new pavement. Pollutants of concern during operation of a transportation facility include sediment, trash, petroleum products, metals, and chemicals. The increase in impervious area will increase the volume of runoff in the area during a storm, which will more effectively transport pollutants to receiving waters and may lead to downstream erosion. Design Pollution Prevention and Treatment BMPs will be incorporated into the MCP Project to minimize impacts to water quality during project operation. Treatment BMPs will remove pollutants from storm water runoff prior to discharge to receiving waters. Two bioswales and 36 infiltration basins included in the MCP Project would treat 114.8 percent of the net new impervious surface area for the MCP Project and will specifically target constituents of concern from the transportation facilities. Because runoff in the area is currently untreated and the project BMPs will treat the net new impervious surface area, no adverse impacts to water quality are anticipated as a result of the operation of the MCP Project.

The MCP Project may result in the need to relocate or abandon existing groundwater wells.

Minimization and/or Mitigation Measures. The following measures address the need to acquire the appropriate water quality permits and implement the conditions in those permits during the construction of the MCP Project: Measures WQ-1 (Either the Caltrans or County *National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities*), WQ-2 (*General Waste Discharge Requirements for Discharges to Surface Waters that Pose an Insignificant (De Minimus) Threat to Water Quality*), WQ-3 (implementation of Design Pollution Prevention and Treatment BMPs), and WQ-4 (coordinate locating, relocating, and/or abandoning groundwater wells).

In addition, a Section 401 and a Section 404 permit will be required from the Regional Water Quality Control Board and the USACE, respectively, as described in the discussion of wetlands and other waters in Section 7.22 of this ROD.

7.15 Geology/Soils/Seismicity/Topography (Final EIR/EIS, Section 3.11.3, starting on page 3.11-14)

The road, ramps, structures, slopes, sound and retaining walls, and other features of the MCP Project could be impacted by ground motion and liquefaction, and possibly ground rupture (deformation).

Grading and construction of cut and fill slopes for the MCP Project will alter existing landforms. Construction may also temporarily disturb soil outside the facility footprint, primarily in the trample zone around work areas, heavy equipment traffic areas, and material laydown areas. Temporary impacts will include soil compaction and increased potential for soil erosion. Construction activities could be impacted by ground motion and liquefaction, and possibly ground rupture.

Minimization and/or Mitigation Measures. Implementation of standard design and construction practices will reduce the risk of geologic hazards such as liquefaction, seismic issues, soil erosion, and slope instability on the MCP Project. The following measures will further reduce those potential impacts to the MCP Project: GEO-1 (*Final Geotechnical Report* and implementation of the report recommendations during final design and construction), GEO-2 (slope stabilization during construction), GEO-3 (implementation of a Quality Assurance/Quality Control Plan during construction), and GEO-4 (implementation of a blasting plan if blasting is required).

7.16 Paleontology (Final EIR/EIS, Section 3.12.3, starting on page 3.12-9)

Earthmoving operations during construction of the MCP Project will destroy fossils and fossiliferous rock units. The following direct impacts to paleontological resources as a result of construction of the MCP Project will be permanent:

- Destruction of paleontological resources
- Damage to paleontological resources during grading
- Destruction of rock units that may contain paleontological resources
- Loss of contextual data associated with paleontological resources
- Loss of associations between paleontological resources

The MCP Project will impact approximately 1,250 acres of land rated as high sensitivity for formations that may contain paleontological resources.

Minimization and Mitigation Measures. The potential effects of the MCP Project on paleontological resources will be addressed by Measure PAL-1 (development and implementation of a Paleontological Mitigation Plan).

7.17 Hazardous Waste/Materials (Final EIR/EIS, Section 3.13.3, starting on page 3.13-31)

Traffic accidents on the MCP Project could result in hazardous materials spills. In addition, vehicles traveling on the MCP facility may transport hazardous substances that could spill and impact the road and adjacent properties, or resources.

There are 95 hazardous material/waste sites within 0.25 mile of the MCP Project limits. As a result, hazardous wastes/materials may be encountered during excavation and construction for the MCP Project. During grading, there is also the possibility of hazardous concentrations of aerially deposited lead (ADL) being released into the environment and affecting construction workers and other persons near the area of the release.

Hazardous waste/materials have the potential to be present in building materials, utility facilities, and paint. Structures and asphalt/concrete paving materials removed or modified as part of the MCP Project may contain asbestos-containing materials, polychlorinated biphenyls (PCBs), mercury or lead-based paint, and/or other hazardous materials, which could be released into the environment if not properly handled, removed, and disposed of. Transformers removed or relocated during construction of the MCP Project will be considered PCB-containing unless labeled or tested otherwise. Leaking transformers that impact adjacent soils will be a concern during construction because they could affect construction workers and the environment. Yellow traffic stripe and pavement-marking materials (paint, thermoplastic, and permanent and temporary tape) removed as part of the MCP Project may contain elevated concentrations of metals such as lead. Removal of these materials during construction could affect construction workers and/or the surrounding environment.

Activities at March Air Reserve Base and past leaking underground storage tanks have contaminated groundwater in the area. Dewatering of contaminated groundwater during construction of the MCP Project could impair adjacent surface waters.

Soils along the Burlington Northern Santa Fe (BNSF) railway tracks within the MCP Project right of way are assumed to be impacted by petroleum hydrocarbons and metals. During grading or excavation in the BNSF right of way, hazardous concentrations of petroleum hydrocarbons and metal could be released into the environment and/or affect construction workers.

Vacant, undisturbed parcels or parcels with current use or evidence of past use for agricultural purposes may contain elevated concentrations of pesticides. Excavation of pesticide-impacted soil could affect construction workers and/or the surrounding environment.

Previously unknown contaminants could be encountered at commercial and industrial properties acquired for the MCP Project due to poor housekeeping, improperly stored chemicals, and/or past spills. If not handled properly, these contaminants could affect construction workers and/or the surrounding environment. There is a possibility that

clandestine drug operation sites may exist in right of way acquired for the MCP Project. These sites may be contaminated by chemicals ranging from highly volatile organic solvents and semi-volatile organic compounds to highly corrosive inorganic acids and bases, the illicit drug itself, and other byproducts.

The MCP Project may require the short-term use of explosives during grading and excavation in bedrock. On-site storage and use of explosives during construction could present a risk of accidental explosion and/or ground vibration during blasting.

Minimization and/or Mitigation Measures. The following measures will reduce potential adverse impacts related to hazardous materials and hazardous wastes during construction of the MCP Project: Measures HW-1 (site investigations for hazardous materials sites in the MCP Project right of way), HW-2 (soil sampling for ADL with reuse of contaminated soil in accordance with the applicable variance or off-site disposal of the soil), HW-3 (predemolition surveys of structures that will be renovated or demolished for hazardous materials such as asbestos, lead-based paint, mercury, and PCB , and proper removal, storage, transport and disposal of materials that exceed the California Health and Safety Code hazardous waste criteria), HW-4 (inspections of utility pole-mounted transformers that will be relocated or removed, and proper removal, handling, storage, and disposal of the transformers and any affected soils), HW-5 (test, remove, and dispose of yellow traffic stripe and pavement marking material in accordance with Caltrans Standard Special Provisions), HW-6 (comply with South Coast Air Quality Management District Rule 1403 during renovation and demolition activities), HW-7 (coordinate with the Riverside County Department of Environmental Health, California Department of Toxic Substances Control, and the Department of Defense regarding the removal and disposal of contaminated groundwater), HW-8 (sample soil adjacent to the BNSF Railway right of way and proper removal, storage, transport and disposal of soils that exceed the California Health and Safety Code criteria for hazardous waste), HW-9 (sample soil in former or current agricultural/grazing properties that will be disturbed by the project where soil has not otherwise been disturbed and comply with applicable regulations on the removal and disposal of contaminated soils), HW-10 (if suspect hazardous waste or underground tanks are encountered, implement the procedures in Appendix E of the Caltrans Construction Manual, *Unknown Hazards Procedures for Construction*), HW-11 (implementation of a Health and Safety Plan during construction), HW-12 (ensure that utility owners mark the locations of underground transmission lines and facilities), and HW-13 (obtain a blasting permit from the County of Riverside Sheriff's Department).

7.18 Air Quality (Final EIR/EIS, Section 7.14.3, starting on page 3.14-9)

The MCP Project is listed in the Southern California Association of Governments' (SCAG's) 2012–2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) Amendment No. 2, which was approved by SCAG on September 11, 2014, and found to conform to the State Implementation Plan (SIP) by the FHWA and the Federal Transit Administration (FTA) on December 14, 2014 (Project ID: RIV031218). The MCP Project is also included in the financially constrained 2015 Federal Transportation Improvement Program (FTIP). The 2015 FTIP was determined to

conform to the SIP by the FHWA and the FTA on December 15, 2014 (Project ID: RIV031218, "IN WESTERN RIV CO-NEW MID CO PKWY: Cons 6 thru In (3 lns in ea dir) approx 16-mi btwn I-215 in Perris east to SR 79 in San Jacinto, inc cons & recons of 13 ics, add of aux ln Redlands–Evans & EB auxiliary ln Evans–Antelope. I-215 imp: add 1 mf ln in ea dir Nuevo rd–Van Buren Blvd, & one aux ln in ea dir Mid Co Pkwy–Cajalco/Ramona Exp & From Mid Co Pkwy–Nuevo."). The design concept and scope of the MCP Project is consistent with the project description in the 2012 RTP/SCS Amendment No. 2 and the 2015 FTIP, and the open to traffic assumptions of SCAG's regional emissions analysis.

The methodology required for a carbon monoxide (CO) local analysis is summarized in the Caltrans Transportation Project-Level Carbon Monoxide Protocol (University of California Davis, December 1997), Sections 3 (Determination of Project Requirements) and 4 (Local Analysis). Based on the CO local analysis, because the background CO concentrations are lower at the MCP study area intersection than for the intersections in the attainment plan, the MCP Project is not expected to result in any concentrations exceeding the 1-hour or 8-hour CO standards. No mitigation is required.

Detailed particulate matter less than 2.5 microns in size (PM_{2.5}) and particulate matter less than 10 microns in size (PM₁₀) hot-spot analyses were prepared and were submitted to and reviewed by the Transportation Conformity Working Group (TCWG; the TCWG is a forum to support interagency coordination to help improve air quality and maintain transportation conformity in Southern California) on June 14, 2011, and June 28, 2011, respectively. Based on those analyses, changes in PM_{2.5} and PM₁₀ emissions levels associated with the MCP Project were determined to not result in new violations of the federal PM_{2.5} and PM₁₀ standards. As a result, the MCP Project meets the conformity hot-spot requirements in 40 CFR 93-116 and 93-123 for both PM_{2.5} and PM₁₀. All three MCP Build Alternatives, including Alternative 9 Modified, were approved and concurred on through Interagency Consultation by the TCWG as a project not having adverse impacts on air quality and that meets the requirements of the federal Clean Air Act (CAA) and 40 CFR 93.116. After identification of Alternative 9 Modified SJRB DV as the selected alternative, RCTC submitted a memorandum to the TCWG notifying them of this action (see memorandum dated January 9, 2014, provided in Appendix J in the Final EIR/EIS). On January 28, 2014, the TCWG determined that no additional particulate matter analyses would be required for the MCP Project. Therefore, the MCP Project has completed the interagency consultation requirement of transportation conformity. In summary, the MCP Project would not create a new, or worsen an existing, PM₁₀ or PM_{2.5} violation. No mitigation is required.

Mobile source air toxics (MSATs) include acrolein, benzene, 1,3-butadiene, diesel particulate matter plus diesel exhaust organic gases (diesel PM), formaldehyde, naphthalene, and polycyclic organic matter. A spreadsheet tool developed by the University of California, Davis, was used in applying the emission factors, speciation factors from the California Air Resources Board (ARB), and the traffic activity data for the MCP Project. The analysis indicated a substantial decrease in MSAT emissions can be expected between the existing (2008) and the future (2020 and 2040) No Build

Alternative conditions. This decrease is prevalent throughout the highest-priority MSATs, which is consistent with the findings of a USEPA study (*Control of Hazardous Air Pollutants from Mobile Sources*, Federal Register, Volume 72, Number 37, page 8430, February 26, 2007). Based on the analysis for the MCP Project, reductions in MSATs with the MCP Project expected by 2040 are: 48 percent of diesel PM, 55 percent of benzene, 69 percent of 1,3-butadiene, 69 percent of acrolein, and 57 percent of formaldehyde. These projected reductions are achieved while total vehicle miles traveled (VMT) increases by 113 percent between 2008 and 2040. The analysis also shows that in 2020 and 2040, the MCP Project will result in a slight increase in MSAT emissions in the vicinity of the MCP facility compared to the No Build conditions. However, the increase in MSAT emissions as a result of the MCP Project will be negligible, with no increase higher than 1.1 pounds per day, for benzene, an increase of 0.4 percent. In addition, when compared to existing conditions, the existing plus MCP Project conditions will result in a small decrease in regional MSAT emissions. In summary, while the MCP Project would result in a small increase in localized MSAT emissions compared to the No Build conditions, the USEPA vehicle and fuel regulations, coupled with fleet turnover, will result in substantial reductions over time that will result in regionwide MSAT levels that are substantially lower than they are today. No mitigation is required.

The effect that the MCP Project will have on regional VMT and vehicle hours traveled (VHT), along with emissions rates in EMFAC2007, were used to calculate CO, reactive organic gases (ROGs), oxides of nitrogen (NO_x), oxides of sulfur (SO_x), PM₁₀, and PM_{2.5} emissions for the 2008, 2020, and 2040 regional conditions. The modeling results indicate that, when compared to 2008 existing conditions, the MCP Project will result in reduced vehicle emissions in the region. The analysis further shows that the MCP Project will increase emissions compared to the 2020 and 2040 No Build Alternative conditions. However, those increases will be very small, at less than 1 percent. Therefore, the MCP Project will not contribute substantially to regional vehicle emissions. No mitigation is required.

Short-term air pollutant emissions as a result of construction activities will include fugitive dust and CO, SO₂, NO_x, and volatile organic compounds from grading/site preparation, equipment exhaust, emulsified asphalt paving materials, and haul trips.

Minimization and/or Mitigation Measures. The following measures will reduce potential short-term adverse air quality impacts during construction of the MCP Project: Measures AQ-1 (control of fugitive dust sources), AQ-2 (control of mobile and stationary sources), AQ-3 (administrative controls for sensitive receptors), AQ-4 (compliance with the Caltrans Standard Specifications for Construction, Sections 14.9.03 and 18 related to dust control and Section 14.9.02 related to air pollution control), AQ-5 (methods for the removal of asbestos-containing materials), and AQ-6 (control of construction emissions related to construction and waste materials).

7.19 Noise (Final EIR/EIS, Section 3.15.3, starting on page 3.15-67)

Operation of the MCP Project will result in long-term traffic noise impacts where: (1) there is an increase of 12 decibels (dB) or more over their corresponding modeled existing noise levels, or (2) the predicted noise levels approach or exceed the Noise Abatement Criteria (NAC). A total of 10 of 355 modeled receptors for the MCP Project approach or exceed the 67 A-weighted decibels (dBA) equivalent continuous sound level (L_{eq}) NAC for Activity Categories B and C under the 2040 No Build Alternative traffic noise conditions. Of the 355 modeled receptors under the MCP Project traffic noise conditions, 66 receptors approach or exceed the 67 dBA L_{eq} NAC, and 150 receptors will experience an increase in noise of 12 dB or more over their corresponding modeled existing noise level for Activity Categories B and C. Because some noise levels for the MCP Project are above the NAC, evaluation of abatement was conducted consistent with Title 23, Part 771, Code of Federal Regulations, "Procedures for Abatement of Highway Traffic Noise." A total of 23 sound barriers were analyzed, and 6 sound barriers meet both the reasonable and feasible criteria.

Short-term noise impacts will occur during construction as a result of construction crew commutes, transport of construction equipment and materials to the project site, and noise generated during construction activities including blasting. Short-term vibration impacts could occur as a result of blasting.

Minimization and/or Mitigation Measures. Measure N-1 will reduce potential long-term adverse noise impacts as a result of the operation of the MCP Project based on the provision of sound barriers.

The following measures will reduce potential short-term adverse noise and vibration impacts as a result of the construction and operation of the MCP Project: Measures N-2 (noise control consistent with the Caltrans Standard Specifications, Section 14-8.02, "Noise Control," and Standard Special Provisions S5-310), N-3 (compliance with local noise ordinances), and N-5 (prior to and after blasting, conduct crack survey and video reconnaissance to determine whether blasting resulted in any new damage).

7.20 Energy (Final EIR/EIS, Section 3.16.3, starting on page 3.16-3)

Based on the traffic analysis, the MCP Project will increase VMT in the MCP study area and will improve the traffic flow by increasing the average vehicle speed resulting in lower VHT. The enhanced traffic flow will minimize vehicle delay and improve vehicle fuel efficiency. As a result of the improved traffic flow (lower VHT) and increased fuel efficiency, operation of the MCP Project will result in an increase of 0.71 percent in fuel consumption in 2020 in the MCP study area compared to the No Build Alternatives. By 2040, the MCP Project will result in a smaller (0.36 percent) increase in fuel consumption compared to the No Build Alternatives. The MCP Project will result in an increase of 0.46 percent in indirect energy consumption compared to the No Build Alternatives.

Based on the estimated costs to construct the MCP Project, it will take 10.0 trillion British thermal units to construct the project. Because the energy demand for construction of the MCP Project will be such a small fraction of the regional energy consumption, the construction of the MCP Project is unlikely to create a noticeable impact related to short-term demand for energy during project construction.

Minimization and/or Mitigation Measures. Mitigation Measures AQ-1 through AQ-5, discussed earlier in Section 7.18 of this ROD, will reduce impacts related to increased energy consumption and global climate change.

7.21 Natural Communities (Final EIR/EIS, Section 3.17.3, starting on page 3.17-16)

7.21.1 Riparian/Riverine Areas and Vernal Pools (Final EIR/EIS, Section 3.17.3, starting on page 3.17-18)

Because there are no vernal pools in the biological study area (BSA), the MCP Project will not impact vernal pools.

The MCP Project will permanently impact 8.81 acres of riparian/riverine areas, which include marsh; riparian forest; riparian scrub; and California Department of Fish and Wildlife (CDFW) jurisdictional areas without marsh, riparian forest, or riparian scrub.

All bridges, including the bridges over the San Jacinto River at Lakeview, will require ongoing maintenance during operation of the MCP Project. The maintenance activities associated with those bridges will include visual inspections for seismic and other safety concerns such as scour and debris build up. The visual inspections will be conducted on foot, and vehicle staging areas will be accommodated along the MCP facility right of way, or from existing roads. No permanent impacts associated with the maintenance activities for the bridges beyond the permanent impacts described above to riparian/riverine resources are expected as a result of the ongoing bridge maintenance activities.

The MCP Project will result in an increase in impervious surfaces and drainage areas, the creation of new cut-and-fill slopes, and the removal of vegetation, all of which may contribute to an increase in the volume and flow velocity of runoff to adjacent areas, which have the potential to increase erosion, alter channel morphology, and reduce water quality.

Beneficial effects of the MCP Project, including treated storm water runoff from the freeway to riparian/riverine areas providing additional water to maintain riparian vegetation that is already established and providing sufficient additional water to create wetland conditions where they do not currently exist at proposed mitigation sites, will also occur.

The MCP Project may result in indirect edge impacts adjacent to the project footprint such as exotic plant infestations, litter, pollutants from storm water runoff from vehicle

use of the freeway, and unauthorized recreational use. Exotic plant infestations may degrade native habitat that supports special-status species. Additional access points for unauthorized off-road vehicle use may result from the MCP Project. Off-road vehicle use may destroy native vegetation, degrade habitat of sensitive species, and promote exotic plant infestation.

7.21.2 Other Natural Communities of Special Concern (Final EIR/EIS, Section 3.17.3, starting on page 3.17-21)

The MCP Project will result in the following impacts on other natural communities of special concern:

Riversidean upland sage scrub in the hilly area south of Lake Perris, along I-215 near Placentia Avenue, and along SR-79 north of the San Jacinto River	86.4 acres
Total San Jacinto River Alkali Communities in the floodplain in the Lakeview Area	29.8 acres
Alkali grassland: 17.7 acres	
Marsh: 0.2 acre	
Riparian scrub: 0.3 acre	
Cropland: 11.6 acres	
Total other natural communities of special concern	116.2 acres

The San Jacinto River floodplain in the Lakeview area is characterized by heavy, mostly alkaline soils that support the following rare plant species: spreading navarretia, San Jacinto Valley crownscale, Coulter’s goldfields, and smooth tarplant. Although the floodplain has been highly disturbed by agricultural use and the invasion of nonnative grasses and forbs, these and other rare species persist in localized areas where there is suitable habitat. The MCP Project will permanently impact 29.8 acres of San Jacinto River alkali plant communities as a result of fill and shading under the bridge.

7.21.3 Wildlife Corridors/Habitat Fragmentation (Final EIR/EIS, Section 3.17.3, starting on page 3.17-24)

The MCP Project generally follows the alignment of existing Ramona Expressway. Impacts of the MCP Project on wildlife movement are not expected to create new or different impacts than already experienced along the existing Ramona Expressway, because Ramona Expressway currently creates edge effects and is an impediment to the wildlife movement in this already fragmented habitat. The MCP Project crosses five areas designated in the Western Riverside County MSHCP as conservation features that consist of large core blocks of habitat and smaller blocks of habitat linking larger habitat blocks. Although Ramona Expressway already acts as an impediment to wildlife movement, the MCP Project will be a greater impediment to wildlife movement due to the increased width and permanent fencing along the MCP right of way. The design of the MCP Project includes wildlife crossings consisting of bridges, a wildlife crossing structure, and numerous drainage culverts that will facilitate wildlife movement under the facility.

7.21.4 Western Riverside County Multiple Species Habitat Conservation Plan (Final EIR/EIS, Section 3.17.3, starting on page 3.17-27 and the Mid County Parkway Multiple Species Habitat Conservation Plan Consistency Determination Including Determination of Biologically Equivalent or Superior Preservation Analysis (September 2014) and the Determination of Biologically Equivalent or Superior Preservation Analysis Addendum (October 2014) provided in Appendix T in the Final EIR/EIS.)

The Western Riverside County Regional Conservation Authority conducted its Joint Project Review of the “Mid County Parkway MSHCP Consistency Determination including Determination of Biologically Equivalent or Superior Preservation Analysis” (September 2014; provided in Appendix T in the Final EIR/EIS) and the Determination of Biologically Equivalent or Superior Preservation Analysis Addendum (October 2014; provided in Appendix T in the Final EIR/EIS) in October 2014 (provided in Appendix T in the Final EIR/EIS).

The USFWS and the CDFW provided their Western Riverside County MSHCP Consistency Determination Letter on November 14, 2014 (provided in Appendix T of the Final EIR/EIS).

The MCP Project complies with the applicable components of the Western Riverside County MSHCP as discussed in the following sections.

7.21.4.1 Compliance with the Western Riverside County MSHCP Policies for the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools

The MCP Project complies with these policies as set forth in Section 6.1.2 of the Western Riverside County MSHCP as documented in Appendix T in the Final EIR/EIS. To comply with Section 6.1.2 of the Western Riverside County MSHCP, a Determination of Biologically Equivalent or Superior Preservation (DBESP) was prepared to address the impacts of the MCP Project on riparian and riverine resources. A DBESP is a determination that, with the proposed design and compensation measures included in the MCP Project, the overall Western Riverside County MSHCP Conservation Area design and configuration will be biologically equivalent or superior to what it would be if the MCP Project had met the western Riverside County MSHCP avoidance requirements. The DBESP ensures replacement of lost functions and values of habitat for covered species. The DBESP for the MCP Project impacts to riparian/riverine resources involves a combination of on-site and off-site mitigation, including creation, enhancement, and/or restoration as described later in this section.

The MCP Project will affect habitat occupied by one nesting pair and potentially up to two pairs of least Bell's vireo in suitable habitat contiguous with a pair observed in 2008. The riparian scrub habitat contiguous with habitat occupied by least Bell's vireo along the San Jacinto River west of Sanderson Avenue was determined to have long-term conservation value for this species. The MCP Project will impact 3.66 acres of least Bell's vireo habitat suitable for long-term conservation. A DBESP was prepared

addressing the impacts of the MCP Project on least Bell's vireo. Those impacts and measures in the DBESP are discussed later in Section 7.25, Threatened and Endangered Species, in this ROD.

The riparian habitat impacted by the MCP Project was determined to have habitat suitable for southwestern willow flycatcher. No nesting pairs of southwestern willow flycatcher were observed during the focused survey efforts, and all observations of this species were determined to be migrating. Therefore, the MCP Project will not affect habitat suitable for long-term conservation for the southwestern willow flycatcher.

There is no suitable habitat for the yellow-billed cuckoo in the BSA. Therefore, the MCP Project will not affect this species.

The MCP Project will not impact vernal pools because there are no features satisfying the Western Riverside County MSHCP definition of vernal pool occurrence in the BSA.

No listed fairy shrimp were documented in the BSA. Therefore, the MCP Project will not impact fairy shrimp.

7.21.4.2 Compliance with the Western Riverside County MSHCP Policies for the Protection of Narrow Endemic Plant Species

For the MCP Project to comply with Section 6.1.3 of the Western Riverside County MSHCP, a habitat suitability assessment was conducted for target plant species in Western Riverside County MSHCP-designated Narrow Endemic Plant Species Survey Areas (NEPSSAs) 3 and 3a. The only target NEPSSA species found in those survey areas was spreading navarretia. Areas where this species was present were assessed for long-term conservation value. The MCP Project will impact 1.09 acres of habitat suitable for long-term conservation value for spreading navarretia. Details of impacts of the MCP Project and mitigation commitments in the DBESP for NEPSSA species (specifically spreading navarretia) are discussed later in Section 7.25, Threatened and Endangered Species, in this ROD.

7.21.4.3 Compliance with the Western Riverside County MSHCP Policies for Additional Survey Needs and Procedures

As required by Section 6.3.2 of the Western Riverside County MSHCP, habitat suitability assessments in the Criteria Area Species Survey Areas (CASSAs) in the BSA were conducted for San Jacinto Valley crownscale, Parish's brittlescale, Davidson's saltscale, thread-leaved brodiaea, smooth tarplant, round-leaved filaree, Coulter's goldfields, little mousetail, and mud nama (all CASSAs 3 and 3a). Surveys were also conducted in the survey areas designated in the Western Riverside County MSHCP for LAPM, San Bernardino kangaroo rat, and burrowing owl.

The MCP Project will result in the following total (permanent and temporary) impacts to habitat suitable for the following species:

- 2.72 acres of smooth tarplant
- 2.25 acres of Coulter's goldfields
- 0.36 acre of San Jacinto Valley crownscale
- 20.85 acres of Los Angeles pocket mouse
- 1.29 acres of San Bernardino kangaroo rat
- 3.10 acres of burrowing owl

Details of impacts and mitigation commitments in the DBESPs for each of these species are discussed later in this ROD in Sections 7.23, Plant Species, 7.24, Animal Species, and 7.25, Threatened and Endangered Species.

7.21.4.4 Compliance with the Western Riverside County MSHCP Urban/Wildlands Interface Guidelines

The MCP Project will comply with these Guidelines in Section 6.1.4 of the Western Riverside County MSHCP based on features incorporated in the project design to reduce edge effects related to drainage; toxics; lighting; noise, invasive species; and barriers to minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping in the Western Riverside County MSHCP Conservation Area.

7.21.4.5 Compliance with the Western Riverside County MSHCP Best Management Practices, the Siting and Design Criteria, and Construction Guidelines

The MCP Project will implement the following Design and Construction Guidelines in the following sections of the Western Riverside County MSHCP:

- BMPs in Appendix C
- Siting and Design Criteria in Section 7.5.1
- Guidelines for Construction of Wildlife Crossings in Section 7.5.2

7.21.4.6 Adherence to Western Riverside County MSHCP Section 6.4-Fuels Management

The MCP Project will comply with and implement the fuels management guidelines in Section 6.4 in the Western Riverside County MSHCP.

7.21.4.7 Western Riverside County MSHCP Criteria Area

The MCP Project will impact 217.8 acres of Western Riverside County MSHCP Criteria Area. The Western Riverside County MSHCP requires conservation of only those parts of those areas that meet the criteria for conservation. Therefore, the 217.8 acres of impacts are a worst-case estimate of impacts to the entire Western Riverside County

MSHCP Criteria Area without taking into account conservation goals specified in the Western Riverside County MSHCP for each criteria cell.

7.21.4.8 Habitat Conservation Plan for the Stephens' Kangaroo Rat

Although the BSA includes part of one core reserve in the Habitat Conservation Plan Area for the Stephens' Kangaroo Rat fee area, the MCP Project will not directly impact that core reserve. Construction of transportation improvements is identified as a covered activity in the Habitat Conservation Plan for the Stephens' Kangaroo Rat.

Minimization and/or Mitigation Measures. The following measures will reduce potential adverse impacts of the MCP Project on natural communities: Measures NC-1 (monitoring by a Project Biologist during design and construction), NC-2 (inclusion of Environmentally Sensitive Areas [ESAs] and restrictions related to ESAs in the project specifications), NC-3 (to avoid effects to raptors and nesting birds, conduct any native or exotic vegetation removal or tree-trimming activities outside of the nesting bird season between February 15 and September 15), NC-4 (implement design and construction management specifications to direct temporary construction noise, nighttime construction lighting, and permanent facility lighting away from wildlife corridors, biologically sensitive areas, the Western Riverside County MSHCP Conservation Areas, and vegetated drainages), NC-5 (comply with the Urban/Wildlands Interface Guidelines from Section 6.1.4 of the Western Riverside County MSHCP), NC-6 (temporary removal and reuse of alkali soils), NC-7 (compliance with the measures in the *Mid County Parkway MSHCP Consistency Determination Including Determination of Biologically Equivalent or Superior Preservation Analysis* and the *Determination of Biologically Equivalent or Superior Preservation Analysis Addendum* in Appendix T in the Final EIR/EIS), and NC-8 (implementation of Habitat Mitigation and Monitoring Plans for Western Riverside County MSHCP Compliance),

7.22 Wetlands and Other Waters (Final EIR/EIS, Section 3.18.3, starting on page 3.18-15)

Permanent direct and indirect impacts to jurisdictional areas include all fill material within the grading limits and a conservative estimate of the bridge footprint area (10 percent, worst-case) to account for the construction of bridges, footings, and columns that may be placed in jurisdictional areas. Riparian habitats beneath bridged areas are considered permanent impacts, due to shading effects.

The MCP Project will result in permanent and temporary impacts to the following acreages of protected waters:

- 7.17 acres of permanent impacts to USACE jurisdictional areas (2.15 acres of wetlands; 5.03 acres of nonwetland waters)
- 5.26 acres of temporary impacts to USACE jurisdictional areas (3.63 acres of wetlands; 1.63 acres of nonwetland waters)
- 0.85 total acre of aquatic resources (permanent and temporary impacts)

- 9.00 total acres of permanent impacts to CDFW jurisdictional areas
- 4.69 total acres of temporary impacts to CDFW jurisdictional areas

Mitigation and/or Minimization Measures. The following measures address the effects of the MCP Project on wetlands and other waters: Measures WET-1 (mitigation of permanent impacts to USACE jurisdictional wetlands and nonwetlands and CDFW jurisdictional areas at a minimum replacement ratio of 2:1 based on the Habitat Mitigation and Monitoring Plan (HMMP) for USACE Jurisdictional Waters in Appendix P in the Final EIR/EIS and mitigation for impacts to resources covered under the Western Riverside County MSHCP, including riparian and riverine habitats under the jurisdiction of CDFW, in accordance with the Determination of Biologically Equivalent or Superior Preservation provided in Appendix T in the Final EIR/EIS), WET-2 (revegetation of temporarily impacted jurisdictional areas at a minimum 1:1 replacement ratio), WET-3 (implementation of a Habitat Mitigation Program incorporating measures in the HMMP provided in Appendix P and the measures in the MSHCP Consistency Determination Including Determination of Biologically Equivalent or Superior Preservation provided in Appendix T), and WET-4 (obtain a Section 404 permit from the USACE, a Section 1602 Agreement for Streambed Alteration from the CDFW, and Section 401 water quality certification from the Santa Ana Regional Water Quality Control Board).

7.23 Plant Species (Final EIR/EIS, Section 3.19.3, starting on page 3.19-4)

7.23.1 Western Riverside County MSHCP Narrow Endemic Plant Species Survey Area Species and Criteria Area Species (Final EIR/EIS, Section 3.19.3, starting on page 3.19-4)

The MCP Project will result in direct impacts to 2.73 acres of areas of long-term conservation value for smooth tarplant and 2.25 acres of areas for long-term conservation value for Coulter's goldfields. Because greater than 10 percent of areas within the right of way footprint that have long-term conservation value for smooth tarplant and Coulter's goldfields will be impacted, a DBESP was prepared pursuant to Section 6.1.3 of the Western Riverside County MSHCP. The Western Riverside County Multiple Species Habitat Conservation Plan Consistency Determination and the Regional Conservation Authority Joint Project Review for the MCP Project (provided in Appendix T of the Final EIR/EIS) provides the DBESPs for smooth tarplant and Coulter's goldfields.

Indirect impacts of the MCP Project on smooth tarplant and Coulter's goldfields populations adjacent to the project limits in the San Jacinto River floodplain may result from edge effects such as increased potential for fire, invasive/exotic plant infestations, unauthorized recreational use, pollutants associated with vehicle use of the parkway, and localized changes in water velocity.

7.23.2 Species Not Requiring Surveys (Final EIR/EIS, Section 3.19.3, page 3.19-6)

Peirson's milk vetch, Plummer's mariposa lily, Parry's spineflower, long-spined spineflower, and San Bernardino aster all have a low probability of occurring in the BSA. Therefore, impacts to these species as a result of the MCP Project are not expected. Few, if any, individuals of chaparral sand-verbena are expected to occur in the MCP Project footprint. Therefore, impacts to this species are not anticipated. Robinson's pepper-grass may occur in the MCP Project area because it is relatively widespread and occurs in common habitats, but any impacts of the MCP Project on this species will not be expected to impair the long-term existence of large or important populations of Robinson's peppergrass. For all these species, indirect impacts of the MCP Project will be similar to the effects described above for the smooth tarplant and Coulter's goldfields. Any potential impacts of the MCP Project on these species are not considered adverse because they are widespread in distribution, are relatively common habitats, and are not State or federally listed as threatened or endangered.

Minimization and/or Mitigation Measures. Measure PS-1 (seed collection and dispersal on the appropriate mitigation lands) will minimize impacts of the MCP Project on smooth tarplant. Measures NC-1, NC-2, U&ES-5, and U&ES-6 (discussed earlier in this ROD) will also minimize impacts of the MCP Project on plant species.

7.24 Animal Species (Final EIR/EIS, Section 3.20.3, starting on page 3.20-4)

Temporary impacts to animal species may occur where habitats are temporarily disturbed during grading or other construction activities. However, temporarily disturbed habitats will be restored and/or revegetated with native species. Temporary construction effects to animal species are expected as a result of construction noise, light, vibration, dust, and human encroachment.

All impacts (including both temporary and permanent) will occur within the MCP right of way footprint. A conservative (worst-case) right of way footprint was established that includes areas of cut-and-fill; staging areas for construction vehicles, equipment and materials; haul routes; and water quality treatment features. While some parts of this right of way footprint will be only temporarily disturbed during construction and will be revegetated with native plant species as part of the MCP Project, it is not expected that this revegetation will fully restore the functions and values of the wildlife habitat impacted by the MCP Project.

7.24.1 Burrowing Owl (Final EIR/EIS, Section 3.20.3, starting on page 3.20-4)

The MCP Project will result in 3.1 acres of direct impacts to burrowing owl foraging habitat and burrows occupied by one burrowing owl. Other direct impacts to burrowing owls and/or suitable habitat on adjacent lands for the owl may result from increased night lighting, headlamp glare, and noise. Indirect edge impacts may result from future development, exotic plant and animal infestations, litter, fire, and unauthorized recreational use. Increased fire frequency may result in conversion of native habitat to more dense nonnative grasslands that could reduce the area of potential burrowing owl

nesting habitat. Litter may also result in animal infestations, which may result in additional predators in the area that may prey on the burrowing owl.

7.24.2 Los Angeles Pocket Mouse (Final EIR/EIS, Section 3.20.3, starting on page 3.20-5)

The MCP Project will directly impact 20.85 acres of LAPM occupied habitat suitable for long-term conservation. Edge effects of the MCP Project on areas occupied by LAPM may result from increased night lighting, glare, and noise. Indirect effects may result from edge effects such as exotic plant and animal infestations, litter, fire, unauthorized recreational use, and pollutants associated with vehicle use of the freeway. Increased fire frequency may result in conversion of native habitats to non-native habitat and an increase of exotic plant species, which may not provide habitat for the LAPM. Litter may also result in animal infestations, which may result in additional predators in the area that may prey on the LAPM. Owls and other predators may be able to hunt more efficiently under artificial light, thus increasing predation risk for the LAPM.

7.24.3 Bat Species (Final EIR/EIS, Section 3.20.3, starting on page 3.20-6)

The MCP Project will directly impact the edges of existing bridges, overhead structures, and larger culverts that may provide maternity roosts and foraging roosts for bat species. Therefore, only a small part of bat roosting habitat may be permanently altered by the MCP Project. In addition, construction activities could temporarily impede access to potential bat roosting sites in the crevices of bridges, culverts, and overhead structures.

7.24.4 Other Non-Listed Animal Species (Final EIR/EIS, Section 3.20.3, starting on page 3.20-7)

Potential impacts of the MCP Project on the following special-status species are covered by the Western Riverside County MSHCP: western spadefoot, orangethroat whiptail, coast horned lizard, red diamond rattlesnake, golden eagle, northern harrier, California yellow warbler, white-tailed kite, yellow-breasted chat, loggerhead shrike, tricolored blackbird, purple martin, and San Diego black-tailed jackrabbit. Although these species have a low-to-moderate occurrence probability and they were not observed during field studies in the BSA, the MCP Project may indirectly impact these species through the loss of potential habitat. The potential impacts to these species are not considered adverse because they are widespread in distribution in relatively common habitats and are not State or federally listed as threatened or endangered.

Impacts of the MCP Project on the following species are not covered under the Western Riverside County MSHCP: silvery legless lizard, coast patch-nose snake, southern grasshopper mouse, and American badger. Silvery legless lizard is found in drainages and woodlands and has a moderate potential to occur in the BSA. However, the closest known occurrences are approximately 12 miles north of the MCP Project BSA, in the City of Redlands. Coast patch-nose snake is found in washes and scrub and occurs near San Jacinto and Perris and has a high potential to occur in the BSA. Southern

grasshopper mouse has a moderate potential to occur in grasslands and is known from Perris, Romoland, and March Air Reserve Base. American badger has a high potential to occur in the BSA and is known to occur southeast of Lake Perris. These species will benefit from the design features included in the MCP Project to facilitate wildlife crossings in the Western Riverside County MSHCP Criteria Area, which are the locations with the highest likelihood of these species to occur (specifically the San Jacinto River bridges in the Lakeview area and City of San Jacinto and Wildlife Crossing No. 10 near Princess Ann Road at Proposed Constrained Linkage 20). The 5,203 linear feet of retaining walls included in the MCP Project south of Lake Perris will be a barrier to prevent small mammal species from entering the facility right of way.

7.24.5 Migratory Bird Treaty Act (Final EIR/EIS, Section 3.20.3, starting on page 3.20-8)

Section 14.13 of the Western Riverside County MSHCP Implementing Agreement (IA, 2003) states: “14.13 Migratory Bird Treaty Act. The Section 10(a) Permit shall constitute a Special Purpose Permit under 50 Code of Federal Regulations section 21.27, for the Take of Covered Species Adequately Conserved listed under FESA and which are also listed under the Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. §§ 703-712) ("MBTA"), in the amount and/or number specified in the MSHCP, subject to the terms and conditions specified in the Section 10(a) Permit. Any such Take will not be in violation of the MBTA. The MBTA Special Purpose Permit will extend to Covered Species Adequately Conserved listed under FESA and also under the MBTA after the Effective Date of the Section 10(a) Permit. This Special Purpose Permit shall be valid for a period of three (3) years from its Effective Date, provided the Section 10(a) Permit remains in effect for such period. The Special Purpose Permit shall be renewed pursuant to the requirements of the MBTA, provided the Permittees remain in compliance with the terms of this Agreement and the Section 10(a) Permit. Each such renewal shall be valid for a period of three (3) years, provided that the Section 10(a) Permit remains in effect for such period.”

In addition, the Western Riverside County MSHCP Permittee Implementation Manual (August 2007) cites the following responsibilities for the USFWS: “Section 14 of the IA outlines the obligations of the USFWS....The USFWS has the following obligations for MSHCP implementation:

- Migratory Bird Treaty Act. The MSHCP take permit constitutes a Special Purpose Permit per the Migratory Bird Treaty Act of 1918 (MBTA) (16 U.S.C. 703 et seq.). The MSHCP requires periodic renewal of the Special Purpose Permit (i.e., renewal depends on full compliance with the MSHCP take permit). If a project is consistent with all provisions of the MSHCP, lawful take of MSHCP covered species or their habitat protected by the MTBA will not result in violation of the MBTA.”

For the MCP project, the MBTA Special Purpose Permit will extend to Covered Species Adequately Conserved listed under FESA and also under the MBTA after the Effective Date of the Section 10(a) Permit. Take associated with habitat loss for bird species

covered under the Western Riverside County MSHCP is avoided or minimized by complying with the guidelines and restrictions provided in Section 6.1.2, Section 7.5.3, Table 9-2, and Appendix C in the Western Riverside County MSHCP. Clearing of vegetation with suitable habitat for species protected by the MBTA within the nesting season (February 15 through September 15) will be preceded by surveys to ensure that there is no take of non-listed nesting bird species, as required in Measure NC-3, provided in Section 7.21 of this ROD.

7.24.6 Bald and Golden Eagle Protection Act (Final EIR/EIS, Section 3.20.3, starting on page 3.20-8)

Take of bald or golden eagle is not anticipated as a result of the MCP Project because there is no nesting habitat suitable for these species in the BSA, and adjacent areas that will not be disturbed will still provide adequate foraging habitat for these eagles. To protect suitable nesting habitat for this species, if any trees are scheduled to be removed between January 15 and September 15, a preconstruction eagle survey will be required prior to removal of any trees, as required in Measure NC-3, provided in Section 7.21 of this ROD.

Minimization and/or Mitigation Measures. The following measures will reduce adverse impacts of the MCP Project on sensitive animal species: Measures AS-1 (designate areas of potential burrowing owl habitat within the project footprint and the immediately surrounding areas on the project specifications, conduct preconstruction burrowing owl surveys, and implement all burrowing owl measures), AS-2 (avoid the take of active burrowing owl nests and relocate or translocate burrowing owls found in the project disturbance limits), AS-3 (implement a *Burrowing Owl Relocation/Translocation Plan*), AS-4 (survey the project limits for the presence of, or potential for, bat maternity roosts, and document the results in a report including avoidance and minimization recommendations such as directing light and noise away from bat habitat, humane bat eviction/exclusion, and replacement roosting habitat), AS-5 (install temporary bat eviction/exclusion devices in September and October), and AS-6 (install permanent alternative bat roosting habitat and replacement structures). In addition to these measures, Measure NC-3, discussed in Section 7.21 of this ROD, would help minimize effects on the MCP Project on species protected under the MBTA.

7.25 Threatened and Endangered Species (Final EIR/EIS, Section 3.21.3, starting on page 3.21-5)

The MCP Project will result in the following impacts on federally listed as threatened or endangered species, critical habitats, and suitable habitat:

- 0.36 acre of San Jacinto Valley crownscale (occupied habitat)
- 3.60 acres of Least Bell's vireo (occupied riparian habitat)
- 2.79 acres of San Bernardino kangaroo rat designated critical habitat and suitable habitat (non-occupied habitat)

- 1.09 acres of Spreading navarretia (occupied habitat)
- 18.60 acres of Spreading navarretia (designated critical habitat, non-occupied)
- 86.40 acres of Coastal California gnatcatcher (Riversidean upland sage scrub)
- 194.30 acres of Stephens' kangaroo rat (Riversidean upland sage scrub and grassland communities, occupied habitat)

On February 11, 2015, the USFWS issued a Biological Opinion for the MCP Project in a letter titled "Streamlined Formal Section 7 Consultation for the Mid County Parkway Project, Riverside County, California" (provided in Appendix W, Biological Opinion, in the Final EIR/EIS). That letter indicates the USFWS has determined that the construction and operation of the selected alternative for the MCP Project (Alternative 9 Modified SJRB DV) is not likely to jeopardize the continued existence of federally listed species noted above.

Minimization and/or Mitigation Measures. The following measures will reduce adverse impacts of the MCP Project on threatened and endangered species: Measures TE-1 (conservation of all off-site mitigation areas for spreading navarretia, San Jacinto Valley crowscale, least Bell's vireo, and San Bernardino kangaroo rat in perpetuity, either through fee title transfer or a conservation easement to the Western Riverside County Regional Conservation Authority), and TE-2 (ensure that take is authorized for areas of disturbance to occupied habitat of the Stephens' kangaroo rat through implementation of the measures described in the DBESP for riparian-alkaline communities in the San Jacinto River floodplain included in the MSHCP Consistency Determination Including Determination of Biologically Equivalent or Superior Preservation Analysis provided in Appendix T).

7.26 Invasive Species (Final EIR/EIS, Section 3.22.3, starting on page 3.22-2)

Construction of the MCP Project may spread invasive species as a result of construction equipment contaminated with invasive species entering and leaving the construction limits, the inclusion of invasive species in seed mixtures and mulch, and improper removal and disposal of invasive species so that its seed is spread along the highway.

During the operation of the MCP Project, vehicles using the facility may spread invasive species. Those impacts will be minimal because areas adjacent to the MCP facility will be landscaped with native species that should outcompete invasive species.

Minimization and/or Mitigation Measures. The following measures will reduce adverse impacts of the MCP Project related to invasive species: Measures IS-1 (revegetate disturbed areas and bare soil within the project disturbance limits with Caltrans-recommended seed mixtures), IS-2 (certification of the purity of collected seed), IS-3 (implementation of procedures to ensure that construction equipment is cleaned of mud or other debris that may contain invasive plants and/or seeds and inspected to reduce the potential of spreading noxious weeds both before mobilizing to

arrive at the site and before leaving the project limits), IS-4 (implementation of procedures to ensure that all trucks carrying vegetation from within the project limits are covered and that all vegetative materials removed from within the project limits are properly disposed of in accordance with all applicable laws and regulations), IS-5 (implementation of procedures to ensure that material from borrow sites is inspected to ensure that the material imported to the project site does not contain noxious weeds or invasive plants), and IS-6 (control, kill, and remove noxious weeds and invasive plants within the project limits).

7.27 Cumulative Impacts (Final EIR/EIS, Section 3.25, starting on page 3.25-1)

It was determined that the MCP Project will not contribute to cumulative effects or that the effects described above were already analyzed in a cumulative context related to: 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, soils, seismic, topography; hazardous waste and materials; air quality; climate change; noise; and energy. (Final EIR/EIS, Section 3.25.2, on page 3.25-5)

It was further determined that the MCP Project could potentially contribute to or result in cumulative impacts related to: growth-related effects, farmlands/timberlands, community impacts/relocations, visual/aesthetics, cultural resources, paleontology, natural communities, wetlands and other waters, plant species, animal species, and threatened and endangered species. (Final EIR/EIS, Section 3.25.2, on page 3.25-4) The findings of those analyses indicating whether the MCP Project will or will not contribute to cumulative adverse effects related to those environmental parameters are summarized in the following sections.

7.27.1 Growth-Related Effects (Final EIR/EIS, Section 3.25.5.1, starting on page 3.25-23)

Historically, growth in western Riverside County has been characterized by the conversion of vacant land to agricultural uses, followed by subsequent conversions to urban and suburban uses. The MCP Project will provide a new 16-miles-long freeway with interchanges connecting to local roads. Land use designations in the Riverside County General Plan accommodate the projected regional growth and support a more favorable jobs-to-housing ratio compared to existing conditions. The MCP Project is an integral component of the RCIP by providing transportation infrastructure needed to support existing and approved land uses, and planned land uses in the adopted Riverside County General Plan. However, some segments of the MCP alignment are in areas that were not previously analyzed in the RCIP process, and these areas may be subject to indirect growth-related effects to resources of concern.

7.27.2 Farmlands and Timberlands (Final EIR/EIS, Section 3.25.5.2, starting on page 3.25-26)

The conversion of designated farmland to non-farmland uses is occurring at a rapid rate in Riverside County. Most of the anticipated future conversion of designated farmland in the MCP study area would be due to land development projects. The largest of these, the proposed Specific Plan for The Villages of Lakeview, would convert approximately 495 acres of Designated Farmland to non-farmland uses. The MCP Project was aligned to minimize impacts to agricultural lands, but cannot fully avoid designated farmlands. The impact to designated farmlands and existing agricultural uses as a result of the MCP Project is consistent with the conversion of designated farmlands to non-farmland uses as contemplated in the County of Riverside and Cities of Perris and San Jacinto General Plans. In summary, the MCP Project will contribute to cumulative impacts related to the conversion of designated farmlands to non-farmland uses.

7.27.3 Community Impacts/Relocations (Final EIR/EIS, Section 3.25.5.3, starting on page 3.25-28)

The MCP Project will result in the acquisition of nonresidential (dairies, agriculture, manufacturing, industrial, and retail) and residential (mobile homes, single-family and multifamily) properties. Other public and private projects in the study area would also require the acquisition of property and displacement of residents, businesses, and employees. All property acquisition and relocations required for the MCP Project will be handled in accordance with applicable federal and state laws, including the Uniform Act (Measure CC-3, described in Section 7.7 of this ROD). Compliance with these laws will offset any impacts to communities due to relocations. The proposed Villages of Lakeview Specific Plan would not displace substantial numbers of existing housing units. The SR-79 Realignment Project may displace between 29 and 42 residential units and 13 to 14 businesses. However, because there is enough existing housing stock in the area, it is not anticipated that these displacements will present relocation issues. Therefore, no cumulative impacts related to property acquisition and relocations are anticipated as a result of the MCP Project and the other cumulative projects in the area.

7.27.4 Visual/Aesthetics (Final EIR/EIS, Section 3.25.5.4, starting on page 3.25-30)

The MCP Project will contribute to cumulative adverse visual impacts and changes of visual character in the study area. Western Riverside County is changing from vacant land and agricultural uses to a more urbanized visual character. Combined with the MCP Project, anticipated cumulative impacts to the visual environment include the conversion of vacant land, and rural and agricultural areas to urban residential and nonresidential uses and increased light and glare. Two major cumulative projects, the proposed Villages of Lakeview Specific Plan and the SR-79 Realignment Project, will contribute to this change. As a result, the MCP Project will contribute to cumulative impacts related to visual and aesthetics characteristics in the study area.

7.27.5 Cultural Resources (Final EIR/EIS, Section 3.25.5.5, starting on page 3.25-33)

The MCP Project will directly impact 2.6 acres of Site P-33-16598, the Multi-Use Prehistoric Site. That site is also anticipated to be impacted by the proposed The Villages of Lakeview Specific Plan. A total estimated 19 acres (24 percent) of the site could be impacted by those two projects. Sites 33-19862, 33-19863, 33-19864, and 33-19866 will be directly impacted and entirely destroyed by the MCP Project. Measures CUL-1 through CUL-7 (described in Section 5.2 of this ROD) address the potential adverse effects of the MCP Project on cultural resources. Even with these measures, the MCP Project will contribute to cumulative adverse effects on cultural resources.

7.27.6 Paleontology (Final EIR/EIS, Section 3.25.5.6, starting on page 3.25-39)

The excavation and grading for the MCP Project will impact paleontological resources. The excavation and grading for the other cumulative projects in the study area will have similar impacts on paleontological resources in areas determined to be sensitive for paleontological resources. As a result, the MCP Project will contribute to cumulative adverse effects on paleontological resources.

7.27.7 Noise (Final EIR/EIS, Section 3.25.3, page 3.25-14)

As discussed earlier, even with mitigation, the operation of the MCP Project will result in adverse noise impacts. The noise analysis for the MCP Project used traffic data, which included the traffic effects of cumulative land use and infrastructure projects. As a result, the operation of the MCP Project will contribute to a cumulative adverse noise impact in the study area.

7.27.8 Natural Communities (Final EIR/EIS, Section 3.25.5.7, starting on page 3.25-40)

Combined with the effects of other cumulative projects in the study area, the MCP Project will contribute to the incremental loss of natural communities in the region. The Western Riverside County MSHCP is 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 MCP Project and the other cumulative projects in the study area need to be consistent with the Western Riverside County MSHCP, which will ensure that cumulative impacts to those habitats as a result of those projects are effectively mitigated. As a result, the MCP Project will not contribute to cumulative adverse effects related to natural communities.

7.27.9 Wetlands and Other Waters (Final EIR/EIS, Section 3.25.5.8, starting on page 3.25-43)

The impacts of the MCP Project on wetlands are generally similar to, or less than, of other cumulative projects in the study area. For example, the wetland impacts of the MCP Project will be approximately 2.2 acres and the wetland impacts of the SR-79

Realignment Project will be over 10 acres. Similarly, the crossings of the San Jacinto River by the MCP Project will result in less impact to the river than the San Jacinto River Flood Control Project and likely crossings of the river associated with the other cumulative projects. Overall, the total MCP Project impact area of approximately 1,300 acres is about 7 percent of the more than 18,300 acres impacted by the other cumulative projects. The impacts of the MCP Project on wetlands will be mitigated at a minimum 2:1 ratio. The cumulative projects are anticipated to be subject to similar mitigation requirements. Because each cumulative project including the MCP Project is or will be required to replace impacted wetlands and nonwetland waters, the MCP Project will not contribute to a cumulative adverse impact on wetlands and other waters.

7.27.10 Plant Species (Final EIR/EIS, Section 3.25.5.9, starting on page 3.25-47)

The MCP Project will contribute to an incremental loss of areas of long-term conservation value for smooth tarplant and Coulter's goldfields, which are Covered Species under the Western Riverside County MSHCP. The Western Riverside County MSHCP provides mitigation for cumulative impacts to sensitive plant species and their habitats. The MCP Project and the other cumulative projects will be required to comply with the requirements of the Western Riverside County MSHCP regarding Covered Species. As a result, the MCP Project will not contribute to cumulative adverse effects on plants species.

7.27.11 Animal Species (Final EIR/EIS, Section 3.25.5.10, starting on page 3.25-49)

The Western Riverside County MSHCP allows for development of covered activities while maintaining the health of animal species by providing for conservation of species and habitats and a coordinated system of linkages providing for wildlife connectivity between conservation areas. The Western Riverside County MSHCP provides guidelines to avoid and minimize impacts to sensitive animal habitats known to occur in the vicinity of planned development and roads while permitting continued development and the construction, operation, and maintenance of roads. The Western Riverside County MSHCP Final EIR/EIS concluded that because of features incorporated into the Western Riverside County MSHCP and the additional mitigation measures included in that Final EIR/EIS, impacts to animal species will be reduced. As described earlier, the MCP Project will result in impacts on the following animal species: burrowing owl, LAPM, and bat species. The MCP Project and the other cumulative projects will comply with the requirements of the Western Riverside County MSHCP regarding Covered Species. As a result, the MCP Project will not contribute to cumulative adverse effects on animal species in the study area.

7.27.12 Threatened and Endangered Species (Final EIR/EIS, Section 3.25.5.11, starting on page 3.25-51)

When considered with the effects of the other cumulative projects, the MCP Project will contribute to the incremental loss of potentially suitable habitat for Stephens' kangaroo rat and California gnatcatcher, and occupied habitat for San Jacinto Valley crowscale, spreading navarettia, San Bernardino kangaroo rat, and least Bell's vireo. The MCP

Project and other cumulative projects will comply with the requirements of the Western Riverside County MSHCP and the Habitat Conservation Plan for the Stephens' Kangaroo Rat, which provide mitigation for cumulative impacts to threatened and endangered species and their habitats. The consistency of the cumulative projects, including the MCP Project, with the Western Riverside County MSHCP and Habitat Conservation Plan for the Stephens' Kangaroo Rat will ensure that the cumulative impacts are effectively mitigated. In addition, cumulative projects have undergone or will be expected to undergo review by the USFWS and the CDFW to ensure that they do not jeopardize the continued existence of listed species or destroy or adversely modify designated critical habitat. As a result, the MCP Project will not contribute to cumulative adverse effects on threatened and endangered species.

8.0 MITIGATION AND MONITORING OR ENFORCEMENT PROGRAM

The Environmental Commitments Record (ECR) for the MCP Project is provided in Appendix F, Environmental Commitments Record, in the Final EIR/EIS and is provided as an attachment to this ROD. The ECR will be continually updated by RCTC (the agency responsible for administering the design and construction of the MCP Project) to document compliance with the commitments made during the environmental process and to ensure that the avoidance, minimization, and mitigation measures identified for the MCP Project are implemented during the appropriate stages of the project.

Measures for the MCP Project addressing impacts on federally threatened and endangered species are summarized in the February 11, 2015, Biological Opinion letter from the USFWS titled "Streamlined Formal Section 7 Consultation for the Mid County Parkway Project, Riverside County, California" (provided in Appendix W, Biological Opinion, in the Final EIR/EIS). The complete language of the measures cited in the Biological Opinion is included in the ECR attached to this ROD.

9.0 RESPONSES TO COMMENTS ON THE FINAL EIR/EIS

The Notice of Availability of the Final EIS for the MCP Project was published in the Federal Register on April 24, 2015, and was circulated for review by other governmental agencies, organizations, and the public. The 30-day review period for the Final EIS closed on May 26, 2015. The Notice of Availability of the Final EIS for the MCP Project was published in the Federal Register on April 24, 2015, and was circulated for review by government agencies, organizations, and the public. The 30-day review period for the Final EIS closed on May 26, 2015. The FHWA received substantive comments on the Final EIS from the following: the United States Environmental Protection Agency; the Metropolitan Water District of Southern California; the Center for Biological Diversity (CBD), the Sierra Club, the Center for Community Action and Environmental Justice, the Friends of the Northern San Jacinto Valley, and the Friends of Riverside's Hills (one combined letter); Pam Nelson; Young Kim; Chang Kim (two comment emails); and Traci Sa'ena and others (approximately 360 emails were received with comments the same as or very similar to the comments provided by Ms. Sa'ena). The FHWA's responses to those substantive comments are provided below.

The responses to the comments on the Final EIS provided in this section include cross references to the relevant sections and pages in the Final EIS and to technical reports prepared in support of the Final EIS. The list of the cited technical reports is provided as Attachment B to this ROD. The citations to individual technical reports are noted in this ROD as Air Quality Technical Reports, Biological Resources Technical Report, etc., as listed in Attachment B.

9.1 United States Environmental Protection Agency

General Remarks: “The U.S. Environmental Protection Agency (EPA) has reviewed the Final Environmental Impact Statement (EIS) for the Mid County Parkway (MCP) in Riverside County, California. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality’s (CEQ) NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act. The Federal Highway Administration (FHWA), Caltrans, and Riverside County Transportation Commission (RCTC) have prepared this Final EIS to improve east-west transportation in western Riverside County between Interstate 215 in the west and State Route (SR) 79 in the east. As described in the Final EIS, three alternatives were evaluated, generally following a northern (Alternative 4 Modified), central (Alternative 5 Modified), and southern (Alternative 9 Modified) alignment through the city of Perris and continuing east on a route parallel to the existing Ramona Expressway. The Final EIS identifies the Preferred Alternative as Alternative 9 Modified with the San Jacinto River bridge design variation.

EPA provided comments on the Supplemental Draft EIS on April 5, 2013, rating the proposed project as Environmental Concerns-Insufficient Information (EC-2). The project has followed the National Environmental Policy Act and Clean Water Action Section 404 Integration Process for Federal Aid Surface Transportation Projects in California Memorandum of Understanding (NEPA/404 MOU). EPA participates on the MCP Resource Agency Coordination (RAC) team which provides an interagency forum for early feedback during project development and facilitates the NEPA/404 MOU process. EPA has provided agreement on the project’s revised purpose and need statement (July 21, 2010), agreement on the modified range of alternatives (January 31, 2011), and agreement on the preliminary Least Environmentally Damaging Practicable Alternative (LEDPA; February 10, 2014), as well as comments on the Administrative Final EIS and several revised draft technical documents which support the Final EIS.

In our comments on the Supplemental Draft EIS we expressed concerns with the project’s impacts to the San Jacinto River floodway from the San Jacinto River Bridge Design Variation and the Perris Valley Storm Drain channel from the Alternative 4 Modified bridge that parallels the channel. EPA also recommended utilizing a watershed approach to identify the most beneficial opportunities to mitigate for impacts to Waters of the U.S., and provided comments regarding minimization of neighborhood impacts, tribal coordination, and the use of U.S. EPA Tier 3 and Tier 4 construction equipment to further reduce construction emissions. We appreciate the extensive analysis and coordination which have taken place to address our comments, as well as the changes and additional mitigation measures which have been committed to in the Final EIS.

Additionally, we appreciate the comprehensive analysis of Climate Change and quantification of Greenhouse Gas (GHG) emissions provided in the Final EIS, including discussions of climate change mitigation and GHG reduction strategies.

Based upon the information presented in the Final EIS, and the identification of Alternative 9 Modified as the preferred alternative and preliminary LEDPA, EPA's concerns with the project have been addressed. We commend FHWA, Caltrans, and RCTC for working so extensively with the public and resource agencies to identify a Preferred Alternative for MCP that best balances community needs and concerns with protection of the environment. EPA appreciated the regular and proactive engagement with resource agencies to provide project updates, elicit agency concerns, and provide supplemental analyses and project refinements when needed. We hope that the MCP RAC team will serve as a national example of successful interagency coordination.

We note that we are available for additional coordination regarding mitigation for MCP project impacts, and we look forward to working with the MCP RAC team to finalize the project's compensatory mitigation plan."

Comment EPA-1: "Given the nature of the project, we understand that it may not be possible to mitigate for all vehicular GHG emissions; however, we recommend that the Record of Decision (ROD) include a discussion of specific measures from the Regional Transportation Plan/Sustainable Communities Strategies (as referenced on pages 4-51 and 4-135) that have been identified for their potential to reduce regional GHG emission and offset project-related GHG increases."

Response to Comment EPA-1: The text cited in this comment is part of a discussion in Section 4.5, Climate Change (starting on page 4-51), in the Final EIR/EIS that says:

"The following would also contribute to offsetting project related GHG emissions:

- The provision in California's Cap-and-Trade Program enabling fuel providers to incorporate costs of complying with the requirements of AB 32 cap on carbon emissions into the fuels they sell. This provision which became effective January 1, 2015, is a new mechanism to address the effects of carbon emissions from motor vehicles (http://www.arb.ca.gov/cc/capandtrade/guidance/faq_fuel_purchasers.pdf).
- The MCP project is part of the SCAG's 2012 Regional Transportation Plan/Sustainable Communities Strategy, a regional plan which includes measures to address the goals of AB 32 and SB 375.
- As part of its mitigation commitments for the Western Riverside County MSHCP (see Appendix T) of this Final EIR/EIS, RCTC will acquire and place into conservation of approximately 150 acres of native plant communities that would otherwise be subject to development."

The intent of this text was to describe activities, including activities already committed to by RCTC and activities not necessarily under the control of RCTC, which would

contribute to reductions in GHG emissions. The first item cites requirements under Assembly Bill (AB) 32 that are specific to fuel providers. Those requirements are outside the control of RCTC and would not apply specifically to the MCP Project but, as implemented throughout the region by fuel providers, use of fuel that meets the AB 32 requirements by users of the MCP facility and other transportation facilities in the region would contribute to GHG reductions.

The second item notes that the MCP Project is one of many projects included and evaluated in the 2012 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). Pursuant to Senate Bill (SB) 375, the California Air Resources Board (ARB) set per capita GHG emission reduction targets from passenger vehicles for each of the state's Metropolitan Planning Organizations (MPOs). For the Southern California Association of Governments (SCAG) MPO, the targets are set at 8 percent below 2005 per capita emissions levels by 2020 and 13 percent below 2005 per capita emissions levels by 2035. The 2012 RTP/SCS achieves per capita GHG emission reductions relative to 2005 of 8 percent in 2020 and 16 percent in 2035. The RTP/SCS GHG mitigation program includes, but is not limited to, the following types of measures:

- Land use changes included in the SCS that reduce number and length of trips
- Encouragement of green construction techniques such as using the minimum amounts of GHG emitting construction equipment
- Public outreach campaigns publicizing the importance of reducing GHG emissions
- Promotion of pedestrian and bicycle as modes of transportation

The third item notes RCTC's commitments under the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) to place approximately 150 acres of native plant communities into permanent preservation. This commitment would prevent the carbon that is currently sequestered in the vegetation from being released into the atmosphere.

9.2 Metropolitan Water District of Southern California

General Remarks: "The Metropolitan Water District of Southern California (Metropolitan) has reviewed the Final Environmental Impact Statement (FEIS) for the Mid County Parkway Project, located in western Riverside County, California. We appreciate your agency's responses to our comments (letter dated April 8, 2013) on the "Notice of Availability of a Recirculated Draft Environmental Impact Report/ Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS) for the MCP project."

Comment MWD-1: "Metropolitan's comment letter is included as: "SDU-2" in FEIS Appendix S ("Responses to Comments on the Recirculated Draft EIR/Supplemental Draft EIS"). Comment SDU-2-6 reads as follows: *"The RDEIR/SDEIS does not specifically identify the presence of cultural sites on Metropolitan property and none are anticipated. In the unlikely event that cultural materials are discovered on Metropolitan*

property and except as provided for in PRC Section 5097.98, Metropolitan, as the property owner, would consult with RCTC on their disposition in a qualified repository at the conclusion of the project. Mitigation and curation costs would remain the responsibility of the project.”

Response to Comment MWD-1: The comment restated Metropolitan’s original comment on the Recirculated Draft EIR/Supplemental Draft EIS numbered as comment SDU-2-6, which was included in Appendix S, Responses to Comments, (page S-320) in the Final EIR/EIS. The response to the original comment SDU-2-6 in the Final EIR/EIS is: “The comment requests that disposition of any cultural material recovered on Metropolitan property during project construction be curated in a qualified repository at the expense of the project. Measure CUL-3, on page 3.8-26 in the Final EIR/EIS, requires that handling of cultural material recovered during project construction, including material found on Metropolitan property, will follow the agreed-to protocols detailed in the Memorandum of Agreement (MOA) between the Federal Highway Administration (FHWA) and the State Historic Preservation Officer (SHPO). The MOA is provided in Appendix U, Memorandum of Agreement, in the Final EIR/EIS.”

No new comment was provided in this paragraph of the Metropolitan comment letter on the Final EIS. Therefore, no new response to original comment SDU-2-6 is provided.

Comment MWD-2: “Notwithstanding FEIS mitigation measure CUL-3 and the “Memorandum of Agreement Between the Federal Highway Administration and the California State Historic Preservation Officer Regarding the Mid County Parkway Project” (FEIS Appendix U), Metropolitan looks forward to consulting with the Riverside County Transportation Commission (RCTC) and FHWA on the appropriate disposition of any cultural materials that may be found on Metropolitan property.

Metropolitan also looks forward to continued coordination with RCTC and FHWA to ensure the protection of Metropolitan’s facilities and rights-of-way in the project area, as described in our letter dated April 8, 2013, and its attachments.”

Response to Comment MWD-2: As required by Measure CUL-3 (Final EIR/EIS, page 3.8-27) and Section V.5.A in the Memorandum of Understanding (Final EIR/EIS, Appendix U), RCTC and FHWA will continue to coordinate with Metropolitan on the appropriate disposition of any cultural materials that may be found on Metropolitan property during construction of the MCP Project. The RCTC and the FHWA will also continue to coordinate with Metropolitan, as described in Metropolitan’s April 8, 2013, comment letter on the Recirculated Draft EIR/Supplemental Draft EIS and the attachments to that letter (Final EIR/EIS, Appendix S), during project design and construction to ensure the protection of Metropolitan’s facilities and rights-of-way in the project area.

9.3 Center for Biological Diversity, Sierra Club, Center for Community Action and Environmental Justice, Friends of the Northern San Jacinto Valley, and Friends of Riverside's Hills

General Remarks: “The comments are submitted on behalf of the Center for Biological Diversity, Sierra Club, Center for Community Action and Environmental Justice, Friends of the Northern San Jacinto Valley, and Friends of Riverside's Hills on the Mid County Parkway Final Environmental Impact Report/Final Environmental Impact Statements and Final Section 4(f) Evaluation (“FEIR/FEIS). The Mid County Parkway (“MCP”) is a proposed 1.732 billion dollar east-west freeway connecting Interstate 215 and State Route 79 in Riverside County, California. (FEIR/FEIS 1-1, 1-12.) The sixteen-mile, six-lane freeway is planned to divide the low-income and minority communities of Perris and San Jacinto and spurs urbanization in agricultural areas and regionally important wildlife areas such as the San Jacinto Wildlife Area and the Lake Perris State Recreation Area. (FEIR/FEIS 1-1, 1-25, 3.4-43, 3.4-44, 3.17-11.)

The MCP Project will only add to the list of problems facing communities in Riverside County. Minority and low-income communities in Southern California bear over twice the level of traffic density than other communities, exposing them to concentrations of vehicle-related air pollutants that are higher near the source. These air pollutants can cause a host of health problems, including exacerbations of asthma and other respiratory diseases, eye and throat irritation, headaches, nausea, and even increased mortality. Minority communities in particular have disproportionately higher cancer risks from exposure to air pollutants. And despite living next to more roadways, minority and low-income households are less likely to own vehicles, leaving them with all the burdens of roadways without the benefits. By building another freeway through the communities of Perris and San Jacinto, the MCP will worsen regional air quality and increase the risk of a host of health problems.

Further, the Final EIR/FEIS fails to comply with the National Environmental Policy Act (“NEPA”). In addition to masking the project's impacts to environmental justice populations, the FEIR/FEIS fails to adequately analyze impacts to air quality, traffic, threatened and endangered species, and climate change. The Final EIR/FEIS violates NEPA and misleads the public, and the Record of Decision should be rejected.”

Response to General Comments: The MCP Project was not planned to “divide the low-income and minority communities of Perris and San Jacinto and spur urbanization in agricultural areas and regionally important wildlife areas such as the San Jacinto Wildlife Area and the Lake Perris State Recreation Area.” As discussed in Section 1.2 in the Final EIR/EIS, the MCP Project was developed through a comprehensive regional planning process known as the Riverside County Integrated Project which sought to balance the needs for future growth and development of existing agricultural lands by providing sufficient transportation infrastructure and preserving an additional 153,000 acres of important habitat through the Western Riverside County MSHCP. Furthermore, none of the three applicable local General Plans (County of Riverside and Cities of Perris and San Jacinto) propose any “urbanization regionally important wildlife areas such as the San Jacinto Wildlife Area and the Lake Perris State Recreation Area.”

The concerns raised in these general remarks regarding “masking the project’s impacts to environmental justice populations” and failure to analyze impacts to air quality, traffic, threatened and endangered species, and climate change are addressed in detail below in response to specific comments submitted by CBD.

This comment letter included a number of footnotes. The text of all the comments in this letter is provided verbatim from that letter in the following sections. The footnotes and the footnote numbers provided in the letter are not included in this ROD.

Comment CBD-1 (Environmental Justice Statutes and Regulations): “A number of federal and state statutes require agencies to address the environmental justice impacts of their projects and programs. In 1994, President Clinton issued Executive Order 12898 requiring agencies to “identify[] and address[], as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.” (Exec. Ord. No. 12898 § 1-101 (Feb. 11, 1994).) In an accompanying memorandum on using existing “[e]nvironmental and civil rights statutes . . . to address environmental hazards in minority communities and low-income communities,” President Clinton stated that agencies should use the NEPA process to analyze the environmental effects of proposed projects on environmental justice communities. (Memorandum from President Clinton (Mar. 1994).)

Title VI of the Civil Rights Act of 1964 also protects environmental justice communities by prohibiting “exclusion from participation in, denial of benefits of, and discrimination under Federally assisted programs” because of “race, color, or national origin.” (42 U.S.C. § 2000d.) Similarly, the California Government Code states that

No person in the State of California shall, on the basis of race, national origin, ethnic group identification, religion, age, sex, sexual orientation, color, genetic information, or disability, be unlawfully denied full and equal access to the benefits of, or be unlawfully subjected to discrimination under, any program or activity that is conducted, operated, or administered by the state or by any state agency, is funded directly by the state, or receives any financial assistance from the state.

(Cal. Gov't Code § 11135(a).)

The Environmental Protection Agency (“EPA”) and the Council on Environmental Quality (“CEQ”) provide guidance for incorporating environmental justice into the NEPA process. EPA advocates for a cumulative approach to environmental justice analyses, stating that analysts may consider “[m]ultiple exposure sources and/or paths for the same pollutant,” “[h]istorical exposure sources and/or pathways,” “[p]otential for aggravated susceptibility due to existing air pollution,” and health and diet data, among other factors. Similarly, CEQ directs agencies to consider “the composition of the affected area,” “relevant public health data and industry data concerning the potential

for multiple or cumulative exposure to human health or environmental hazards . . . and historical patterns of exposure,” and “the interrelated cultural, social, occupational, historical, or economic factors that may amplify the natural and physical environmental effects of the proposed agency action.” When a project will have a “disproportionately high and adverse human health or environmental impact on minority population[s], low-income population[s], or Indian tribe[s],” CEQ guides agencies to take “steps to avoid, mitigate, minimize, rectify, reduce, or eliminate the impact,” making sure to “carefully consider community views” and “the needs and preferences of the affected” populations.”

Response to Comment CBD-1: All projects involving a federal action (funding, permit, or land) must comply with Executive Order (EO) 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which directs federal agencies to take appropriate and necessary steps to identify and address disproportionately high and adverse effects of federal projects on the health or environment of minority and low-income populations to the greatest extent practicable and permitted by law. The Federal Highway Administration (FHWA) “Guidance on Environmental Justice and NEPA” (December 16, 2011) specifically focuses on addressing environmental justice in the context of EO 12898 and the National Environmental Policy Act (NEPA) for projects under consideration by FHWA. The environmental justice analyses for the MCP Project follow that FHWA Guidance.

Specifically, Section 3.4.3, Environmental Justice, (starting on page 3.4-42) in the Final EIR/EIS and the Community Impact Technical Reports identify environmental justice populations in the MCP Project study area (specifically the percentage of non-White residents, Hispanic residents, and population below poverty level, and median household income). The “FHWA Guidance on Environmental Justice and NEPA” requires that an environmental document:

- Identify existing minority and low income populations: this information is provided in Section 3.4.3.2 in the Final EIR/EIS (starting on page 3.4-42) and Appendix A, Demographic Summaries, in the Community Impact Assessment Technical Reports.
- Identify low-income population based on the Department of Health and Human Services poverty guidelines; this information is provided in Section 3.4.3.2 in the Final EIR/EIS (starting on page 3.4-44).
- Identify groups or clusters of minority or low income persons: this information, based on census tract data, is provided in Section 3.4.3.2 in the Final EIR/EIS (starting on page 3.4-42).
- Provide demographic information on the general population in the project study area; this information is provided in Section 3.4.1.2 in the Final EIR/EIS (starting on page 3.4-3).
- Discuss public participation including activities to increase low-income and minority participation; this information is provided in Chapter 5.0, Comments and Coordination, in the Final EIR/EIS.

- Identify disproportionately high and adverse effects on environmental justice populations; this information is provided in Section 3.4.3.3 in the Final EIR/EIS (starting on page 3.4-53)
- Identify beneficial and adverse effects on the overall population and on minority and low-income populations under applicable topics; these effects are discussed throughout Chapter 3.0, Affected Environment, Environmental Consequences, and Avoidance, Minimization, and/or Mitigation Measures, in the Final EIR/EIS.
- Compare the impacts on the minority and/or low-income populations with respect to the impacts on the overall population; this information is provided in Section 3.4.3.3 in the Final EIR/EIS (starting on page 3.4-53).
- Discuss measures to avoid or mitigate the adverse effects; measures included in the MCP Project to address impacts on all populations including environmental justice populations are provided in Chapter 3.0 and in Appendix F, Environmental Commitments Record, in the Final EIR/EIS, and in Attachment A in this Record of Decision (ROD).
- Determine whether those effects are disproportionately high and adverse with respect to minority and/or low income populations after mitigation: this information is provided in Section 3.4.3.3 in the Final EIR/EIS (starting on page 3.4-53).

Section 3.4.3 (starting on page 3.4-43) in the Final EIS documents that, according to the 2010 United States Census, 52 percent of the population in the MCP study area census tracts were non-White persons. Section 3.4.3 (page 3.4-44) in the Final EIR/EIS noted that the percentages of persons living below the poverty level in 2009 in the Cities of Perris and San Jacinto were 19.5 and 17 percent, respectively. The analysis determined that minority and low-income populations could be impacted by the MCP Project as a result of the displacement or relocation of residences and businesses, and the MCP Project could physically divide an ethnic or low-income neighborhood. The analysis also determined that the MCP Project could provide benefits to minority and low-income populations by improving mobility and circulation in these communities, the MCP study area, and the western Riverside County region as a whole (page 3.4-54 in Section 3.4.3 in the Final EIR/EIS). A health risk assessment (Section III starting on page 4-13 in Chapter 4 in the Final EIR/EIS, Section 3.14.3 starting on page 3.14-33 in the Final EIR/EIS, and the Air Quality Technical Reports) was prepared to determine both the general health risks of diesel exhaust particulates and the contribution of diesel trucks as well as the potential air toxics risks of the MCP Project. As discussed in the Final EIR/EIS (page 4-23 in Chapter 4 and page 3.14-39 in Section 3.14.3), no health-related effects are expected to occur to environmental justice populations and children as a result of the MCP Project. The Final EIR/EIS also concluded that the MCP Project would require relocations and would physically divide an existing community with high percentages of low-income and/or minority populations, but that the ample supply of existing housing stock in the immediate area will facilitate the ability to relocate residents within their existing communities (Section 3.4.3, page 3.4-57 in the Final EIR/EIS). It was also determined that alternatives that would avoid or reduce the adverse effects on the low-income and minority populations are not practicable, as it is

not possible to route the project around these populations and still meet the project purpose to improve mobility between and through the Cities of Perris and San Jacinto. It was also determined that mitigation measures provided throughout the Final EIR/EIS and in the Environmental Commitment Report (ECR) included in Attachment A to this ROD, including measures related to land use, air quality, visual, and noise, etc., will reduce impacts of the MCP Project on all affected populations, including minority and low-income populations (Final EIR/EIS, page. 3.4-58).

Based on the analyses summarized above, the Final EIS concluded that Alternative 9 Modified SJRB DV would not result in disproportionately high and adverse impacts with respect to minority and/or low income populations after mitigation. Therefore, the analyses in the Final EIR/EIS and the MCP Project comply with the requirements of EO 12898 and are consistent with FHWA's "Guidance on Environmental Justice and NEPA."

As identified in Title VI of the Civil Rights Act of 1964 and related statutes, no person in the State of California shall, on the grounds of race, color, national origin, sex, disability, religion, sexual orientation, or age, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity it administers. These considerations under Title VI of the Civil Rights Act of 1964 and related statutes have also been included in the MCP Project. The California Department of Transportation's (Caltrans') commitment to upholding the mandates of Title VI is demonstrated by its Title VI Policy Statement, signed by the Director, which is provided in Appendix C in the Final EIR/EIS. Therefore, the Final EIR/EIS and the MCP Project comply with the requirements of Title VI of the Civil Rights Act of 1964.

The USEPA "Final Guidance for Incorporating Environmental Justice Concerns in EPA's NEPA Compliance Analyses (April 1998) and "Guidance on Considering Environmental Justice During the Development of Regulatory Actions" (May 2015) specifically relate to actions under consideration by the USEPA. As a result, they are not applicable to actions under consideration by FHWA, including the MCP Project.

The CEQ "Environmental Justice Guidance Under the National Environmental Policy Act" (December 10, 1997) provides information on EO 12898 and NEPA related specifically to addressing issues associated with environmental justice. As noted in this comment, the CEQ directs agencies to consider "...the composition of the affected area...", "...relevant public health data and industry data concerning the potential for multiple or cumulative exposure to human health or environmental hazards...", and historical patterns of exposure...", and "...the interrelated cultural, social, occupational, historical, or economic factors that may amplify the natural and physical environmental effects of the proposed agency action." (Refer to Section 3.4.3 in the Final EIR/EIS.) This comment further notes that, when a project will have a "disproportionately high and adverse human health or environmental impact on minority or low-income populations, the CEQ Guidance directs agencies to take "...steps to avoid, mitigate, minimize, rectify, reduce, or eliminate the impact." As noted above, the analyses in Section 3.4.3 in the Final EIR/EIS considered the effects of the MCP Project on environmental justice

populations and determined that the MCP Project would require relocations and would physically divide an existing community with high percentages of environmental justice populations but that the MCP Project would not result in health-related effects on those populations. It was also determined that mitigation measures provided throughout the Final EIR/EIS and in the ECR included in Attachment A to this ROD, including measures related to land use, air quality, visual, and noise, etc., will reduce impacts of the MCP Project on all affected populations, including minority and low-income populations (page 3.4-58 in Section 3.4.3 in the Final EIR/EIS). Therefore, the analyses in the Final EIR/EIS related to environmental justice populations are consistent with the CEQ guidance.

Comment CBD-2 (The FEIR/FEIS Fails to Adequately Analyze Impacts to Minority and Low-Income Communities - The Composition of the Affected Communities):

“The MCP will predominately impact communities that are sensitive to the environmental effects of freeways and that already experience a degraded environment. The City of Perris has a majority Non-White population comprising 57.6 percent of the population. (FEIR/FEIS 3.4-9 fig. 3.4.2.) San Jacinto’s population is 42 percent Non-White, which is higher than Riverside County’s 39 percent and California’s 37.6 percent. (FEIR/FEIS 3.4-9 fig. 3.4.2.) The MCP study area also has a high Hispanic population: Perris is 71.8 percent Hispanic and San Jacinto is 52.3 percent Hispanic, both of which are higher than Riverside County generally (45.5 percent Hispanic) and the State of California (37.6 percent Hispanic). (FEIR/FEIS 3.4-43–44.) The MCP study area’s Hispanic population is 62.6 percent and rapidly growing. (FEIR/FEIS 4.3-13.) From 2000 to 2010, the White population dropped by 20 percent while the Hispanic population grew by 100 percent. (FEIR/FEIS 4.3-13.)

The MCP study area also has a high percentage of young people. The population under 19 years of age is 40 percent in Perris, 36.2 percent in San Jacinto, 34 percent for the MCP study area as a whole, and 38.7 percent in all of Riverside County. (FEIR/FEIS 3.4-7, -14–15.) In comparison, 28.1 percent of the total State population is 19 or younger. The MCP’s immediate location would disproportionately impact young people because eight schools are in the MCP study area and seven schools are within .25 mile of the freeway. (FEIR/FEIS 3.4-21, 4-57.)

Additionally, the cities in the MCP study already face high poverty rates. Perris’s poverty rate—the percentage of the population living below poverty level—is 25.9 percent and San Jacinto’s is 17.4 percent, both higher than the poverty rates of Riverside County as a whole (16.2 percent) and the State (16 percent). (FEIR/FEIS 3.4-44.) The poverty level “increased substantially” between 2009 and 2013. (FEIR/FEIS 3.4-44.) The median household income in 2013 was \$48,311 in Perris and \$46,769 in San Jacinto, both lower than Riverside County’s 2013 median household income of \$56,529 and California’s 2009-2013 median household income of \$61,094.12 (FEIR/FEIS 3.4-44, -53.)

Related to both age and poverty level is transit-dependency. Transit-dependent people are those “who are without private transportation, elderly (over age 65), youths (under

age 18), or below poverty or median income levels.” (FEIR/FEIS 3.4-14.) The percentages of transit-dependent populations are 25 percent and 18 percent in Perris and San Jacinto, respectively, whereas Riverside County has a lower transit-dependent population of just 14 percent. (FEIR/FEIS 3.4-15.)”

Response to Comment CBD-2: This comment largely summarizes information provided in Section 3.4, Community Impacts, (starting on page 3.4-42) in the Final EIR/EIS and the Community Impact Technical Reports related to identifying environmental justice populations in the MCP Project study area cities. Environmental justice populations are defined in EO 12898 as “...minority populations and low-income populations.” As a result, environmental justice populations include the minority and low-income populations cited in Comment CBD-2 but do not include the persons below 18 years of age or transit-dependent populations cited in the comment. However, those populations are discussed in Section 3.4.1, Community Character and Cohesion, in the Final EIR/EIS and the Community Impact Technical Reports.

Section 3.4.3, Environmental Justice, (page 3.4-54) in the Final EIR/EIS, notes that “All MCP Build Alternatives would impact minority and low-income populations, primarily from displacements/relocations and from impacts to community character and cohesion. The MCP Build Alternatives are proposed near residential areas, parks, schools, and other community facilities. Because the minority and low-income populations and other sensitive receptors (elderly and children) reside in or frequently use these areas, a health risk assessment was prepared to determine the general health risks of diesel exhaust particulates and contribution of diesel trucks to those risks, and the MCP project’s potential air toxics risks. The potential short-term air emissions during project construction are discussed in Section III, Air Quality, and are summarized in Tables 4.III.A and 4.III.B in Chapter 4.0 in the Final EIR/EIS. The potential long-term health risks are discussed in Section 4.III and summarized in Tables 4.III.F and 4.III.G in Chapter 4.0. As discussed in Section 3.14, and in Chapter 4.0, no health-related effects are expected to occur to environmental justice populations and children from diesel exhaust particles during the implementation of the MCP Build Alternatives.”

Section 3.4.3 (page 3.4-56 in the Final EIR/EIS) provides the following determination regarding the project effects on environmental justice populations: “Based on the above considerations, FHWA has made the following determination regarding each MCP Alternative and its potential for disproportionately high or adverse impacts to environmental justice populations. Because of the high percentages of low- income and/or minority populations in the MCP study area compared to Riverside County as whole, the adverse impacts of any of the MCP Build Alternatives will be predominantly borne by a minority or low-income population group.”

Section 3.4.3 (page 3.4-58 in the Final EIR/EIS) describes mitigation to address those effects as follows: “...there are measures provided elsewhere in this EIR/EIS that address effects of the Build Alternatives related to community cohesion, property acquisitions/displacements, aesthetics, air quality, and noise, including those types of effects on environmental justice populations. Those measures are:

- Measures LU-1 and LU-2 in Section 3.1, Land Use
- Measures CC-1, CC-2, and CC-3 in Section 3.4.1, Community Character and Cohesion
- Measures CC-3 and CC-4 in Section 3.4.2, Relocations and Real Property Acquisition
- Measures VIS-1 to VIS-7 in Section 3.7, Visual/Aesthetics
- Measures TR-1 to TR-7 in Section 3.6, Transportation, Traffic, and Bicycle/Pedestrian Facilities
- Measures AQ-1 to AQ-6 in Section 3.14, Air Quality
- Measures N-1, N-2, N-3, and N-5 in Section 3.15, Noise”

Page 3.4-57 in the Final EIR/EIS summarizes the effects of the MCP Project on environmental justice populations after mitigation as follows: “The adverse impacts of Alternative 9 Modified would not be appreciably more severe or greater in magnitude than the adverse impacts to non-minority and/or non-low-income population groups after mitigation measures and offsetting project benefits are considered. Although Alternative 9 Modified does divide an existing community within a CT with high percentages of low-income and/or minority populations, measures such as depressing the alignment below grade and providing a local roadway connection across the new freeway would help maintain the cohesiveness of this community. Although Alternative 9 Modified does result in 102 residential relocations within CTs with high percentages of low-income and/or minority populations, the ample supply of existing housing stock in the immediate area will facilitate the ability to relocate residents within their existing communities. Therefore, Alternative 9 Modified is not considered to have disproportionately high or adverse impacts to environmental justice populations.”

Based on the discussion of impacts and mitigation measures described above, the analysis in the Final EIR/EIS is consistent with the requirements of NEPA and EO 12898 regarding the consideration of project effects on environmental justice populations as well as the measures included in the project to address those effects.

As noted earlier, young, elderly, and transit dependent populations are not included in the definition of environmental justice populations. As noted on page 3.4-14 in Section 3.4 in the Final EIR/EIS, “The Federal Transit Administration defines transit-dependent persons as those who are without private transportation, elderly (over age 65), youths (under age 18), or below poverty or median income levels as defined by the United States Census Bureau.” The transit dependent populations in the MCP Project study area are discussed in Section 3.4 (starting on page 3.4-14 in the Final EIR/EIS). This comment correctly notes that there are a number of schools in the vicinity of the MCP Project (Figure 3.4-5 on page 3.4-19 in the Final EIR/EIS). None of those schools are within the limits of the improvements in the selected alternative. However, it is possible that transit-dependent persons in the study area, including students, may need to cross

the MCP facility while traveling between their residences and schools, employment, and other destinations. Measures in the Final EIR/EIS, specifically the measures cited above that address impacts to all environmental justice populations, will also address effects on young people and other transit-dependent populations who rely on pedestrian facilities to get to and from school, employment, and other destinations. Specifically, pedestrian access will be maintained during construction and operation as required in Measures LU-1 and LU-2, crossing guards and traffic controls will be implemented near schools during construction as required in Measure CC-1, and residential areas and street segments disrupted by construction will be restored and enhanced as required in Measure CC-2. Structure design, hardscape enhancements, and the development and implementation of a cohesive landscape plan will further enhance and protect the interests of pedestrians and transit users as required in Measures CC-2, VIS-1 through VIS-7, and TR-1 through TR-7.

This comment also asserts that the “The MCP’s immediate location would disproportionately impact young people because eight schools are in the MCP study area and seven schools are within .25 mile of the freeway.” However, the pages of the Final EIR/EIS cited in this part of the comment do not present evidence that the MCP Project would result in disproportionate impacts to young people. Page 3.4-21 in the Final EIR/EIS lists eight schools in the City of Perris in the MCP study area but does not discuss impacts of the MCP Project on those schools. Page 4-57 in the Final EIR/EIS specifically discusses the potential for hazardous materials effects on sensitive receptors and concludes “The construction and operation of the MCP project would not involve the release of hazardous emissions or the handling of acutely hazardous materials. Therefore, they would not result in adverse impacts to schools within 0.25 mile of the MCP Project as a result of hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of a school.” Therefore, the statement in this comment is not supported by information in the Final EIR/EIS.

Comment CBD-3 (The FEIR/FEIS Fails to Adequately Analyze Impacts to Minority and Low-Income Communities - The FEIR/FEIS Fails to Accurately Portray the Disproportionate Impacts to the Affected Minority and Low-Income Communities): “In analyzing the environmental justice impacts of the MCP, the FEIR/FEIS purports to consider “[w]hether the adverse impact(s) of the proposed project will be predominately borne by a minority or low-income population group.” (FEIR/FEIS 3.4-53.) The FEIR/FEIS recognizes, then dismisses, the disproportionate impacts to minority and low-income communities by claiming that, “[b]ecause of the high percentages of low-income and/or minority populations in the MCP study area compared to Riverside County as a whole, the adverse impacts of any of the MCP Build Alternatives will be predominately borne by a minority or low-income population group.” (FEIR/FEIS 3.4-56.) The FEIR/FEIS suggests that disproportionate impacts to minority and low-income communities are unavoidable—and acceptable—because the population of the entire area is minority and low-income. This does not change the fact that the MCP will result in “disproportionately high and adverse human health or environmental effects.” (Exec. Ord. No. 12898 § 1-101.)

The FEIR/FEIS states that “[a]lternatives that would avoid or reduce the adverse effects on the low-income and minority populations are not practicable, as it is not possible to route the MCP alignments around these populations and still meet the project purpose to improve mobility between and through the Cities of Perris and San Jacinto.” (FEIR/FEIS 3.4-58.) However, the FEIR/FEIS recognizes that, “[u]nder the No Build Alternatives, the permanent adverse effects to minority and low-income populations...would not occur.” (FEIR/FEIS 3.4-57.) The No Build Alternatives include improvements to existing roadways, such as widening highways and improving Ramona Expressway. (FEIR/FEIS 3.4-57.) But instead of selecting these less harmful alternatives, the FEIR/FEIS prioritizes fulfilling its improperly narrow list of purposes over reducing disproportionate impacts to minority and low-income communities.

Despite the MCP’s significant and disproportionate impacts to the minority and low-income communities described above, the FEIR/FEIS claims that the “adverse impacts of Alternative 9 Modified would not be appreciably more severe or greater in magnitude than the adverse impacts to non-minority and/or non-low-income population groups after mitigation measures and offsetting project benefits are considered.” (FEIR/FEIS 3.4-57.) The FEIR/FEIS improperly rejects alternatives and mitigation measures, such as increasing public transit between Perris and San Jacinto, to reduce the MCP’s disproportionate impacts on minority and low income communities. Instead, the FEIR/FEIS offers mitigation measures such as “depressing the alignment below grade and providing a local roadway connection across the new freeway” to “help maintain the cohesiveness of the community.” (FEIR/FEIS 3.4-57.) But the suggested mitigation measures will not address the most significant impacts to communities in the MCP study area: adverse health effects and residential relocations.”

Response to Comment CBD-3: This comment incompletely considers the information in Section 3.4.3.3 in the Final EIR/EIS regarding impacts on environmental justice populations. There is additional discussion in Section 3.4.3.3 that supports the conclusion that Alternative 9 Modified would not have disproportionately high or adverse effects to environmental justice populations. Specifically, as discussed in Section 3.4.3.3, Environmental Consequences, (page 3.4-57 in the Final EIR/EIS), “The adverse impacts of Alternative 9 Modified would not be appreciably more severe or greater in magnitude than the adverse impacts to non-minority and/or non-low-income population groups after mitigation measures and offsetting project benefits are considered. Although Alternative 9 Modified does divide an existing community within a CT with high percentages of low-income and/or minority populations, measures such as depressing the alignment below grade and providing a local roadway connection across the new freeway would help maintain the cohesiveness of this community. Although Alternative 9 Modified does result in 102 residential relocations within CTs with high percentages of low-income and/or minority populations, the ample supply of existing housing stock in the immediate area will facilitate the ability to relocate residents within their existing communities. Therefore, Alternative 9 Modified is not considered to have disproportionately high or adverse impacts to environmental justice populations.”

This comment states that the No Build Alternatives include highway widening and improvements to Ramona Expressway. However, it incompletely cites the discussion of the potential effects of the No Build Alternatives on environmental justice populations. Specifically, the discussion of the effects of the No Build Alternatives on page 3.4-57 (in the Final EIR/EIS) reads in its entirety: “Under the No Build Alternatives, the permanent adverse effects to minority and low-income populations discussed above for the MCP Build Alternatives would not occur as a result of the MCP project. Other transportation improvement projects included in the No Build Alternatives are not expected to result in disproportionately high or adverse impacts to minority or low-income populations within the MCP study area because these other projects primarily involve widening of existing highways. Alternative 1B would implement the Riverside County General Plan Circulation Element improvements on Ramona Expressway, and may result in permanent impacts to minority and low-income populations similar to those discussed above for the MCP Build Alternatives.”

This comment states that the project purpose and objectives are improperly limited and restrict the range of reasonable alternatives including alternatives that could avoid or reduce effects on environmental justice populations. Section 1.2, Project Background, (starting on page 1-5 in the Final EIR/EIS) provides a detailed discussion of the history of the proposed project, from the broad range of alternatives and transportation modes considered in the early Riverside County Integrated Project (RCIP) and Community and Environmental Transportation Acceptability Process (CETAP) studies, which included extensive 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 Interstate 15 (I-15) and State Route 79 (SR-79) (later shortened to between Interstate 215 [I-215] and SR-79) to meet the forecasted travel demand in that corridor. The MCP Project 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 discussed in a response to comment on the Recirculated Draft EIR/Supplemental Draft EIS (page S-509 in Appendix S in the Final EIR/EIS), prior to developing the range of alternatives to be evaluated 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 (United States Army Corps of Engineers [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.”

Once the purpose and need for the modified MCP Project was concurred on by the NEPA/404 agencies in July 2010, 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, USEPA, 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. The development of the range of modified alternatives for the 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 that modified purpose and need. Therefore, the purpose of the MCP Project is not improperly narrow based on the history of the RCIP, the CETAP, and the MCP Project studies.

In addition, the No Build Alternatives do not meet the project purpose as follows:

“Alternative 1A was not developed to meet the defined project purpose. It was developed specifically to allow for comparison of future with-project conditions to the existing ground conditions in the study area as required under CEQA. As a result, Alternative 1A would not meet the defined purpose for the project because it would not provide increased capacity to support the forecast travel demand in 2040, would not provide a limited access facility, would not provide roadway geometrics to meet state highway design standards, would not accommodate Surface Transportation Assistance Act National Network trucks, and would not provide a facility that is compatible with a future multimodal transportation system.” (page 2-67 in the Final EIR/EIS)

“Alternative 1B was not developed to meet the defined project purpose. It was developed specifically to allow for comparison of future with-project conditions to the future without-project ground conditions in the study area. As a result, although Alternative 1B would provide increased capacity compared to existing conditions, it would not provide a limited access facility, would not provide roadway geometrics to meet state highway design standards; would not accommodate Surface Transportation Assistance Act National Network trucks, and would not provide a facility that is compatible with a future multimodal transportation system.” (page 2-68 in the Final EIR/EIS)

With regard to the potential health effects on environmental justice populations cited in this comment, a health risk assessment (Chapter 4, starting on page 4-13 in the Final EIR/EIS) was prepared to determine the general health risks of diesel exhaust particulates and contribution of diesel trucks to those risks, and the MCP Project’s potential air toxics risks. The potential short-term air emissions during construction and the long-term health risks of the MCP Project are discussed in Section 3.14.4 (starting on page 3.14-9 in the Final EIR/EIS) and in Chapter 4.0 (starting on page 4-24 in the Final EIR/EIS). That health risk assessment concluded that no health-related effects are expected to occur to environmental justice populations and children from diesel exhaust particles as a result of the MCP Project. As a result, the MCP Project would not result in adverse health effects that would constitute significant impacts to communities under CEQA. Section 3.4.3.4 (on page 3.4-58 in the Final EIR/EIS) specifically refers to measures in the Final EIR/EIS that address project effects on environmental justice populations related to air quality and property acquisition. As a result, the statement “But the suggested mitigation measures will not address the most significant impacts to communities in the MCP study area: adverse health effects and residential relocations.” is not supported by the information provided in Section 3.4.3.4 in the Final EIR/EIS.

Comment CBD-4 (Health Effects of Vehicle-Related Air Pollution): “The FEIR/FEIS fails to address the real issue: the serious health effects of vehicle-related air pollution that have historically plagued minority and low-income communities in close proximity to freeways. Southern California neighborhoods continue to be segregated by race, a result of “historic discrimination by financial and real estate institutions,” exclusionary zoning practices that “denied minorities the right to reside or own property in certain neighborhoods,” and “[r]edlining practices and discriminatory mortgage” lending. Housing discrimination continues to exist for Black, Hispanic, and Asian and Pacific Islander communities. This racial segregation is deeply connected with poverty. Multiple studies show that poor minority residents are increasingly concentrated in segregated poor neighborhoods.

These minority and low-income neighborhoods are more likely to be in close proximity to transportation land uses. Because minority and low-income neighborhoods typically have higher population densities and are located closer to job centers, there are higher roadway and traffic densities in those areas. Low-income areas have almost 2 times the traffic densities of wealthier areas, and minority areas have almost 2.5 times the traffic

densities of non-minority areas. A statewide study determined that Hispanic children were most likely to live in high traffic areas. Although making up 35 percent of the total population of children in the state, Hispanic children make up a staggering 56% of the children living in high traffic density areas and 71 percent of the children living in both high traffic density and low-income areas.

Closer proximity to roadways and freeways results in exposure to higher concentrations of vehicle-related pollutants. Ambient monitoring sites in Los Angeles and Sacramento have consistently shown higher concentrations of benzene, 1,3-butadiene, and carbon monoxide near highways and major roads. Other studies reveal similar results for nitrogen dioxide, elemental carbon, and polycyclic aromatic hydrocarbons. A study of ultrafine (PM_{2.5}) particles near Interstate 405 in the Los Angeles area determined that particle concentrations near the freeway were 25 times greater than background locations and that elevated concentrations persisted up to 300 meters.

High concentrations of air pollutants next to roadways increase the risk of negative and sometimes deadly health effects. One disease commonly associated with proximity to traffic is asthma. Asthma symptoms include wheezing, coughing, chest tightness, and trouble breathing, which lead to 1.78 million emergency room visits and 3,404 deaths a year in the United States. Childhood asthma is “strongly associated with residential proximity to a major road,” with the highest risk occurring within 150 to 200 meters from a major road. Children exposed to automobile exhaust within 200 meters of their homes experience increased risks of asthma-related hospitalizations. “[E]ven in areas with good regional air quality, exposures to air pollution from nearby traffic may be associated with risks to children’s respiratory health.”

The burden of asthma can be high for those living in low-income communities like Perris and San Jacinto. Asthma is responsible for 134 million days of restricted activity a year in the United States, causing 28.7 percent of asthmatic adults to miss work and 49.5 percent of asthmatic children to miss school as a result. In 2005, average asthma hospitalization costs were \$23,953—a staggering amount considering that in 2005 the median household income in California was \$53,629 and the federal poverty line for a family of four was \$19,350.

Proximity to air pollutants can cause a number of other serious health effects. Multiple studies have “identified a consistent association between cardiopulmonary mortality and living near a major road.” A study in Los Angeles County found a ten to twenty percent risk of low birth weight and premature babies “born to women living close to heavy-traffic roadways and therefore potentially exposed to higher levels of motor vehicle exhaust.” In Southern California, “[e]stimated lifetime cancer risks associated with outdoor air toxics exposures in the South Coast Air Basin are ubiquitously high . . . exceed[ing] the Clean Air Act goal of one in a million by between one and three orders of magnitude,” with mobile sources responsible for 70 percent of the associated cancer cases. These risks are nearly 50 percent higher for minority groups than White persons. And in children, living near a high-traffic roadway is associated with increased

incidences of cancers, particularly leukemia. Younger populations, like those in Perris and San Jacinto, may be more susceptible to health risks.

The FEIR/FEIS completely disregards these significant health effects to minority and low-income communities and in doing so, violates NEPA. It claims that modeling results show that

for a resident living within 65 ft of the roadway centerline, the cancer risk threshold of 10 in 1 million and the chronic risk threshold of 1 would not be exceeded by any of the MCP project. Therefore the MCP project would not result in any long-term adverse health risks to persons near the MCP project.

(FEIR/FEIS 4-24.) This determination is in disagreement with the current science discussed above, which clearly indicates that children and adults living in close proximity to a freeway or busy roadway experience exacerbated asthma, increased mortality, and increased cancer risks. Disregarding this data violates NEPA's requirement that agencies provide "high quality information" and "[a]ccurate scientific analysis" and "insure the professional integrity, including scientific integrity, of the discussions and analyses in environmental impact statements." (40 C.F.R. §§ 1500.1(b), 1502.24.)

Further, the FEIR/FEIS improperly employs an inflated future baseline to mask the significant impacts to air quality. The FEIR/FEIS claims that "because the MCP project has been modeled in the RTP/FTIP, the project's criteria pollutant emissions . . . have been accounted for in the State Implementation Plan (SIP)." (FEIR/FEIS 4-25.) The MCP's inclusion in the SIP does not reduce the MCP's "significant impacts associated with construction and operational air emissions" to less than significant levels. (FEIR/FEIS 4-25.)

The MCP will result in significant impacts to air quality that can cause serious health effects in minority and low-income communities and several schools for students in that population. The MCP will place a busy freeway in close proximity to minority and low-income communities who are historically segregated and already more affected by air pollution. This will increase the risk of asthma exacerbation, hospitalizations, cancer, and death in these communities, which can cause financial burdens that may be too great for low-income households to bear. The FEIR/FEIS's claim that the MCP will not disproportionately impact minority and low-income communities is false, disregards environmental justice laws and guidelines, and violates NEPA."

Response to Comment CBD-4: The health effects of the construction and operational diesel emissions of the MCP Project are discussed in detail in Section III.b (page 4-14) and summarized in Tables 4.III.G (page 4-24) and 4.III.H (page 4-25) in Chapter 4.0 in the Final EIR/EIS. That analysis was performed using the SCREEN3 dispersion model (a USEPA-approved air dispersion model), a single source Gaussian plume model, which provides maximum ground-level concentrations for point, area, flare, and volume

sources. Although this analysis was prepared for CEQA purposes, the results are an accurate representation of the short-term construction and long-term operational cancer, chronic, and acute health risks associated with the MCP Project. The use of this USEPA-approved model is consistent with NEPA's requirement that agencies provide high quality information and accurate scientific analyses. As shown in those tables, the MCP Project would not result in short- or long-term health impacts and, as a result, no mitigation is required. In addition to the long-term cancer risks, the health risk assessment included the chronic and acute health effects of the short-term construction and long-term operational emissions of the MCP Project. Chronic health effects can include long-term damage to the heart, lungs, liver, and other organs that can lead to asthma, cardiopulmonary diseases, and birth defects. Acute health effects are short-term effects that can include headaches, and skin, eye, and lung irritation. The health risk assessment determined that the chronic and acute effects of the MCP Project would be less than significant under CEQA (pages 4-23 and 4-24 in the Final EIR/EIS). Therefore, the MCP Project would not result in any health impacts at sensitive land uses, including minority residents, in the project area.

The comment further claims that (1) the Final EIR/EIS employed an inflated future baseline to mask the potential for significant adverse air quality impacts of the MCP Project and (2) the Final EIR/EIS claims that the air quality impacts of the MCP Project have been accounted for in the RTP/FTIP and SIP and, therefore, would be less than significant. However, Section 4.III (page 4-25) in Chapter 4.0 in the Final EIR/EIS indicates that the potential *cumulative* air quality impacts of the MCP Project would be less than significant under CEQA based on incorporation of the MCP Project in the air quality modeling conducted for the SIP. This is because the MCP Project has been modeled in the RTP/FTIP, and the project's criteria pollutant emissions, including ozone precursors, have been accounted for in the SIP. The MCP Project would also not result in any exceedances of the carbon monoxide (CO) or particulate matter (PM) standards and the construction and operation of the MCP Project would result in less than significant impacts related to diesel toxics emissions under CEQA. However, as discussed in Section 4.III.b (page 4-26 in Chapter 4.0), the adverse *short-term construction* and *long-term operational* air quality impacts of the MCP project would be significant and unavoidable under CEQA after mitigation. In summary, the statement in this comment that the Final EIR/EIS improperly relies on the SIP to mask significant impacts to air quality is incorrect.

Because the Final EIR/EIS did consider the health impacts identified in this comment (i.e., asthma, hospitalizations, cancer, and death), and because the Final EIR/EIS relied on the SIP only in its conclusion regarding cumulative air quality impacts under CEQA, this comment is incorrect in stating that the conclusions in the Final EIR/EIS regarding disproportionate impacts to minority and low-income communities violates NEPA.

Comment CBD-5 (Effects of Housing Displacements): "In addition to increasing the risk of serious health effects in minority and low-income communities, the MCP will also result in disproportionate displacements of residents of these communities. Alternative 9 Modified "would result in the highest impacts to residential relocations," requiring the

acquisition of 102 residential parcels and resulting in 675 relocated residents. (FEIR/FEIS 3.4-35, -55.)

Minority and low-income communities have historically been the communities displaced because of highway projects. Using low property values as a justification, transportation agencies sited Post-World War II highway projects in minority and low-income areas, which displaced and divided these communities. This practice continued as highways expanded in the 1970s and 1980s.

Displacements often take a greater toll on low-income communities. Displacements can leave minority and low-income households with limited transportation options “living farther away from their jobs and social networks” after being displaced. This is “especially burdensome if their transportation options are limited,” as they are for the 25 percent of people in Perris and 18 percent of people in San Jacinto who are transit dependent. (FEIR/FEIS 3.4-15.) Relocation and the resulting difficulty getting around can also result in decreased access to schools, police and fire stations, and public transportation. Additionally, displacements can “destroy[] thriving neighborhoods” and cohesive communities.

The FEIR/FEIS dismisses this disproportionate impact to minority and low-income communities. The FEIR/FEIS recognizes the “high degree of community cohesion throughout the MCP study area” and that the “MCP Build Alternatives would impact minority and low-income populations, primarily from displacements/relocations and from impacts to community character and cohesion.” (FEIR/FEIS 3.4-21, -54.) However, it determines that these impacts would not disproportionately impact these communities after mitigation and even claims that relocations will “serve to benefit these communities by providing improved mobility . . . and better connectivity.” (FEIR/FEIS 3.4-24, -57.) This determination is false.

The proposed mitigation measures fail to address the disproportionate impacts the displacements will have on minority and low-income communities. The proposed measures include following the Uniform Relocation Assistance and Real Property Acquisition Policies Act and building the freeway below grade to minimize visual intrusion. (FEIR/FEIS 3.4-28–29, -41.) They do not address the fact that relocating 675 residents will impact community cohesion and character, or how relocations will burden low-income, transit-dependent residents who may now be further away from their jobs and schools. The MCP will only continue the trend of freeway developments displacing minority and low-income communities.”

Response to Comment CBD-5: As shown in Table 3.4.F (page 3.4-34 in the Final EIR/EIS), Alternative 9 Modified would result in 102 residential displacements and 659 displaced residents and Alternative 9 Modified with the SJN DV would result in 102 residential displacements and 675 displaced residents as analyzed in the Recirculated Draft EIR/Supplemental Draft EIS. Those effects are based on the approved *Draft Relocation Impact Report* (DRIR, Relocation Technical Reports). As discussed in Section 3.4, Community Impacts, in the Final EIR/EIS, the approved *Final Relocation*

Impact Report (FRIR, Relocation Technical Reports) provided updated information on the numbers of relocations required for the selected alternative (Alternative 9 Modified SJRB DV). The FRIR determined that the selected alternative would require the acquisition of 99 residential parcels, resulting in the relocation of 396 residents (pages 3.4-34 and 3.4-36 in the Final EIR/EIS). The numbers of displaced residential units and residents in the FRIR for the selected alternative are lower than the numbers provided in the DRIR for Alternative 9 Modified and Alternative 9 Modified with the SJN DV and the numbers cited in this comment.

As discussed in Measure CC-3 in Section 3.4 in the Final EIR/EIS (page 3.4-41), all property acquisition and relocation will be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (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. The Uniform Act provides for uniform and equitable treatment by federal or federally assisted programs of all persons displaced from their homes, businesses, or farms, including environmental justice populations, and establishes uniform and equitable land acquisition policies. In addition, Measure CC-4 in Section 3.4 (page 3.4-42) requires that RCTC Right-of-Way Agents ensure that Spanish-speaking Right-of-Way Agents and staff are available to work with Spanish-speaking property and business owners, residents, tenants, and other persons affected by property acquisition for the MCP Project during all phases of the property acquisition and relocation process.

Although some disruption of community character and cohesion would occur in the City of Perris between I-215 and the Perris Storm Drain, and in the City of San Jacinto along Reservoir Road as a result of the MCP Project, the project would also benefit these communities by providing improved mobility in the MCP study area and better connectivity to other parts of the MCP study area, western Riverside County, and the region as a whole. Community services in the MCP study area, such as fire and police protection, would be more readily available to area residents because mobility in the MCP study area with the MCP Project would improve over existing conditions.

As documented in the FRIR and in Section 3.4 (on page 3.4-57 in the Final EIR/EIS), the ample supply of existing housing stock in the immediate area will facilitate the ability to relocate residents displaced by the MCP Project, including minority and low-income populations, within their existing communities. In addition, there is no indication that relocated residents will end up farther away from their jobs and social networks, as stated in the comment. The comment does not cite any information indicating that this would occur. Similarly, there is no indication, or evidence presented, that shows displaced residents will have greater difficulty getting around or accessing schools, police stations, fire stations, and public transportation. Because there is ample housing stock available in the existing communities, it is expected that displaced residents will have the same level of access to community services after relocation as they had before relocation. In addition, the Final EIR/EIS does not claim that “relocations will serve to benefit these communities by providing improved mobility...”; rather, it states

that the “MCP Project will serve to benefit these communities by providing improved mobility...” (Final EIR/EIS, pages 3.4–24).

Regarding the comment that displacements may result in destroying thriving neighborhoods, it is unclear as to what types of “destruction” are anticipated based on this comment. As discussed in the Final EIR/EIS, the MCP Project will physically divide an existing community; however, measures such as depressing the alignment below grade and providing a local roadway connection across the new freeway would help maintain the cohesiveness of the community (Section 3.4, page 3.4-57, in the Final EIR/EIS). As discussed above, relocated residents are expected to relocate within their existing communities. As a result, it is not anticipated that the MCP Project will “destroy[] thriving neighborhoods.”

As described in detail in Section 1.2 (starting on page 1-5 in the Final EIR/EIS), the MCP Project was identified as a key west-east regional transportation corridor as a result of several years of comprehensive land use and transportation planning in Riverside County through the RCIP. The purpose of the RCIP was to address planning, environmental, and transportation issues that would result from the anticipated doubling of population in Riverside County by 2025. The RCIP included three components: (1) a new General Plan for Riverside County, adopted in October 2003; (2) a Multiple Species Habitat Conservation Plan (MSHCP) for western Riverside County (approved in June 2004); and (3) the CETAP. The CETAP included the study of two intercounty corridors (Riverside County to Orange County and Riverside County to San Bernardino County) and two intracounty transportation corridors (a north-south and a west-east corridor [later named the MCP] in western Riverside County). As a result, the MCP Project is consistent with and would service existing development in this part of western Riverside County as well as approved but not yet constructed and planned development based on the adopted County of Riverside General Plan and the Cities of Perris and San Jacinto General Plans.

Comment CBD-6 (The FEIR/FEIS Employs an Improper Baseline to Mask Environmental Impacts: “As noted in previous comments the FEIR/FEIS relies upon an improper baseline to improperly downplay the Project’s numerous environmental impacts. Full disclosure and analysis of the project against environmental conditions plays a crucial role in environmental analysis because it is the barometer against which all environmental impacts are measured. A lead agency’s failure to properly disclose what the true no build conditions violates NEPA. “[C]ourts not infrequently find NEPA violations when an agency miscalculates the ‘no build’ baseline or when the baseline assumes the existence of a proposed project.” (N.C. Wildlife Fed’n v. N.C. DOT, 677 F.3d 596, 603 (4th Cir. 2012).) Assuming the construction of the proposed project when analyzing the No Build baseline is clear error under NEPA. (Catawba Riverkeeper Found. v. N.C. DOT, 2015 U.S. Dist. LEXIS 31429, 21-22 (E.D.N.C. 2015).) Similarly, in Friends of Yosemite Valley v. Kempthorne, 520 F.3d 1024 (9th Cir. 2008), the Ninth Circuit found a NEPA violation where the agency’s supplemental EIS included a baseline alternative that “assumed the existence of the very plan being proposed.” *Id.* at 1026. The MCP FEIR/FEIS suffers the same error.

In the present case the FEIR/FEIS relies upon the existence of the Mid County Parkway to support the growth projected in the no build scenario. Many of the development projects in the region rely upon the Mid County Parkway, or upgrades to the Ramona Expressway that are contemplated in the FEIR/FEIS, for their viability. For example, the Villages of Lakeview project proposes over 11,000 new residential units surrounding the Mid County Parkway, which would primarily rely upon the Mid County Parkway or build alternatives as the main ingress and egress from the development area. (Webb 2009). In another example the Motte Lakeview Ranch project proposes another 2,000 units along the Mid County Parkway and that project relies upon increased traffic infrastructure from the Mid County Parkway for its viability.

The FEIS cannot rely upon full urbanization and build out of the San Jacinto Valley as the basis for inflating the growth projections for the build and no-build scenario because the existing uses in the San Jacinto Valley are largely agricultural, which would only allow for limited growth. Moreover, the FEIS recognizes that the Project will have some growth inducing effects because it will “result in revised land use plans in the vicinity of new interchanges where none were planned previously.” (FEIR/FEIS at 4-143.) The use of the FEIR/FEIS to mislead the public and decision makers about the true impacts of the MCP violates NEPA.”

Response to Comment CBD-6: The analyses in the Final EIR/EIS do not “...Employ an Improper Baseline...” as cited in this comment. As discussed in detail in the Final EIR/EIS (response to comment IP-6-17, starting on page S-516 in Appendix S), “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 Chapter 4 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.”

In addition, the specific improvements included in the No Build Alternatives for the analyses years evaluated in the Final EIR/EIS do not include the MCP Project, as described in the Final EIR/EIS (response to comment IP-6-115, starting on page S-600 in Appendix S) as follows: “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 baseline assumptions in the Final EIR/EIS analyses are consistent with the requirements of CEQA and NEPA, were not inflated, and do not violate the requirements of NEPA.

The need for the MCP Project is based on extensive studies of existing and approved land uses and the traffic demand generated by those land uses. Specifically, as discussed in detail in Section 1.2 (starting on page 1-5) in the Final EIR/EIS, the MCP Project was identified as a key west-east regional transportation corridor as a result of several years of comprehensive land use and transportation planning through the RCIP. The purpose of the RCIP was to address the planning, environmental, and transportation issues that would result from the anticipated doubling of population in Riverside County, from 1.5 million residents in 2010 to approximately 3.3 million residents by 2025. The RCIP included three components: a new General Plan for Riverside County (adopted in 2003); a Multiple Species Habitat Conservation Plan (MSHCP) for western Riverside County (approved in 2004); and the CETAP. CETAP included the study of two intercounty corridors (Riverside County to Orange County and Riverside County to San Bernardino County) and two intracounty transportation corridors (a north-south and a west-east corridor in western Riverside County). The west-east transportation corridor identified in the CETAP studies is the MCP Project.

Section 1.3.2 (starting on page 1-15) in the Final EIR/EIS provides a detailed evaluation of the need for a west-east corridor in western Riverside County, including consideration of the existing capacity of west-east corridors including State Routes 60, 91, and 74, and Interstate 10; the forecasted level of service on Ramona Expressway and at intersections in the study area; existing and forecasted travel times, population, traffic volumes, and road capacities in the study area; and existing accident rates, roadway deficiencies, modal interrelationships and system linkages, and related transportation projects. The need for the MCP Project is supported based on those detailed evaluations.

The *Traffic Technical Report* (Traffic Technical Reports) for the MCP Project provides additional discussion of the traffic analysis scenarios on which the project evaluation is based (pages 2-2 and 4-1 in the Traffic Technical Report). No Build scenarios were

analyzed for 2040 conditions that included the same growth and development assumptions as the Build Alternatives. The growth and development assumptions were based on regional socioeconomic forecasts provided by the Southern California Association of Governments (SCAG) for the six counties in the SCAG region (Ventura, Los Angeles, Orange, San Bernardino, Riverside, and Imperial). Those overall growth and development assumptions were guided by regional population and employment growth rather than local conditions. In the area served by the MCP, the No Build scenarios assumed the same level of development as the Build Alternatives. From the point of view of local development projects, the traffic assumptions for the No Build and Build Alternatives differed only in whether access would be provided by the MCP (assumed in the Build Alternatives) or other roads (assumed in the No Build Alternatives). These assumptions are reasonable because planned growth in the study area will occur with or without the MCP Project. None of the three applicable local General Plans (County of Riverside and Cities of Perris and San Jacinto) that restrict land development if the MCP Project is not built, and none of the approved development projects shown on Figure 3.25.1 have conditions of approval that limit development until the MCP Project is built.

As described in the Final EIR/EIS (page 3.2-4), “The growth-related effects of the MCP project were assessed using the Caltrans Guidance for Preparers of Growth-Related, Indirect Impacts Analysis (2006). That guidance was developed by Caltrans in collaboration with FHWA and USEPA. This process was conducted and the results documented in Section 3.2 in the Final EIR/EIS. 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 guidance requires that first the potential for indirect growth be assessed and then the potential effects of any indirect effects on resources of concern be evaluated.” Therefore, As a result, that analysis is consistent with the applicable guidance regarding assessment of potential growth inducing impacts.

In summary, the MCP Project was proposed in response to *approved and planned* growth in western Riverside County based on adopted General Plans. In addition, as discussed in Section 3.2, Growth (starting on page 3.2-4 in the Final EIR/EIS), it is acknowledged because of its prior inclusion as a CETAP corridor in the overall RCIP planning process that led to the adoption of the updated Riverside County General Plan and the Western Riverside County MSHCP, any direct growth-related effects of the MCP project are expected to be minimal. As a CETAP corridor, the MCP project is an integral component of the 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. However, the segment of the MCP project from I-215 east to Antelope Road is in areas that were not previously analyzed in the RCIP process and, therefore, these areas may be subject to indirect growth-related effects as a result of the MCP project. In these areas, the impacts of these growth-related effects are minimized through the compliance of local agencies

with land use approval authority (County of Riverside, City of Perris, and City of San Jacinto) and with the policies contained in their respective General Plans.

Comment CBD-7 (The FEIR/FEIS Fails to Adequately Analyze Air Quality Impacts - The Poor Air Quality in the South Coast Air Basin): “The South Coast Air Basin is currently plagued with air quality problems. The South Coast Air Basin holds a shocking 28 percent of the air pollution in California. Riverside County is among the top five most polluted counties for ozone and top twelve for particulate matter. And the Los Angeles-Long Beach-Riverside metropolitan area is the number one worst ozone-polluted city and the fifth most polluted city for both year round and short-term particulate matter pollution.

The South Coast region is particularly susceptible to air quality problems. Sunny and warm weather conditions encourage smog formation, and the surrounding mountains trap in stagnant air. These weather and geographic conditions result in “persistent temperature inversions” that “limit the vertical dispersion of air contaminants, holding them relatively near the ground.” (FEIR/FEIS 3.14-4.)

As a result, the Riverside County portion of the South Coast Air Basin is in nonattainment for a number of air quality standards: 8-hour ozone (1997), 8-hour ozone (2008), PM_{2.5} (1997), PM_{2.5} (2006), and PM_{2.5} (2012). EPA continues to allow Clean Air Act violations in the South Coast Air Basin and has not met requirements that would help improve air quality. EPA has failed to take action on the South Coast Air Quality Management District’s 2012 Air Quality Management Plan to meet the 2006 PM_{2.5} standards. In 2013, the California Air Resources Board submitted the plan and EPA had until August 2014 to take action on it. EPA failed to take action, in turn failing to implement the 2006 National Ambient Air Quality Standards (“NAAQS”) for PM_{2.5}.

These pollutants can cause a variety of adverse health effects. EPA recognizes that exposure to particulate matter can affect both lung and heart function and is linked to “premature death in people with heart or lung disease, nonfatal heart attacks, irregular heartbeat, aggravated asthma, decreased lung function, and increased respiratory symptoms, such as irritation of the airways, coughing or difficulty breathing.” People with heart or lung diseases, children, and older adults are most vulnerable. Ozone exposure—“even relatively low levels” of it—can also cause health problems. Ozone is most often linked to lung problems, especially in children. Ozone exposure can:

- Make it more difficult to breathe deeply and vigorously.
- Cause shortness of breath and pain when taking a deep breath.
- Cause coughing and sore or scratchy throat.
- Inflammate and damage the airways.
- Aggravate lung diseases such as asthma, emphysema, and chronic bronchitis.
- Increase the frequency of asthma attacks.

- Make the lungs more susceptible to infection.
- Continue to damage the lungs even when the symptoms have disappeared.

And as a result of these serious health effects, ozone exposure also leads to school absences, medication use, doctor and emergency room visits, and hospital admissions.

Sensitive receptors are those that are more susceptible to these health effects. Sensitive receptors include residences, schools, playgrounds, childcare centers, and retirement homes, among other land uses. (FEIR/FEIS 3.14-5.) The FEIR/FEIS proposes building the MCP near multiple sensitive receptors including “residential areas, parks, schools, and other community facilities.” (FEIR/FEIS 3.4-54–55.) “[M]inority and low-income populations and other sensitive receptors (elderly and children) reside in or frequently use these areas.” (FEIR/FEIS 3.4-55.)”

Response to Comment CBD-7: This comment describes the existing poor air quality in the project area and the South Coast Air Basin, which are also described in Section 3.14, Air Quality, (starting on page 3.14-3 in the Final EIR/EIS) and in the Air Quality Technical Reports. This comment also cites locations in Section 3.4 and 3.14 in the Final EIR/EIS that discuss the locations of specific land uses and sensitive receptors in the study area.

The analysis in Section 3.14 (starting on page 3.14-43 in the Final EIR/EIS) determined that because the MCP Project would construct a new highway facility within 500 to 1,000 feet of sensitive land uses, the project was considered to have higher potential for Mobile Source Air Toxics (MSAT) effects, and a quantitative analysis of MSAT emissions was required. That analysis concluded (page 3.14-50 in the Final EIR/EIS) that although the MCP Project would result in a small increase in localized MSAT emissions compared to the No Build Alternatives, the USEPA’s vehicle and fuel regulations, coupled with fleet turnover, will result in substantial reductions over time that will produce regionwide MSAT levels to be substantially lower than they are today, even with the MCP Project.

The comment also states that the MCP Project would expose sensitive land uses to serious air quality related health effects. The potential health effects of the construction and operational diesel emissions of the MCP Project are discussed in detail in Section III.b (on page 4-14) and are summarized in Tables 4.III.G (page 4-24) and 4.III.H (page 4-25) in Chapter 4.0 in the Final EIR/EIS. As shown in those tables, for a receptor within 85 feet of construction equipment, or for a resident living within 65 feet of the roadway centerline, the cancer risk threshold of 10 in 1 million and the chronic and acute risk thresholds of 1 would not be exceeded by the MCP Project during construction or operation. Chronic health effects include long-term damage to the heart, lungs, liver, and other organs that can lead to asthma, cardiopulmonary diseases, and birth defects. Acute health effects are short-term effects that include headaches, skin irritation, eye irritation, and lung irritation. Therefore, the MCP Project would not result in short- or long-term health impacts based on diesel or other pollutant emissions and, as a result,

no mitigation is required. Therefore, the MCP Project would not result in any health impacts at sensitive receptors and land uses in the project area.

Comment CBD-8 (The FEIR/FEIS's Inadequate Analysis of Air Quality Impacts):

“The FEIR/FEIS's air quality analysis is inadequate and violates NEPA because it uses improper baselines to mask the MCP's significant impacts to air quality. A proper baseline is the existing conditions in the project area, meaning that the FEIR/FEIS would compare the project's impacts to the existing air quality conditions. The FEIR/FEIS recognizes this standard, stating “traffic studies for environmental analyses must use baseline conditions defined as the existing ‘...on the ground...’ conditions at the time the Notice of Preparation (NOP) is published or the environmental analyses are initiated.” (FEIR/FEIS 3.14-46 (quoting *Sunnyvale W. Neighborhood Ass'n v. City of Sunnyvale City Council*, 119 Cal. Rptr. 3d 481 (2010).) But instead of doing so, the FEIR/FEIS dismisses the MCP's impacts to air quality by focusing on future projected pollutant concentrations.

The FEIR/FEIS employs an improper future baseline multiple times to dismiss the MCP's air quality impacts. First, the FEIR/FEIS argues that because 24-hour PM₁₀ concentrations will decrease to 59 percent of the federal standard by 2015 and 50 percent of the standard by 2020, the MCP's PM₁₀ emissions will not result in new violations of the NAAQS. (FEIR/FEIS 3.14-30). It also cites projected 24-hour PM_{2.5} and annual average PM_{2.5} concentrations for 2020 and 2040 as additional reasons why the MCP will not result in air quality standard violations. (FEIR/FEIS 3.14-30). Because the FEIR/FEIS's projections indicate decreased concentrations of PM₁₀ and PM_{2.5} in the future, it excuses the significant project-related particulate matter emissions as not significant. In using this improper baseline, the FEIR/FEIS violates NEPA by failing to take the required “hard look” at the environmental consequences of the MCP. (See *N. Plains Res. Council, Inc. v. Surface Transp. Bd.*, 668 F.3d 1067, 1083 (9th Cir. 2011); *Klamath-Siskiyou Wildlands Ctr. v. Bureau of Land Mgmt.*, 387 F.3d 989, 993 (9th Cir. 2004).)

The FEIR/FEIS reveals that particulate matter emissions will be higher with the MCP compared with the No Build Alternative. Alternative 9 will result in 73 more pounds per day of PM_{2.5} emissions than the No Build in 2020 and 215 more pounds per day in 2040. (FEIR/FEIS 3.14-32 tbl. 3.14.I.) For PM₁₀, Alternative 9 will result in 147 more emitted pounds per day in 2020 and 448 pounds per day in 2040. (FEIR/FEIS 3.14-32 tbl. 3.14.J.)

Additionally, the FEIR/FEIS's traffic analyses used to estimate particulate matter emissions reveal that the MCP will worsen traffic compared with the No Build Alternative, increasing particulate matter concentrations and conflicting with the MCP's stated purposes. Alternative 9 will have higher daily truck volumes in 2020 than the No Build Alternative. (FEIR/FEIS 3.14-31 tbls. 3.14.F & 3.14.G.) As a result, truck traffic and the accompanying particulate matter emissions will increase with Alternative 9. Alternative 9 will also result in a worse overall level of service (“LOS”) in 2040 compared with the No Build Alternative. The FEIR/FEIS states that “the MCP project would

improve the LOS and reduce the delay at some intersections in the project area while worsening the LOS and increasing the delay at other intersections,” evading admitting that the MCP will actually worsen LOS. (FEIS/FEIR 3.14-33.) The average LOS for the 15 listed intersections for Alternative 9 will be worse than the average LOS for the 13 listed intersections for the No Build Alternative in 2040. (FEIR/FEIS 3.14-36 tbl. 3.14.O, 3.14-37 tbl. 3.14.R.)

Response to Comment CBD-8: This comment claims the air quality analysis in the Final EIR/EIS used an improper baseline to mask the potential air quality impacts of the MCP Project. Refer to the response to Comment CBD-6, above, which provides a detailed discussion regarding the baseline assumptions under CEQA and NEPA.

The comment correctly states that under CEQA the impacts of a project are to be compared to the existing conditions at the time the Notice of Preparation under CEQA was published. Tables 4.III.D, 4.III.E, and 4.III.F (pages 4-18 and 4-19) in Chapter 4.0 in the Final EIR/EIS summarize the regional vehicle emissions for the Existing (2008), 2020, and 2040 conditions, respectively. Those tables compare the future with project conditions to both the no build and Existing (2008) conditions. Based on the analyses summarized in those tables, the Final EIR/EIS determined that the long-term regional air emissions of the MCP Project would be significant, adverse, and unavoidable under CEQA.

The comment references the particulate matter less than 2.5 microns in size (PM_{2.5}) and particulate matter less than 10 microns in size (PM₁₀) hot-spot analysis and claims that the analysis used an improper baseline. The PM_{2.5} and PM₁₀ hot-spot analysis for NEPA purposes is intended to demonstrate whether the MCP Project would conform to the federal ambient air quality standards. This analysis in the Final EIR/EIS was reviewed by Caltrans Headquarters, the FHWA, and the USEPA and, at the January 28, 2014, Transportation Conformity Working Group (TCWG) meeting, the MCP Project was found to be consistent with the transportation conformity regulations.

The comment is correct in stating that the MCP Project would result in higher particulate matter emissions compared to the No Build Alternatives. The MCP Project would result in worse levels of service at some of the intersections in the project area than the No Build Alternatives. However, as discussed in Section 3.14.3.1 (page 3.14-9) in the Final EIR/EIS) and as shown in Tables 3.14.I and 3.14.J (page 3.14-32 in the Final EIR/EIS), the increases in regional PM_{2.5} emissions under Alternative 9 Modified (73 (pounds [lbs] per day, a 0.15 percent increase, from the No Build Alternatives in 2020, and 215 lbs per day, a 0.37 percent increase from the No Build Alternatives in 2040) and regional PM₁₀ emissions under Alternative 9 Modified (147 lbs per day, a 0.17 percent increase, from the No Build Alternatives in 2020, and 448 lbs per day, a 0.36 percent increase from the No Build Alternatives in 2040) would not result in any new exceedances of the federal standards in 2020 or 2040.

As a result, based on the baseline assumptions described in the response to Comment CBD-6 and the analyses described above, the analysis of the air quality effects of the MCP Project is not inadequate and does not violate NEPA.

Comment CBD-9 (The FEIR/FEIS's Inadequate Analysis of Air Quality Impacts, continued): "Therefore, the FEIR/FEIS's conclusion that "future new or worsened PM_{2.5} and PM₁₀ violations of any standards are not anticipated" is misguided. (FEIR/FEIS 3.14-33.) Again, the FEIR/FEIS improperly relies on projected future emissions to justify the MCP's increases in particulate matter emissions and worsened traffic levels, arguing that because the MCP will not result in future NAAQS violations, the increased particulate matter emissions are acceptable. This violates NEPA's requirement that agencies take a hard look at the environmental consequences of proposed actions and inform the public of these consequences. (40 C.F.R. § 1502.1; Klamath-Siskiyou Wildlands, 387 F.3d at 993.)"

Response to Comment CBD-9: The comment references the PM_{2.5} and PM₁₀ hot-spot analyses and claims that the analyses used an improper baseline. The PM_{2.5} and PM₁₀ hot-spot analyses for NEPA purposes are intended to demonstrate whether a proposed project would conform to the federal ambient air quality standards. Under NEPA, the future (2020 and 2040) No Build conditions represent the proper baseline for determining the potential impacts of the MCP Project. This analysis in the Final EIR/EIS was reviewed by Caltrans Headquarters, the FHWA, and the USEPA, and at the January 28, 2014, TCWG meeting, the MCP Project was found to be consistent with the transportation conformity regulations.

The comment is correct in stating that the MCP Project would result in higher particulate matter emissions compared to the No Build Alternatives. The MCP Project would result in worse levels of service at some of the intersections in the project area than the No Build Alternatives. However, as discussed in Section 3.14.3.1 (page 3.14-9 in the Final EIR/EIS) and as shown in Tables 3.14.I and 3.14.J (page 3.14-32 in the Final EIR/EIS), the increases in regional PM_{2.5} emissions under the MCP Project (73 lbs per day, a 0.15 percent increase, from the No Build Alternatives in 2020, and 215 lbs per day, a 0.37 percent increase from the No Build Alternatives in 2040) and regional PM₁₀ emissions under the MCP Project (147 lbs per day, a 0.17 percent increase, from the No Build Alternatives in 2020, and 448 lbs per day, a 0.36 percent increase from the No Build Alternatives in 2040) would not result in any new exceedances of the federal standards in 2020 or 2040.

Refer also to the response to Comment CBD-6, above, which provides additional discussion regarding the baseline assumptions under CEQA and NEPA.

Comment CBD-10 (The FEIR/FEIS's Inadequate Analysis of Air Quality Impacts, continued): "The FEIR/FEIS uses an existing conditions baseline only when it (*sic*) to the Riverside County Transportation Commission's benefit: when future emissions will be lower than existing levels. The FEIR/FEIS compares 2020 and 2040 regional vehicle emissions for CO, ROG, NOX, SOX, PM10, PM2.5, and CO2 to 2008 existing

conditions and emphasizes that “when compared to the 2008 baseline, all of the Build Alternatives would reduce the vehicle emissions within the region.” (FEIR/FEIS 3.14-46, 3.14-47 tbls. 3.14.U & 3.14.V.) But for every listed pollutant in both 2020 and 2040, Alternative 9 would result in higher emissions than the No Build Alternative. (FEIR/FEIS 3.14-47 tbls. 3.14.U & 3.14.V.) The fact that regional vehicle emissions will decrease in the future is not due to the MCP, but to technology advancements and higher standards. This future decrease in vehicle emissions does not give the Riverside County Transportation Commission (“RCTC”) permission to increase emissions and air quality impacts. Looking to the comparison between the MCP Build Alternatives and the No Build Alternative is a better measure for the regional vehicle emissions metric and would more accurately inform the public of the MCP’s impacts, per NEPA’s requirements (40 C.F.R. § 1502.1.)”

Response to Comment CBD-10: The comment is correct in stating that the analysis uses two different baselines for evaluating the air quality impacts of the MCP Project. Under NEPA, the future (2020 and 2040) No Build conditions represent the proper baseline for determining the impacts of the MCP Project. The NEPA analysis, included in Section 3.14, Air Quality, (starting on page 3.14-1 in the Final EIR/EIS), compares the project impacts to the No Build Alternative conditions. Under CEQA, the existing conditions represent the proper baseline for determining the impacts of the MCP Project. The CEQA analysis, in Chapter 4.0 (starting on page 4-17 in the Final EIR/EIS), compares the project impacts to the Existing (2008) conditions. In addition, the text that accompanies Tables 3.14.T, 3.14.U, and 3.14.V (page 3.14-48) in Section 3.14 in the Final EIR/EIS addresses the potential air quality increases between the MCP Project from the No Build and the Existing conditions.

Refer also to the response to Comment CBD-6, above, which provides additional discussion regarding the baseline assumptions under CEQA and NEPA.

Comment CBD-11 (The FEIR/FEIS’s Inadequate Analysis of Air Quality Impacts, continued): “Finally, the FEIR/FEIS’s air quality analysis violates NEPA by failing to consider cumulative air quality impacts. Regarding the cumulative impacts of the MCP’s own emissions, the FEIR/FEIS consistently dismisses “slight” increases in air pollutant emissions as not significant. (FEIR/FEIS 3.14-45, 3.14-45 tbl. 3.14.S., 3.14-46.) But NEPA requires agencies to consider cumulative impacts which may be “individually minor but collectively significant . . . taking place over a period of time.” (40 C.F.R. § 1508.7.) Further, the FEIR/FEIS does not include construction-related emissions in its conformity analysis because “each phase of the project construction is expected to last less than 5 years.” (FEIR/FEIS 3.14-52.) However, 48 months of construction activities which include CO, NOX, SO2, volatile organic compounds, PM, and diesel exhaust PM emissions surely contribute to the cumulative air quality impacts of the MCP. (FEIR/FEIS 3.14-50–52.) The FEIR/FEIS violates NEPA by failing to adequately discuss these cumulative impacts.

Additionally, the FEIR/FEIS also does not adequately consider the cumulative air quality of the region as a whole. Cumulative impacts are “the impact[s] on the environment

which result[] from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions.” (40 C.F.R. § 1508.7.) The FEIR/FEIS violates this provision by not considering the air quality impacts of other planned projects, including the March Air Force Base Redevelopment, the Villages of Lakeview Specific Plan, or the SR-79 Realignment Project. Instead, the FEIR/FEIS again ignores this requirement because the MCP “would not violate any air quality standard” under the improper future baseline. (FEIR/FEIS 3.25-14.) Further, the FEIR/FEIS does not take into consideration the already poor air quality in the South Coast Air Basin and that the region is in nonattainment for multiple air quality standards.”

Response to Comment CBD-11: The comment states that the air quality analysis did not consider the cumulative impacts of the MCP Project emissions. The cumulative air quality impacts including the effects of the MCP Project were calculated using 2040 traffic volumes which included existing and approved land uses, planned land uses based on the adopted General Plans in the traffic study area and the traffic generated by those land uses. The 2040 traffic forecasts also included future transportation projects such as the SR-79 Realignment Project. Section 4.III.c (starting on page 4-21 in the Final EIR/EIS) addresses the cumulative air quality impacts of the MCP Project. As discussed in Section 4.III.c, the MCP Project would not result in any exceedances of the CO or PM standards and the construction and operation of the MCP Project would result in less than significant impacts related to diesel toxics emissions under CEQA. As discussed on pages 3.25-13 and 3.25-14 in the Final EIR/EIS, 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 CO, PM_{2.5}, or PM₁₀, would not result in an adverse impact related to MSATs or air toxics, and would not expose sensitive receptors to substantial pollutant concentrations. Therefore, that analysis determined that the contribution of the MCP Project to cumulative air quality impacts would not be adverse under NEPA and would be less than significant under CEQA.

The comment questions the exclusion of the construction emissions of the MCP Project from the conformity analysis. As discussed in Section 2.5.5 in the USEPA “Transportation Conformity Guidance for Quantitative Hot-Spot Analyses in PM_{2.5} and PM₁₀ Nonattainment and Maintenance Areas:” “Emissions from construction-related activities are not required to be included in PM hotspot analyses if such emissions are considered temporary as defined in 40 CFR 93.123(c)(5) (i.e., emissions which occur only during the construction phase and last five years or less at any individual site).” As stated on page 2-53 in the Final EIR/EIS (Section 2.3.2.18, Construction), construction of the MCP Project is estimated to take approximately 48 months. Therefore, any construction-related PM_{2.5} and PM₁₀ emissions due to MCP Project were not included in the hot-spot analysis because the construction would take less than 5 years to complete. As discussed in Section 5.12 on page 5-47 in the Final EIR/EIS, detailed PM_{2.5} and PM₁₀ hot-spot analyses were submitted to and reviewed by the TCWG on June 14, 2011, and June 28, 2011, respectively. Copies of the hot-spot analyses are included in Appendix C of the *Air Quality Analysis* (Air Quality Technical Reports). The

three MCP Build Alternatives were approved and concurred on through interagency consultation by the TCWG as a project not having adverse impacts on air quality and that meets the requirements of the federal Clean Air Act. After identification of Alternative 9 Modified SJRB DV as the preferred alternative, RCTC submitted a memorandum dated January 9, 2014 to the TCWG notifying them of this action (the memorandum is provided in Appendix J in the Final EIR/EIS). On January 28, 2014, the TCWG determined that no additional particulate matter analyses would be required for the MCP Project. Therefore, the interagency consultation requirement for transportation conformity for the MCP Project has been completed (the January 28, 2014, TCWG meeting minutes are provided in Appendix J of the Final EIR/EIS).

Comment CBD-12 (The FEIR/FEIS's Inadequate Analysis of Air Quality Impacts, continued): "The FEIR/FEIS fails to take a hard look at the impacts to sensitive receptors of placing the MCP adjacent to several schools, parks, and a library. The MCP's immediate location would disproportionately impact young people because eight schools are in the MCP study area and seven schools are within .25 mile of the freeway. (FEIR/FEIS 3.4-21, 4-57.) Freeway developments proposed within 500-1000 feet of sensitive receptors have a higher impacts on those sensitive communities than developments further away. (FEIR/FEIS 3.14-42.) Despite placing a major new source of pollution adjacent to sensitive receptors the FEIR/FEIS improperly downplays the significance of this new source by comparing the emissions of pollutants, such as mobile source air toxins, with the no build conditions in the region as opposed to the immediate area of the MCP. (FEIR/FEIS 3.4.) The MCP assumes that any other alternative and the no-build condition would be in the same proximity to sensitive receptors such as those at schools or parks. This disregards the fact that other alternatives would route traffic further away from sensitive receptors and therefore decrease the significant impacts associated with air pollution from the project. The FEIR/FEIS cannot consider all alternatives equal when geographic location plays such an important factor for the significance of air quality impacts.

Because the FEIR/FEIS uses improper baselines, attempts to portray the MCP's air quality impacts as insignificant, and fails to consider cumulative impacts, it violates NEPA. The Council on Environmental Quality provides that a major principle of NEPA is to "effectively convey the relevant considerations to the public and decision makers in a timely manner while rigorously addressing the issues presented." (Final Guidance on Improving the Process for Preparing Efficient and Timely Environmental Reviews Under the National Environmental Policy Act, 77 Fed. Reg. 14,473, 14,475 (Mar. 13, 2012).) The FEIR/FEIS fails to rigorously analyze the MCP's air quality impacts, thereby failing to adequately convey air quality information to the public."

Response to Comment CBD-12: As discussed in the response to Comment CBD-2, above, a health risk assessment was prepared to determine the general health risks of diesel exhaust particulates and contribution of diesel trucks to those risks, and the MCP Project's potential air toxics risks. The potential short-term air emissions during project construction and the long-term health risks are discussed in Section 3.14, Air Quality (page 3.14-1), and Chapter 4.0 (page 4-24) in the Final EIR/EIS (and in the Air Quality

Technical Reports). That health risk assessment concluded that no health-related effects are expected to occur to environmental justice populations and children from diesel exhaust particles as a result of the MCP Project. The health risk assessment is discussed in Section 5.3.2 (starting on page 53) in the *Air Quality Analysis* and the calculations for that analysis are provided in Appendix D in the *Air Quality Analysis* (Air Quality Technical Reports).

Refer also to the response to Comment CBD-6, above, which provides additional discussion regarding the baseline assumptions under CEQA and NEPA.

The Final EIR/EIS was prepared and processed consistent with the intent of the CEQ Guidance to "...effectively convey the relevant considerations to the public and decision makers in a timely manner while rigorously addressing the issues presented." The Final EIR/EIS presents the detailed analyses of the potential effects of the MCP Project in a manner understandable to the public and decision-makers. Chapter 5 in the Final EIR/EIS describes the processes used to solicit public involvement and input in the EIR/EIS and the coordination and consultation with multiple agencies and other parties regarding the MCP Project and its impacts. Chapter 2 in the Final EIR/EIS (starting on page 2-70) describes the process for the identification of the selected alternative in detail, including relevant agency consultation and coordination. As a result, the Final EIR/EIS complies with this CEQ Guidance.

Comment CBD-13 (The FEIR/FEIS Fails to Adequately Describe the MCP's Impacts to Traffic): "The FEIR/FEIS purports that the MCP's purpose 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," "[p]rovid[ing] increased capacity to support the forecast travel demand." (FEIR/FEIS 1-14.) The FEIR/FEIS claims that the MCP will "[i]mprove . . . the regional transportation network" and provide "congestion relief on local streets and highways." (FEIR/FEIS 3.23-2.)

But the MCP will not meet its own goals of improving traffic. The MCP will result in similar and sometimes worse traffic than the No Build Alternatives, defeating the purpose of building it in the first place. The traffic volume will be the same for Alternative 9 and the No Build Alternative for four out of five shared intersections listed in Table 3.14.E. (FEIR/FEIS 3.14-28 tbl. 3.14.E.) The average daily truck volumes will be higher for Alternative 9 than the No Build Alternative in 2020. (FEIR/FEIS 3.14-31 tbls. 3.14.F & 3.14.G.) And the average level of service for Alternative 9 in 2040 will be worse than the level of service for the No Build Alternative for the same year. (FEIR/FEIS 3.14-36 tbl. 3.14.O, 3.14-37 tbl. 3.14.R.)

The FEIR/FEIS claims that "the existing roads and intersections in the MCP study area would operate at unacceptable levels of service in 2040 or sooner without implementation of the MCP project," but fails to explain that implementation of the MCP will also not meet the project objective of improving service. (FEIR/FEIS 3.23-3.) If the

traffic levels of the No Build Alternative are unacceptable, then the traffic levels of Alternative 9 should be considered unacceptable, as well.

If the MCP will create worse traffic conditions than the No Build Alternative, it is peculiar why RCTC would advocate for its implementation. Without the benefits of improved traffic conditions, RCTC cannot justify the permanent adverse impacts to plants, wildlife, open space, visuals, community cohesion, cultural and archaeological sites, and air quality; increased noise and energy consumption; and removal of residential and agricultural uses. (FEIR/FEIS 3.23-2.)

The FEIR/FEIS's incompatible purpose and adverse traffic impacts indicate violations of NEPA requirements. Clearly, the RCTC has not taken the requisite "hard look" at the costs and benefits of the MCP. (Klamath-Siskiyou Wildlands, 387 F.3d at 993.) The FEIR/FEIS misguides the public into thinking the MCP will alleviate traffic and increase capacity and efficiency when it will only result in similar or worse conditions compared with the No Build Alternative. Because the MCP will not fulfill its purpose of improving traffic in the region, the RCTC should not approve the Record of Decision."

Response to Comment CBD-13: Tables 3.14.E, 3.14.F, 3.14.G, 3.14.O, and 3.14.R in Section 3.14, Air Quality, (pages 3.14-29, 3.14-32, 3.14-37, and 3.14-38 in the Final EIR/EIS) are provided for the purpose of analyzing air quality at selected intersections and are not intended to be used for analyzing congestion relief. These tables do not provide analysis of all intersections affected by the MCP Project and, further, Tables 3-14.E, 3-14.F, and 3-14.G provide information on numbers of vehicles rather than traffic congestion. Section 3.6, Traffic and Transportation/Pedestrian and Bicycle Facilities (starting on page 3.6-23 in the Final EIR/EIS), and the Traffic Technical Reports provide analysis of traffic impacts of the MCP Build and No Build Alternatives. Table 3.6.L (page 3.6-43) provides information on intersections along Ramona Expressway at Redlands Avenue and Evans Road that would operate at level of service (LOS) E or F in the No Build condition that would be alleviated by the MCP Project. Table 3.6.M (page 3.6-51) provides information on the travel time savings that would occur with the MCP Project compared to the No Build Alternatives.

The MCP Project will not alleviate all the traffic congestion in the traffic analysis study area. The MCP Project is intended to reduce traffic congestion and improve east-west travel times between Perris and San Jacinto without causing traffic congestion elsewhere. Section 3.6 (starting on page 3.6-23 in the Final EIR/EIS; see Tables 3.6.G through 3.6.L) and the Traffic Technical Reports provide detailed analyses of the performance of the traffic study area streets under the Build and No Build Alternatives and shows those locations where traffic operations would be improved under the MCP Project compared to the No Build Alternatives.

The potential costs and benefits of the MCP Project were evaluated in the Final EIR/EIS in Tables 2.4.A (Cost Breakdown for the MCP Build Alternatives, page 2-70), 2.4.B (Comparison of the Alternatives, page 2-71), 2.5.A (Detail Matrix of the Evaluation of the Mid County Parkway Build Alternatives, page 2-81), and 2.5.B (Detail Matrix of the

Evaluation of Alternative 9 Modified Design Variations and Section 404 No Action Alternative, page 2-87), consistent with the requirements in 40 CFR, Chapter V CEQ, Section 1502.23 (Cost-benefit analysis). Section 1502.23 specifically states that, for purposes of complying with NEPA, the weighing of the merits and drawbacks of the various alternatives need not be displayed in a monetary cost-benefit analysis and should not be when there are important qualitative considerations. Section 102(B) in NEPA further notes that "...all agencies of the Federal Government shall...identify and develop methods and procedures, in consultation with the Council on Environmental Quality established by title II of this Act, which will insure that presently unquantified environmental amenities and values may be given appropriate consideration in decisionmaking along with economic and technical considerations..." Tables 2.4.A, 2.4.B, 2.5.A, and 2.5.B in the Final EIR/EIS provide cost data as well as quantified and qualitative information on the various benefits and effects of the MCP Project.

The last paragraph of this comment states that "...RCTC should not approve the Record of Decision." The Record of Decision is a federal document that would be approved by the FHWA, not the RCTC.

Comment CBD-14 (The FEIR/FEIS Fails to Adequately Analyze Impacts to Threatened and Endangered Species): "The proposed MCP is proposed adjacent to the San Jacinto Wildlife Area, the Lake Perris State Recreation Area, and important core reserves under the Western Riverside County Multiple Species Habitat Conservation Plan, resulting in impacts to a number of listed species including indirect impacts from increased urbanization and development. (FEIR/FEIS 3.17-11.) Endangered and threatened species the MCP "may affect" and is "likely to adversely affect" are the San Jacinto Valley crown scale, spreading navarretia, California gnatcatcher, least Bell's vireo, San Bernardino kangaroo rat, and the Stephens' kangaroo rat. (FEIR/FEIS 3.21-6.) Non-listed species of special concern affected by the MCP are burrowing owls and the Los Angeles pocket mouse. (FEIR/FEIS 3.20-2.)

The FEIR/FEIS dismisses the MCP's impacts to wildlife movement by claiming that "because the Ramona Expressway currently creates edge effects and is an impediment to the wildlife movement in this already fragmented habitat," the MCP's impacts will not be "substantially new or different." (FEIR/FEIS 3.17-24.) But the MCP will cross an additional five conservation areas "consist[ing] of large core blocks of habitat and smaller blocks of habitat linking larger habitat blocks." (FEIR/FEIS 3.17-24.) And the MCP will "be a wider freeway and would be a greater impediment to wildlife movement due to the increased width and permanent fencing." (FEIR/FEIS 3.17-24.) This is not the same impact that the Ramona Expressway has on wildlife movement—it crosses different wildlife areas and presents more of an obstacle.

Disrupting wildlife movement with roadways can cause significant impacts to animal populations. Habitat fragmentation can result in "changes in microclimate, increased presence of predators or invasion of new species," and reduced population sizes, all of which contribute to inbreeding, loss of genetic variability, and even local extinctions. In addition to fragmenting wildlife populations, roadways also increase animal-vehicle

collisions, pollution, and other disturbances. The FEIR/FEIS's proposed mitigation measures are not proven to reduce these effects. The FEIR/FEIS proposes incorporating wildlife crossings consisting of bridges, drainage culverts, and a wildlife crossing structure into the MCP design. (FEIR/FEIS 3.17-24.) But even though wildlife have been shown to use highway underpasses and culverts, crossings "may not prevent population isolation and decline" associated with habitat fragmentation.

The FEIR/FEIS's analysis is inadequate and fails to accurately portray the impacts of the MCP on wildlife movement. It downplays the MCP's adverse effects in violation of NEPA's requirements that agencies use "[a]ccurate scientific analys[es]" and inform the public of the environmental consequences of proposed actions. (40 C.F.R. §§ 1500.1(b), 1502.1.) This dismissal of the significance of habitat fragmentation on the endangered, threatened, and special status species in the MCP study area indicates that the RCTC did not take the requisite "hard look" at the project's effects. (Klamath-Siskiyou Wildlands, 387 F.3d at 993.)"

Response to Comment CBD-14: As discussed in Section 3.17.3.1 (starting on page 3.17-24 in the Final EIR/EIS) and in the Biological Resources Technical Reports, the MCP alignment will cross "...five areas designated in the Western Riverside County MSHCP as conservation features that consist of large core blocks of habitat and smaller blocks of habitat linking larger habitat blocks." These areas are shown on Figure 3.17.1 (page 3.17-5 in the Final EIR/EIS) as "MSHCP Criteria Areas." The MCP alignment follows existing roads that already cross these areas. It should be noted that Western Riverside County MSHCP Criteria Areas are not presently conserved lands. The Western Riverside County MSHCP Conservation Area is to be assembled from parts of the Western Riverside County MSHCP Criteria Areas as part of the project review and approval process, as well as from existing public/quasi-public lands. As discussed in Section 3.17.3.1 (starting on page 3.17-53 in the Final EIR/EIS), direct impacts of the MCP Project footprint to Western Riverside County MSHCP public/quasi-public lands are limited to temporary impacts at the Perris Valley Storm Drain (Figure 5 in Appendix T, Western Riverside County Multiple Species Habitat Conservation Plan Consistency Determination, in the Final EIR/EIS). The MCP Project footprint is south of and adjacent to, but not within, the boundary of the San Jacinto Wildlife Area. As indicated in Section 3.17.3.1 (starting on page 3.17-24 in the Final EIR/EIS), because the MCP Project would be a greater impediment to wildlife movement than existing roads due to its increased width and permanent fencing, in coordination with state and federal wildlife agencies and in accordance with the Western Riverside County MSHCP Section 7.5.2, "Guidelines for Construction of Wildlife Crossings," appropriately-sized wildlife crossings will be incorporated in the project design to reduce that effect.

The San Jacinto Valley crown scale, spreading navarretia, California gnatcatcher, least Bell's vireo, San Bernardino kangaroo rat, Stephens' kangaroo rat (SKR), burrowing owl, and LAPM are covered species under the Western Riverside County MSHCP. SKR is also a covered species under the *Stephens' Kangaroo Rat Habitat Conservation Plan*. Mitigation for impacts to these species consists of participation in and fulfilling the requirements of these federally approved plans, as described in Sections 3.20.4 (page

3.20-11) and 3.21.4 (page 3.21-9) in the Final EIR/EIS (and in the Biological Resources Technical Reports). The Western Riverside County MSHCP was conceived and developed, and is being implemented, specifically to address the direct, indirect, cumulative, and growth-related effects on species and habitats in western Riverside County resulting from build out of covered land use and infrastructure projects, including the MCP Project, including direct and indirect effects on wildlife movement. The Western Riverside County MSHCP provides this protection through the creation of Conservation Areas as well as with habitat-related and species-specific project requirements. These measures benefit species covered by the Western Riverside County MSHCP and the *Stephens' Kangaroo Rat Habitat Conservation Plan* as well as the more common plant and wildlife species that occupy the same habitats as the covered species. MCP Project-specific measures include the creation of wildlife crossings and associated structures, and other measures including the conservation and creation of off-site habitat areas. The MCP Project, given the avoidance, minimization, and mitigation measures specified in the Final EIR/EIS, was determined to be consistent with the Western Riverside County MSHCP, as documented in the MSHCP Consistency Determination Including Determination of Biologically Equivalent or Superior Preservation Analysis for the MCP Project (provided in Appendix T in the Final EIR/EIS). The extensive analysis of the effects of the MCP Project on wildlife movement and habitat fragmentation described above demonstrates that FHWA has taken a “hard look” at those potential project effects.

Comment CBD-15 (The FEIR/FEIS Fails to Adequately Analyze Impacts to Climate Change - Global Warming Statutes and Regulations): “Recognizing that “[g]lobal warming poses a serious threat the economic wellbeing, public health, natural resources, and the environmental of California,” the State passed Assembly Bill 32 (“AB 32”), known as the California Global Warming Solutions Act, in 2006. (Cal. Health & Safety Code § 38501(a).) Global warming can cause a host of environmental, economic, and public health problems, including an

exacerbation of air quality problems, a reduction in the quality and supply of water to the state from the Sierra snowpack, a rise in sea levels resulting in the displacement of thousands of coastal businesses and residences, damage to the marine ecosystems and the natural environment, and an increase in the incidences of infectious diseases, asthma, and other human health-related problems.

(Cal. Health & Safety Code § 38501(a).)

AB 32 seeks to address climate change and prevent these effects. Greenhouse gases (“GHGs”) “are the most significant driver of observed climate change since the mid-20th century.” In order to slow global climate change, AB 32 requires California to reduce its greenhouse gas emissions to 1990 levels by 2020. (Cal. Health & Safety Code § 38550.)

California Governor Brown recently set even higher goals for reducing greenhouse gas emissions. Executive Order B-30-15 sets California's greenhouse gas emissions reduction target to 40 percent below 1990 levels by 2030, ensuring that the State meets its existing target of reducing emissions to 80 percent below 1990 levels by 2050. (Cal. Exec. Ord. No. B-30-15 (Apr. 29, 2015).)"

Response to Comment CBD-15: This comment summarizes the effects of global warming and various laws and regulations that have been adopted by the State of California to address global climate change. The following laws and regulations are described in Section 4.5.1.1, Regulatory Setting (starting on page 4-125), in the Final EIR/EIS:

- Assembly Bill 1493 (Pavley), Vehicular Emissions: Greenhouse Gases (2002)
- California Executive Order S-3-05 (June 1, 2005) regarding the reduction of GHG emissions
- Assembly Bill 32 (Nunez and Pavley), the Global Warming Solutions Act of 2006
- California Executive Order S-20-06 (October 18, 2006) regarding the responsibilities and roles of State agencies with regard to climate change
- California Executive Order S-01-07 (January 18, 2007) setting the low carbon fuel standard
- California Senate Bill 97, Chapter 185, 2007 Greenhouse Gas Emissions
- California Senate Bill 375, Chapter 728, 2008 Sustainable Communities and Climate Protection
- California Senate Bill 391, Chapter 585, 2009 California Transportation Plan
- Presidential Executive Order 13514 (October 5, 2009) regarding the reduction of GHG emissions

EO B-30-15, signed by Governor Brown on April 29, 2015, established a statewide GHG emissions reduction target of 40 percent below 1990 levels by 2030. The ARB is in the process of updating the State's climate change Scoping Plan to incorporate the 2030 reduction goals set by EO B-30-15. The updated Scoping Plan will provide a framework for achieving the 2030 target and is anticipated to be completed and adopted by the ARB in 2016. Until the updated Scoping Plan is adopted, it is not possible to determine if a proposed project is or is not consistent with the 2030 target. However, it is not anticipated that the adoption of the updated Scoping Plan in response to EO B-30-15 would change the conclusion in the Final EIR/EIS that the short-term construction and long-term operational climate change impacts of the MCP Project would be significant and unavoidable under CEQA.

Section 4.5.1.1 (page 4-127 in the Final EIR/EIS) notes that "Although climate change and GHG reduction are a concern at the federal level; currently no regulations or legislation have been enacted specifically addressing GHG emissions reductions and

climate change at the project level. Neither the United States Environmental Protection Agency (USEPA) nor the Federal Highway Administration (FHWA) has issued explicit guidance or methods to conduct project-level GHG analysis. FHWA supports the approach that climate change considerations should be integrated throughout the transportation decision-making process, from planning through project development and delivery.” Consistent with this approach, climate change effects of the MCP Project were considered in the project planning and environmental evaluation as described in Section 4.5 (starting on page 4-124) in the Final EIR/EIS.

Comment CBD-16 (Global Warming Impacts on Communities): “Both in California and globally, climate change disproportionately impacts low-income communities and communities of color. In California, minority and low-income communities in urban and rural areas face the greatest climate change threats. In the inner city, low-income households suffer most from rising temperatures because they often do not have air conditioning. Heat waves increase the risk of death caused by heat stress, heart attacks, strokes, and respiratory failure, and urban areas see higher heat-related mortality rates than suburban and rural areas. In Los Angeles, even an expected 3 degree Fahrenheit rise in temperature could double heat-related deaths. Climate change adversely impacts farmworker communities, as well. Extreme heat disproportionately affects farmworkers working outdoors, who already have the worst health of any labor group in the State. Climate change will worsen air quality, which is already at unhealthy levels in the Central Valley, and can increase water contamination. Climate change can also result in economic impacts. Increased floods, droughts, fires, pest infestations, sea levels rises, and changes in water supply and climate zones “can have disastrous effects on the people whose livelihoods depend on farming.”

On a global level, “[d]eveloping countries are often considered more vulnerable to the effects of climate change than those that are more developed.” This is due a number of factors including a greater reliance on natural resources, a smaller ability to adapt financially and institutionally, and high poverty. In addition to climate change, these populations also tend to face other disturbances such as conflict, an already degraded environment, and disease. Highly affected communities include tropical and subtropical agricultural systems in developing areas and indigenous communities in small island developing states and the Arctic.”

Response to Comment CBD-16: This comment states that climate change disproportionately impacts low-income, minority, and farming communities, and developing countries. Section 4.5, Climate Change, (starting on page 4-124 in Chapter 4.0 in the Final EIR/EIS) summarizes the short-term construction and long-term operational GHG emissions of the MCP Project. As discussed on page 4-136 in the Final EIR/EIS, the MCP Project would result in a significant unavoidable adverse impact under CEQA due to the generation of GHG emissions. As discussed earlier in response to Comment CBD-1, the selected alternative (Alternative 9 Modified SJRB DV) would not result in disproportionately high and adverse impacts with respect to minority and/or low income populations after mitigation, including impacts related to climate change.

Comment CBD-17 (The FEIR/FEIS's Inadequate Analysis of Climate Change Impacts): "The FEIR/FEIS improperly dismisses the MCP's impacts to climate change and ignores California's GHG emissions goals. By increasing the total vehicle miles traveled in the region, the MCP will increase GHG emissions in both 2020 and 2040 compared with the No Build Alternative. (FEIR/FEIS 3.25-14.) Although the entire purpose of the FEIR/FEIS is to propose a sixteen-mile, six-lane freeway intended to increase capacity, it also concludes that "[b]ecause 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." (FEIR/FEIS 3.25-14.)

This determination violates NEPA by completely disregarding the fact that that other options, such as improvements to existing freeways and roads or improvement to public transit services, would result in fewer GHG emissions. The FEIR/FEIS admits that "freeway widening or interchange improvements projects . . . are expected to have limited impacts because they are modifications to existing highways," but it ignores this fact in its selection of alternatives. (FEIR/FEIS 3.25-22.) In doing so, the FEIR/FEIS violates NEPA by failing to "[r]igorously explore and objectively evaluate all reasonable alternatives" and failing to "inform decision makers and the public of the[se] reasonable alternatives which would avoid or minimize adverse impacts." (40 C.F.R. §§ 1502.1, 1502.14(a).)

Response to Comment CBD-17: Although this comment states that the analysis failed to consider other options to the MCP Project, such as improvements to existing freeways and roads or improvement to public transit services, to reduce the GHG/climate change impacts of the MCP project, the following measures were considered but were not carried forward for the reasons described below from a response to a comment on the Recirculated Draft EIR/Supplemental Draft EIS (on page S-595 in Appendix S, Responses to Comments, in the Final EIR/EIS):

- **"High occupancy vehicle (HOV) lanes:** HOV lanes can reduce vehicle miles traveled (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 project, and in San Jacinto near 1st Street/SR-79, approximately 3.5 miles southeast of the eastern terminus of the MCP project. 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. 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:** Increases in transit services and infrastructure in support of transit services would not meet the regional travel demand served by the MCP project and, therefore, would not be reasonable alternatives to the MCP project. Specifically, the Perris Valley Line (rail), the Downtown Perris Station, and the South Perris Station, would not effectively serve the east-west demand in western Riverside County. However, as discussed in Section 1.3.2.5 on page 1-31 in the Final EIR/EIS, the location of the MCP project through the city of Perris will provide an opportunity to create a linkage between the MCP project and the Perris Valley Line and Perris Multimodal Facility. The Perris Valley Line would provide commuter rail service from the city of Perris to the city of Riverside and areas to the west by extending existing service (Metrolink 91 Line) that links the city of Riverside with downtown Los Angeles via Fullerton. The Perris Valley Line would connect with the Perris Multimodal Facility in Perris and would provide for connecting bus (including the Riverside Transit Agency) and rail (including Metrolink) service.”

Section 1.2 (starting on page 1-5 in the Final EIR/EIS) describes the planning background for the MCP Project, which included consideration of other transportation improvements in the RCIP including transit improvements. Section 2.7 (starting on page 2-117 in the Final EIR/EIS) discusses a number of highway and road improvements considered but not carried forward for detailed analysis in the Final EIR/EIS. Because the planning for the MCP Project and the Final EIR/EIS considered improvements to existing freeways and roads and improvements to public transit service, and rejected these alternatives for failing to meet the project purpose and objectives, the Final EIR/EIS complies with the requirements of NEPA.

Comment CBD-18 (The FEIR/FEIS’s Inadequate Analysis of Climate Change Impacts, continued): The FEIR/FEIS’s climate change analysis further violates NEPA by not analyzing the project’s GHG emissions in light of the goals set forth in Governor Brown’s EO B-30-15. A supplemental EIS must be prepared if there are “substantial changes in the proposed action” relevant to environmental concerns, or “significant new

circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts” (40 C.F.R. § 1502.9(c)(1).) EO B-30-15 sets a GHG emissions reduction target of 40 percent below 1990 levels by 2030. (Cal. Exec. Ord. No. B-30-15). Because this new target falls within the years (2020-2040) the FEIR/FEIS has chosen to analyze the MCP’s impacts, the FEIR/FEIS should consider the project’s GHG emissions in light of the 2030 target. By not doing so, the FEIR/FEIS violates NEPA’s requirements that the agency provide “high quality information” and “[a]ccurate scientific analys[es],” take a “hard look” at the environmental consequences of a proposed project, and adequately inform the public of these consequences. (40 C.F.R. §§ 1501.(b), 1502.1; Klamath-Siskiyou Wildlands, 387 F.3d at 993.) A supplemental EIS must be prepared to address the significant new information related to the MCP’s greenhouse gas impacts.”

Response to Comment CBD-18: Refer to the response to Comment CBD-15, above, for discussion regarding EO B-30-15 and the conclusion that changes to the State’s Scoping Plan as a result of EO B-30-15 would not change the conclusion in the Final EIR/EIS that the short-term construction and long-term operational climate change impacts of the MCP Project would be significant and unavoidable under CEQA.

Comment CBD-19 (Conclusion): “Thank your for your attention to these comments. We look forward to working to assure that the MCP conforms to the federal and state requirements governing environmental review and environmental justice. Should you have any questions feel free to contact Jonathan Evans at the contact information listed above.

The Center for Biological Diversity wishes to be placed on the mailing list for all future notices regarding this project. Please mail all notices to the Center for Biological Diversity at the address and email listed above.”

Response to Comment CBD-19: The Center for Biological Diversity is on RCTC’s distribution list for all notices for the MCP Project.

9.4 Pam Nelson

General Remarks: These comments are concerned about the need for the project and mitigation for the project effects.

Comment PN-1: “I would still prefer the following: re-evaluating the need for a highway where the GHG level, degradation of air quality and wildlife fragmentation increases. The need for more transport to these low-income areas has not been proven. Agricultural endeavors are the primary successful ventures in the area with markets nearby. More housing and warehouses are not needed. Why put a major freeway through this area?

“...--have extensive mitigation that could create a future path for the area--not just buffer noise and runoff impact. Where will this major freeway be

leading these communities? Is it just the door that developers are knocking on so they can build low-value housing and warehouses?”

Response to Comment PN-1: The need for the MCP Project is based on extensive studies of existing, approved, and planned land uses and the traffic demand generated by those land uses. Specifically, as discussed in detail in Section 1.2 (starting on page 1-5 in the Final EIR/EIS), the MCP Project was identified as a key west-east regional transportation corridor as a result of several years of comprehensive land use and transportation planning through the RCIP. The RCIP was a multiyear planning effort to simultaneously prepare environmental, transportation, housing, and development guidelines for Riverside County for the first half of the 21st century. Riverside County has been and continues to be one of the fastest growing counties in the United States. The purpose of the RCIP was to address planning, environmental, and transportation issues that would result from the anticipated increase in the population in Riverside County, from approximately 2.2 million residents in 2010 to approximately 3.3 million residents by 2025. The RCIP included a new General Plan for Riverside County (adopted in 2003); an MSHCP for western Riverside County (approved in 2004); and the CETAP. The CETAP study efforts jointly undertaken by RCTC and the County of Riverside included the study of two intercounty corridors (Riverside County to Orange County and Riverside County to San Bernardino County) and two intracounty transportation corridors (a north-south and a west-east corridor in western Riverside County). The west-east transportation corridor identified in the CETAP studies is the MCP Project.

Section 1.3.2 (starting on page 1-15 in the Final EIR/EIS) provides a detailed evaluation of the need for an west-east corridor in western Riverside County, including consideration of the existing capacity of west-east corridors including State Routes 60, 91, and 74, and Interstate 10; the forecasted level of service on Ramona Expressway and at intersections in the study area; existing and forecasted travel times, population, traffic volumes, and road capacities in the study area; and existing accident rates, roadway deficiencies, modal interrelationships and system linkages, and related transportation projects. The need for the MCP Project is supported based on those detailed evaluations.

The Final EIR/EIS already provides detailed analyses of the potential environmental impacts of the MCP Project related to GHG emissions, degradation of air quality and wildlife fragmentation, as follows:

- **GHG Emissions:** Section VII in Chapter 4 (starting on page 4-49 in the Final EIR/EIS) describes the potential effects of the MCP Project related to GHG emissions and concludes that “...the proposed project would result in a significant unavoidable impact due to the generation of GHG emissions” under CEQA.
- **Air Quality:** Section 3.14 (starting on page 3.14-1 in the Final EIR/EIS) and Section III in Chapter 4 (starting on page 4-13) in the Final EIR/EIS address the potential air quality impacts of the MCP Project. Analyses documented in Section 3.14 (starting on page 3.14-29) concluded that operation of the MCP Project is not expected to

result in any carbon monoxide concentrations exceeding the 1-hour or 8 hour standards; changes in PM_{2.5} and PM₁₀ emissions as a result of the MCP Project would not result in new violations of the federal air quality standards; the MCP Project would result in a small increase in localized MSAT emissions compared to the No Build conditions, but the effects of the USEPA vehicle and fuel regulations, coupled with fleet turnover, will result in substantial reductions over time that will result in regionwide MSAT levels to be substantially lower than they are today even with the MCP Project; and they would not contribute substantially to regional vehicle emissions. Analyses in Section 3.14 (starting on page 3.14-50 in the Final EIR/EIS) indicate that, with standard construction measures and Measures AQ-1 through AQ-5, fugitive dust and exhaust emissions from construction activities would not result in adverse air quality impacts. Analyses provided in Section III in Chapter 4 (starting on page 4-16 in the Final EIR/EIS) concluded that the construction-related nitrogen oxides (NO_x) and PM₁₀ emissions of the MCP Project would result in significant unavoidable impacts under CEQA after mitigation.

- **Wildlife Fragmentation:** Section 3.17 (starting on page 3.17-24 in the Final EIR/EIS) evaluates the potential for the MCP Project to result in impacts related to wildlife corridors and habitat fragmentation. That analysis determined that, although the Ramona Expressway already acts as an impediment to wildlife movement, the MCP Project will be a wider freeway and would be a greater impediment to wildlife movement due to the increased width and permanent fencing along the MCP Project right of way. Those effects would be mitigated based on the design of the MCP Project, which incorporates wildlife crossings (bridges, a wildlife crossing structure, and drainage culverts) that would facilitate wildlife movement under the freeway.

Based on these analyses provided in the Final EIR/EIS related to GHG, air quality impacts, and wildlife habitat fragmentation, additional analyses of these potential impacts as requested in this comment are not required.

Comment PN-2: “Mitigation should create an improved and better quality of life for the inhabitants of the area. Therefore, if this freeway is put in, it should have large wildlife corridors and crossings identified that make contiguous swaths to Lake Perris, the SJ Wildlife Refuge and other open space(in all directions). The MSHCP's purpose is to avoid fragmentation and preserve core areas. How does this freeway fit into this plan and where are wildlife crossing systems (over and under)?”

Response to Comment PN-2: The intent of mitigation included in the MCP Project is to specifically address the potential adverse impacts of the MCP Project itself on the natural and human environments to avoid, reduce, and/or mitigate those effects. Many of the mitigation measures included in the MCP Project (provided in Appendix F, Environmental Commitments, in the Final EIR/EIS), will improve the areas where those measures are implemented.

Specifically regarding wildlife corridors, crossings, and habitat fragmentation, the MCP Project is identified as a Covered Activity in the Western Riverside County MSHCP as one of the CETAP Corridors. As described in Section 3.17 (starting on page 3.17-1 in

the Final EIR/EIS), RCTC is a permittee under the Western Riverside County MSHCP and, as a permittee, is obligated to:

- Adopt and maintain ordinances or resolutions to implement the Permits, Western Riverside County MSHCP, and the Western Riverside County MSHCP Implementing Agreement for its Covered Activities. On September 3, 2003, RCTC's Board acted on the Implementing Agreement, which committed RCTC to implementing the requirements of the Permits, the Western Riverside County MSHCP, and the Implementing Agreement.
- Contribute \$153 million to the Western Riverside County Regional Conservation Authority (RCA) toward acquisition of Conservation Land. In 2005 and 2012, RCA and RCTC executed agreements to commit RCTC to payments of \$153 million. As of September 1, 2013, RCTC has paid \$132 million of that \$153 million commitment to the RCA.
- Comply with the policies in 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 in the Western Riverside County MSHCP.

Section S.5.1 (starting on page S-6 in Appendix S in the Final EIR/EIS) provides a detailed discussion of the MCP Project and how it will comply with the requirements of the Western Riverside County MSHCP, including the provision of crossings of the transportation corridor suitable for wildlife; compliance with the conditions in the Implementing Agreement; and preparation of, and compliance with the conditions in, the Mid County Parkway Multiple Species Habitat Conservation Plan Consistency Determination Including Determination of Biologically Equivalent or Superior Preservation Analysis (September 2014) and the Determination of Biologically Equivalent or Superior Preservation Analysis Addendum (October 2014) provided in Appendix T in the Final EIR/EIS.

As a result, the MCP Project fully complies with the requirements of the Western Riverside County MSHCP and additional wildlife corridors or preservation of core areas are not required.

Comment PN-3: "I am not convinced that there is a justified need for the freeway and if "developers" want to push this through then there should be a large specific plan designed for improvement of the entire area addressing the needs listed above and showing how the area will improve the existing residents' and wildlife's habitats and their needs to make this project justified."

Response to Comment PN-3: As noted above in the response to Comment PN-1, the need for the MCP Project is based on existing and forecasted demographic data and traffic volumes, and multiple technical studies conducted over the course of several years. Land use planning in western Riverside County is conducted by the applicable city or county; RCTC has no land planning authority. Therefore, RCTC cannot develop, process, or approve a specific plan or other land planning document for western Riverside County.

9.5 Young Kim

General Remarks: This commenter is opposed to Alternative 9 and supports Alternative 5.

Comment YK-1: “I oppose Alternative 9 that ruin many residential area and impact Val Verde Elementary School. I support Alternative 5 that has almost vacant lot.”

Response to Comment YK-1: This commenter’s opposition to Alternative 9 and support for Alternative 5 are acknowledged. As shown on page ES-34 in Table ES-1 in the Final EIR/EIS, the selected alternative (Alternative 9 Modified SJRB DV) will result in the acquisition and removal of an estimated 99 residences. This is slightly less than the 102 residential acquisitions under Alternative 9 Modified and greater than the residential acquisitions under Alternatives 4 (48) and 5 (36) Modified. However, as shown on Table ES-1 (page ES-34), the selected alternative would not result in impacts on Val Verde Elementary School.

9.6 Chang Kim (two emails)

General Remarks: This commenter is opposed to Alternative 9 and supports Alternative 5.

Comment CK-1: “I oppose Alternative 9 that ruin too many houses and residential area, and impact Val Verde Elementary School. It is the worst idea. I support Alternative 5 that have almost vacant lots.”

Response to Comment CK-1: This commenter’s opposition to Alternative 9 and support for Alternative 5 are acknowledged. As shown on page ES-34 in Table ES-1 in the Final EIR/EIS, the selected alternative (Alternative 9 Modified SJRB DV) will result in the acquisition and removal of an estimated 99 residences. This is slightly less than the 102 residential acquisitions under Alternative 9 Modified and greater than the residential acquisitions under Alternatives 4 (48) and 5 (36) Modified. However, as shown on Table ES-1 (page ES-34), the selected alternative would not result in impacts on Val Verde Elementary School.

Comment CK-2: “I saw today newspaper some agency filed to sue to block Mid County Parkway. Mid County Parkway has too much impact, must be stopped.”

Response to Comment CK-2: The lawsuit filed on the MCP Project was filed on the Final EIR under CEQA, which is not an issue under NEPA. This commenter’s opposition to the MCP Project is acknowledged.

Comment CK-3: “Best way is to expand Ramona Expwy instead Mid County Parkway. And Placentia Ave, connect to Ramona Expwy.”

Response to Comment CK-3: As discussed on page 2-68 in the Final EIR/EIS, consistent with the adopted Riverside County General Plan, Ramona Expressway would be widened to a six-lane arterial street between I-215 and SR-79 as needed to meet expected traffic demand as part of Alternative 1B (No Build/No Action). As explained in Section 3.5, Traffic and Transportation/Pedestrian and Bicycle Facilities, (starting on page 3.5-8 in the Final EIR/EIS) and in the Traffic Technical Reports, local roads including Ramona Expressway were assumed to be built out according to the appropriate local jurisdictions' (Riverside County and the Cities of Perris and San Jacinto) adopted General Plan Circulation Elements by 2040. As a result, the traffic analyses for the MCP Project included Ramona Expressway as a six-lane arterial street based on the County General Plan Circulation Element. As shown on Table 3.6.F (page 3.6-21 in the Final EIR/EIS), for Alternative 1B in 2040 (with Ramona Expressway at six lanes and the other General Plan local circulation improvements but no MCP Project), of 10 intersections on Ramona Expressway, all but one will operate at LOS D, E, or F in the AM and PM peak hours. Therefore, widening Ramona Expressway and other General Plan improvements to the local circulation system alone is not sufficient to provide better levels of service in 2040. As shown in Table 3.6.L (page 3.6-44 in the Final EIR/EIS), of seven intersections on the Ramona Expressway in 2040, with the implementation of the MCP Project and with Ramona Expressway at six lanes and the other General Plan local circulation improvements, four intersections will operate at LOS B or C, and three intersections will operate at LOS D in the AM peak hour; and five intersections will operate at LOS A, B, or C, and two intersections will operate at LOS D in the PM peak hour. As shown, the MCP Project is needed to provide better levels of service in 2040 compared to the Alternative 1B.

9.7 Traci Sa'ena and Others (approximately 360 emails were received with comments the same as or very familiar to the comments provided by Ms. Sa'ena)

General Remarks: These emails provide several reasons for opposing the MCP project, specifically, "I'm writing to urge you to oppose the Mid County Parkway because of its numerous financial and environmental impacts."

Comment TS-1: "Simply put, this 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. Furthermore, the project's current estimated cost of \$1.732 billion will likely balloon as it encounters construction delays and problems due to its environmental threats. This money would be far more wisely spent developing sounder alternatives, such as lightrail and bus routes."

Response to Comment TS-1: The need for the MCP Project is based on extensive studies of existing and approved land uses, and planned land uses in the adopted General Plans and the traffic demand generated by those land uses. Specifically, as discussed in detail in Section 1.2 (starting on page 1-5) in the Final EIR/EIS, the MCP Project was identified as a key west-east regional transportation corridor as a result of

several years of comprehensive land use and transportation planning through the RCIP. The RCIP was a multiyear planning effort to simultaneously prepare environmental, transportation, housing, and development guidelines for Riverside County for the first half of the 21st century. Riverside County has been and continues to be one of the fastest growing counties in the United States. The purpose of the RCIP was to address planning, environmental, and transportation issues that would result from the anticipated increase in the population in Riverside County, from approximately 2.2 million residents in 2010 to approximately 3.3 million residents by 2025. The RCIP included (1) a new General Plan for Riverside County (adopted in 2003); (2) an MSHCP for western Riverside County (approved in 2004); and (3) the CETAP. The CETAP study efforts jointly undertaken by RCTC and the County of Riverside as a part included the study of two intercounty corridors (Riverside County to Orange County and Riverside County to San Bernardino County) and two intracounty transportation corridors (a north-south and a west-east corridor in western Riverside County). The west-east transportation corridor identified in the CETAP studies is the MCP Project.

Section 1.3.2 (starting on page 1-15 in the Final EIR/EIS) provides a detailed evaluation of the need for an west-east corridor in western Riverside County, including consideration of the existing capacity of west-east corridors including State Routes 60, 91, and 74, and Interstate 10; the forecasted level of service on Ramona Expressway and at intersections in the study area; existing and forecasted travel times, population, traffic volumes, and road capacities in the study area; and existing accident rates, roadway deficiencies, modal interrelationships and system linkages, and related transportation projects. The need for the MCP Project is supported based on those detailed evaluations.

Comment TS-2: “Property and business owners will be some of the people hit hardest by the parkway. The project's environmental study finds it could displace up to 396 residents and 171 employees. And up to 99 residential property owners could have their land and homes taken away via eminent domain. Farmland will likely be lost, both through direct impacts and through the acceleration of ongoing conversion.”

Response to Comment TS-2: The MCP Project will require the acquisition of property. As shown on page ES-34 in Table ES-1 in the Final EIR/EIS and the Relocation Technical Reports, the selected alternative will result in the acquisition and removal of an estimated 99 residences. This is slightly less than the 102 residential acquisitions under Alternative 9 Modified and substantially greater than the residential acquisitions under Alternatives 4 (48) and 5 (36) Modified. Those impacts will be addressed through compliance with the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

The MCP Project will result in the permanent conversion of approximately 1,043 acres of designated farmland to transportation uses, as summarized on page ES-33 in Table ES-1 in the Final EIR/EIS. As discussed in Section 3.3 (starting on page 3.3-15 in the Final EIR/EIS), measures such as on- or off-site mitigation of existing farmland converted to transportation or other non-agricultural uses were considered. The San

Jacinto General Plan Final EIR recognizes that impacts to farmlands resulting from implementation of that General Plan would be significant and unavoidable after mitigation under CEQA. The City further determined in that Final EIR that on- and off-site mitigation was infeasible for impacts to agricultural resources. The 2003 County of Riverside General Plan EIR reached a similar conclusion, stating that the impacts to farmland cannot be avoided with or without a mitigation bank. As a result, RCTC has concluded that, because it has no land use planning or approval authority and does not have the authority to own land for the purposes of conservation of agricultural resources and there is no such land bank available for farmland mitigation in Riverside County, that contributions to a land bank would not be feasible mitigation to address the permanent loss of agricultural resources by the MCP Project.

Comment TS-3: “The parkway also poses significant and irreversible harms to open space and wildlife habitat areas of western Riverside County. 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 -- and valuable arid-land streams and riparian resources will be lost.”

Response to Comment TS-3: The potential effects of the MCP Project on wildlife habitat areas in the San Jacinto Valley, threatened and endangered species, and water resources are evaluated in detail in the following sections in the Final EIR/EIS:

- 3.17, Natural Communities (starting on page 3.17-16)
- 3.18, Wetlands and Other Waters (starting on page 3.18-15)
- 3.19, Plant Species (starting on page 3.19-4)
- 3.20, Animal Species (starting on page 3.20-4)
- 3.21, Threatened and Endangered Species (starting on page 3.21-5)

These project effects are also discussed in the Biological Resources Technical Reports.

Table S.1 in the Executive Summary (starting on page ES-57 in the Final EIR/EIS) summarizes the potential effects of the MCP Project on biological resources and lists the specific avoidance, minimization, and mitigation measures included in the MCP Project to substantially avoid, reduce, or mitigate those project effects.

Comment TS-4: “The parkway will also 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. And instead of alleviating anticipated transit distress, it will bring traffic and freeway sprawl into the beautiful and rural San Jacinto Valley. As you know, sprawl and vehicle emissions are some of the worst contributors of greenhouse gases. And so building this parkway will undermine California's greenhouse gas reduction goals and undermine public transit.”

Response to Comment TS-4: As noted above, the MCP Project was one of several transportation projects evaluated in the RCIP. Future development in western Riverside County will occur as approved by the County and the Cities of Perris and San Jacinto

based on their adopted General Plans. Because of its prior inclusion as a CETAP corridor in the overall RCIP planning process that led to the adoption of the updated Riverside County General Plan and the Western Riverside County MSHCP, the MCP Project is not expected to result in adverse growth-related effects as discussed in Section 3.2.3 starting on page 3.2-4 in the Final EIR/EIS). CETAP is an integral component of the 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. However, some segments of the MCP Project are in areas that were not previously analyzed under CETAP and, therefore, these areas may be subject to growth-related effects to resources of concern. The MCP project is implementing CETAP in accordance with the Western Riverside County MSHCP. Because of this, all growth-related effects occurring in areas previously not addressed through the CETAP process and impacting environmental resources of concern would be minimized by compliance with the Western Riverside County MSHCP, the *Stephens' Kangaroo Rat Habitat Conservation Plan*, and any conditions imposed on the MCP project through Section 7 Consultation as discussed in Section 3.21.3.1 (starting on page 3.21-5 in the Final EIR/EIS).

Refer to the responses to Comment EPA-1 and Comment CBD-15, provided earlier in this ROD, for discussion regarding GHG emissions analyses for the MCP Project.

Comment TS-5: "For all these reasons, I urge you to reject the Mid County Parkway and choose environmentally and financially sound alternatives for growth and development in western Riverside County and Southern California."

Response to Comment TS-5: These commenters' opposition to the MCP Project is acknowledged.

RECORD OF DECISION APPROVAL

8/17/15
Date


Vincent Mammano
Division Administrator
Federal Highway Administration

Attachment: Environmental Commitments Record for the MCP Project

Attachment A Environmental Commitments Record for the MCP Project

The California Environmental Quality Act (CEQA), Public Resources Code Section 21081, and Sections 15091 and 15097 of the State CEQA Guidelines require that a Mitigation Monitoring and Reporting Program be adopted when the Lead Agency (in this case, the Riverside County Transportation Commission [RCTC]) adopts an environmental document. The purpose of the Environmental Commitments Record (ECR) is to fulfill this requirement under CEQA and to assign responsibility for the implementation, monitoring, and timing of each mitigation measure that has been identified to reduce an identified environmental impact to a less than significant level. The Lead Agency is required to ensure compliance with each of the adopted mitigation measures in the ECR because additional significant environmental impacts could result from the project if the mitigation measures are not implemented. Because RCTC will administer the design, right of way acquisition, and construction of the project, all the mitigation measures will be the responsibility of RCTC to implement.

The Federal Highway Administration, as the Lead Agency under the National Environmental Policy Act (NEPA), is responsible for compliance with the avoidance, minimization, and mitigation measures included in the project under NEPA although, as noted above, RCTC will be responsible for the implementation of those measures for the MCP project.

The following table lists all feasible mitigation measures adopted to reduce potentially significant impacts of the selected alternative for the MCP Project. The three columns on the right side of the table list the timing of the mitigation measure, project design feature, or project component and the party responsible for ensuring that the mitigation measure is implemented. The far-right column is left blank to allow RCTC staff to add the verification date of each mitigation measure, project design feature, or project component. This column should be used as a reference for verifying that each of the mitigation measures, project design features, or project components is implemented and that ongoing mitigation measures are regularly checked. Once the MCP Project is constructed, a report shall be submitted to FHWA that reports on the project's compliance with the mitigation measures under the NEPA. That report will also be provided to Caltrans. The report will also be maintained in RCTC's files for CEQA compliance.

After the certification of the Final Environmental Impact Report (EIR) pursuant to CEQA for the Mid County Parkway on April 8, 2015, by the Riverside County Transportation Commission, a few minor modifications were made to the Environmental Commitments Record (ECR) for the project. Those modifications are described below and are included in the ECR dated July 2015 (which supersedes the ECR included in the April 8, 2015, staff report to the Commission).

- Measure NC-2** The second sentence in the 11th bullet point in Measure NC-2 was revised to include the USFWS as follows: “The RCTC Resident Engineer and RCTC Project Biologist will coordinate with the applicable resource agencies (USACE, USFWS, CDFW, or RCA) to determine if additional mitigation would be required.”
- Measure FP-1** The timing/phase for Measure FP-1 was revised to read: “During final design.”
- Measure TE-1** The timing/phase of Measure TE-1 was revised to read: “Prior to the start of construction.”

Environmental Commitments Record

No.	Avoidance, Minimization, and Mitigation Measures Applicable to the Preferred Alternative (Alternative 9 Modified with the SJRB DV)	Responsible Party	Timing/Phase	Action Taken to Comply with Avoidance, Minimization, and Mitigation Measures	Date
LAND USE					
LU-1	Pedestrian Access During Construction. During site preparation, disturbance, grading, and construction, the Riverside County Transportation Commission (RCTC) Resident Engineer will require the Construction Contractor to maintain pedestrian access to adjacent land uses in the construction area throughout the construction period. If existing access points are disrupted, alternative access will be provided. Appropriate signage and temporary sidewalks will be provided by the Construction Contractor, as needed, throughout the construction phase of the project, and the Construction Contractor shall provide and maintain appropriate signage to direct both pedestrian and vehicular traffic to businesses via alternate routes. Disabled access, consistent with the requirements of the Americans with Disabilities Act, will also be maintained during construction by the Construction Contractor.	RCTC Resident Engineer	During site preparation, disturbance, grading and construction		
LU-2	Pedestrian Access during Project Operation. During final design, the RCTC Project Engineer will ensure that pedestrian access across the Mid County Parkway (MCP) facilities is included in the permanent project features and that those features are designed consistent with applicable California Department of Transportation (Caltrans) and/or local jurisdiction standards.	RCTC Project Engineer	During final design		
LU-3	Public Information Field Office. Prior to and during site preparation, disturbance, grading, and construction, the RCTC Project Manager will establish one or more public information field office(s) near the construction site(s). The field office(s) will serve the following purposes: <ul style="list-style-type: none"> • Provide the community and businesses with a physical location where information pertaining to construction can be obtained in both English and Spanish • Enable RCTC staff to facilitate communication between RCTC staff and the Construction Contractor with residents and business operators • Notify property owners, residents, and businesses of major construction activities (e.g., utility relocation/disruption, rerouting of delivery trucks) at least 14 days prior to the disruption • Respond to phone inquiries • Coordinate business outreach programs 	RCTC Project Manager	Prior to and during site preparation, disturbance, grading, and construction		
LU-4	March Joint Powers Authority Airspace Review. During final design, the RCTC Project Engineer will request the March Joint Powers Authority to conduct an airspace review of the MCP project to ensure that the MCP project does not introduce new hazards to the operations at the March Joint Powers Authority Airport.	RCTC Project Engineer	During final design		

Environmental Commitments Record

No.	Avoidance, Minimization, and Mitigation Measures Applicable to the Preferred Alternative (Alternative 9 Modified with the SJRB DV)	Responsible Party	Timing/Phase	Action Taken to Comply with Avoidance, Minimization, and Mitigation Measures	Date
LU-5	General Plan Consistency. Following selection of a Preferred Alternative and approval of the MCP project for implementation, the RCTC Project Manager will request that the County of Riverside and the City of Perris amend their respective General Plans to reflect the final MCP alignment, interchange locations, and modification of land use designations for property that will be acquired for the project.	RCTC Project Manager	Following approval of the MCP project and selection of a preferred alternative for implementation		
LU-6	<p>Existing Pedestrian and Trail Facilities. During final design, the RCTC Project Engineer will develop a Pedestrian and Trail Facilities Temporary Closure Plan for addressing the short-term impacts to existing pedestrian facilities and trails crossings or within the construction limits of the project. Trails are defined as facilities other than sidewalks including pedestrian, bicycle, and equestrian trails, and bike lanes.</p> <p>Specifically, the Plan will address procedures for:</p> <ul style="list-style-type: none"> • Identification of facilities that will be closed temporarily during construction • Temporarily closing sidewalks and trails during construction • Developing and implementing detours for closed sidewalks and trails • Coordinating sidewalk and trail closures and detours with the local jurisdictions with authority over the sidewalks and trails • Criteria for detour routes and facilities • Information signing for closures and detours • Requirements for compliance with the Americans with Disabilities Act • Maintaining signing for closures and detours throughout the closure period and replacing lost or damaged signing • Restoring pedestrian and trail facilities at the completion of project construction 	RCTC Project Engineer	During final design		
	Prior to the initiation of project activities that will require the temporary closure of a pedestrian or trail facility, the RCTC Project Engineer will require the Construction Contractor to comply with and implement the procedures in the Pedestrian and Trail Facilities Temporary Closure Plan for the affected sidewalk or trail facility crossing.	RCTC Project Engineer	Prior to the initiation of project activities that require temporary closure of a pedestrian or trail facility		
LU-7	Temporary Closures of Trails. Prior to any temporary closures of trails, the RCTC Resident Engineer will require the project Construction Contractor to meet with the Riverside County Department of Public Works (RCDPW) to review the location and need for each closure. Detours for each closure will be developed in consultation with the RCDPW.	RCTC Resident Engineer	Prior to any temporary closures of trails		
LU-8	Signing for Alternate Trail Routes. The RCTC Resident Engineer will require the project Construction Contractor to develop signs directing trail users to alternative routes in consultation with RCDPW and the local jurisdictions through which detours would be routed. Appropriate directional and informational signage will be provided by the project Construction Contractor prior to each closure and far enough away from the closure so that trail users will not have to backtrack to get to the detour route.	RCTC Resident Engineer	Prior to construction		

Environmental Commitments Record

No.	Avoidance, Minimization, and Mitigation Measures Applicable to the Preferred Alternative (Alternative 9 Modified with the SJRB DV)	Responsible Party	Timing/Phase	Action Taken to Comply with Avoidance, Minimization, and Mitigation Measures	Date
LU-9	Contact Information at Trail Detours. The RCTC Resident Engineer will require the project Construction Contractor to provide a contact number and information that will be provided for trail users to contact the project Construction Contractor regarding upcoming or active trail closures. The Construction Contractor will also be required to provide that information to the RCDPW and the Public Works Departments in the jurisdictions where the closures/detours are located.	RCTC Resident Engineer	Prior to any temporary closures of trails		
LU-10	Restoration of Impacted Trail Segments. The RCTC Resident Engineer will require the project Construction Contractor to return trail segments closed temporarily during construction to the RCDPW in their original, or better, condition after completion of construction, and those temporarily closed areas will be returned to the original owner (the RCDPW). After project construction, the RCTC shall ensure that access to and connectivity of all recreational trails are restored for all recreational users.	RCTC Resident Engineer	During construction		
LU-11	Permanent Trail Closures. Prior to construction, the RCTC will coordinate with affected local jurisdictions to inform the public of permanent trail closures and opportunities for alternative existing trails that are available to maintain trail connectivity within the community.	RCTC Resident Engineer	Prior to construction		
LU-12	Permanent Trail Changes. During final design, the RCTC will coordinate with the affected local jurisdiction to determine the new location and/or re-routing of an impacted trail outside the MCP right of way in order to maintain trail connectivity within the community.	RCTC Project Engineer	During final design		

GROWTH

No mitigation measures for growth-related effects are required.

FARMLANDS AND TIMBERLANDS

AG-1	Notification to Agricultural Property Owners. Prior to the start of any construction activity adjacent to farmlands, the Riverside County Transportation Commission (RCTC) shall provide written notification to agricultural property owners or leaseholders immediately adjacent to the disturbance limits for the Mid County Parkway (MCP) project. The notification is to indicate the intent to begin construction, including an estimated date for the start of construction. In order to provide agricultural property owners or leaseholders sufficient lead time to make any changes to their operations due to MCP project construction, this notification shall be provided at least 3 but no more than 12 months prior to the start of construction activity.	RCTC Project Manager and/or Resident Engineer	At least 3-12 months prior to the start of any site preparation or other construction activity adjacent to farmlands		
AG-2	Temporary Livestock and Equipment Crossings. Prior to the start of any construction activity adjacent to any farmlands, the RCTC shall coordinate with agricultural property owners or leaseholders to provide temporary livestock and equipment crossings of the MCP right of way to minimize impacts to livestock movement, and routine operations and normal business activities during project construction.	RCTC Project Manager and/or Resident Engineer	Prior to the start of any site preparation or other construction activity adjacent to farmland or grazing land		

Environmental Commitments Record

No.	Avoidance, Minimization, and Mitigation Measures Applicable to the Preferred Alternative (Alternative 9 Modified with the SJRB DV)	Responsible Party	Timing/Phase	Action Taken to Comply with Avoidance, Minimization, and Mitigation Measures	Date
AG-3	Equipment Crossings. During final design, and in coordination with property owners of lands in use for agricultural operations, the RCTC will finalize the realignments of any affected access roads to provide equipment crossings to minimize impediments to routine agricultural operations and normal business activities that may result from long-term project operation.	RCTC Project Engineer	During field design		
AG-4	Notification to Agencies. Prior to completion of right of way acquisition, the RCTC shall prepare and send all required notices to the Director of Conservation and the local governing body responsible for the administration of agricultural preserves pursuant to Section 51291 of the Williamson Act for any portion of the MCP project within established agricultural preserves.	RCTC Project Manager	Prior to completion of right of way acquisition		
COMMUNITY IMPACTS AND RELOCATION (INCLUDING ENVIRONMENTAL JUSTICE)					
CC-1	School Safety. During all site preparation, grading, disturbance, and construction, the Riverside County Transportation Commission (RCTC) Resident Engineer shall require the Construction Contractor to coordinate with the Val Verde Unified School District (School District) to ensure that school crossing guards are present in the vicinity of any construction areas near schools in and near the project limits when students are present, to protect the safety of students crossing streets near project construction areas. In the event that school crossing guards are not provided by or available from the School District, the RCTC Resident Engineer will require the Construction Contractor to provide traffic control staff at crossings near the project construction limits used by students when students are present.	RCTC Resident Engineer	During all site preparation, grading, disturbance, and construction		
CC-2	Placentia Avenue. The RCTC Project Engineer shall ensure that the final design plans include provisions for restoration of the disrupted areas in residential communities along Placentia Avenue with landscaping and hardscape treatments consistent with the area's existing community character. These treatments shall be provided consistent with Mitigation Measures VIS-3, VIS-4, and VIS-5.	RCTC Project Engineer	Prior to completion of final design		
CC-3	Where property acquisition and relocation are unavoidable, RCTC's Right-of-Way Agents will follow the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act) and the 1987 Amendments as implemented by the Uniform Relocation Assistance and Real Property Acquisition Regulations for Federal and Federally Assisted Programs. For properties where a partial acquisition results in the removal of some or all of the parking for the property, RCTC's Right-of-Way Agents will conduct parking studies to investigate the use of adjacent acquisitions for replacement parking, reconfiguring the remaining parking spaces and lots on the property, restriping parking spaces, enlarging parking lots, and reconfiguring driveways and/or delivery locations to reduce the project effects on the property.	RCTC's Right-of-Way Agents	During property acquisition		

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CC-4	<p>Spanish Speaking Relocation Agents. During the right-of-way acquisition process, RCTC Right-of-Way Agents will ensure that Spanish-speaking Right-of-Way Agents and staff are available to work with Spanish-speaking property and business owners, residents, tenants, and other persons affected by the property acquisition for the project during all phases of the property acquisition and relocation process. The RCTC Right-of-Way Agents will document in writing that all Spanish-speaking parties were offered services with Spanish-speaking Right-of-Way Agents and staff and whether each party requested Spanish-speaking Right-of-Way Agents and staff or not.</p>	RCTC Right-of-Way Agents	During the right-of-way acquisition process		
UTILITIES AND EMERGENCY SERVICES					
U&ES-1	<p>Fire Protection. Prior to site preparation, disturbance, grading, and construction, the Riverside County Transportation Commission (RCTC) Project Engineer will require the Construction Contractor to request the Riverside County Fire Department to identify areas adjacent to the project construction limits which are subject to wildfires and to define when the high fire season occurs. The RCTC Project Engineer will note all areas subject to wildfires on the project plans and specifications.</p> <p>During site preparation, disturbance, grading, and construction in areas subject to wildfires as determined by the Riverside County Fire Department, the RCTC Project Engineer will require the Construction Contractor to install signs around those construction sites warning of high fire risk. In addition, during the high fire season as declared by the Riverside County Fire Department, the RCTC Project Engineer will require the Construction Contractor to post information on area closings and other relevant information provided by the Fire Department around the construction sites adjacent to areas subject to wildfires. The phone numbers for the Riverside County Fire Department and other emergency services providers (law enforcement, emergency medical, etc.) will be provided on these signs.</p>	RCTC Project Engineer	Prior to site preparation, disturbance, grading, and construction		
		RCTC Project Engineer	During site preparation, disturbance, grading and construction in areas subject to wildfires		
U&ES-2	<p>Fire Protection Access During Construction. Prior to site preparation, disturbance, grading, and construction, the RCTC Project Engineer will request the Riverside County Fire Department to identify fire and emergency access roads crossing or immediately adjacent to the construction areas. The RCTC Project Engineer will show the identified fire and emergency access roads on the project plans and specifications.</p>	RCTC Project Engineer	Prior to site preparation, disturbance, grading and construction in areas with emergency access roads crossing or adjacent to construction areas.		

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	During site preparation, disturbance, grading, and construction, the RCTC Project Engineer will require the Construction Contractor to maintain access for emergency personnel and vehicles to existing fire roads crossing and immediately adjacent to the construction areas as identified by the Riverside County Fire Department. The RCTC Project Engineer will require the Construction Contractor to clearly mark those access locations with warnings for construction personnel to avoid blocking those locations, even temporarily for short periods of time, with construction equipment, personal vehicles, waste/trash, or materials storage.	RCTC Project Engineer	During site preparation, disturbance, grading and construction in areas with emergency access roads crossing or adjacent to construction areas.		
U&ES-3	Fire Protection Access During Operations. During final design, the RCTC Project Manager and RCTC Project Engineer will coordinate with the Riverside County Fire Department to incorporate long-term provision of access to the existing fire road grid in the project final design and specifications. The long-term access locations must be approved by the California Department of Transportation (Caltrans) along Interstate 215 (I-215) and State Route 79 (SR-79), the local jurisdictions with land use authority, and the Riverside County Fire Department.	RCTC Project Manager and RCTC Project Engineer	During final design		
U&ES-4	Fire Protection Prior to and During Construction. Prior to site preparation, disturbance, grading and construction, the RCTC Project Engineer will request the Riverside County Fire Department to identify areas of fire hazard adjacent to construction areas and to request recommendations for appropriate fuel modification techniques for those areas. The RCTC Project Engineer will note the identified fire hazard areas on the project plans and specifications and indicate the need for fuel modification techniques in those areas.	RCTC Project Engineer	Prior to site preparation, disturbance, grading and construction		
	During site preparation, disturbance, grading, and construction, the RCTC Project Engineer will require the Construction Contractor to install signs around construction sites in identified fire hazard areas and to implement fuel modification techniques as soon as possible in those areas to ensure that those techniques are in place prior to the operation of substantial amounts of construction equipment in the area. The phone numbers for the Riverside County Fire Department and other emergency services providers (law enforcement, emergency medical, etc.) will be provided on these signs.	RCTC Project Engineer	During site preparation, disturbance, grading and construction in identified fire hazard areas		
U&ES-5	Fire Protection During Construction. To minimize the risk of wildfire during site preparation, disturbance, grading, and construction, the RCTC Project Engineer will require the Construction Contractor to: <ul style="list-style-type: none"> • Ensure that all construction equipment and vehicles are equipped with readily accessible fire extinguishers and shovels • Inspect all construction equipment and vehicles weekly to verify they are in compliance with minimum fire safety standards • Document the inspections and compliance with these requirements in weekly reports to the RCTC Project Engineer 	RCTC Project Engineer	During site preparation, disturbance, grading and construction in identified fire hazard areas		

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U&ES-6	<p>Fire Protection. During final design, the RCTC Project Engineer, in consultation with a qualified biologist (Contract Qualified Biologist) under contract to RCTC, will incorporate brush management zones in areas adjacent to existing reserves, the Multiple Species Habitat Conservation Plan (MSHCP) Conservation Area, and other undeveloped lands in accordance with Section 6.4 of the MSHCP in the final project plans and specifications.</p>	RCTC Project Engineer	During final design		
	<p>During site preparation, disturbance, grading, and construction, the RCTC Project Engineer will require the Construction Contractor to implement the provision of brush management zones shown in the project plans and specifications in areas adjacent to existing reserves, the MSHCP Conservation Area, and other undeveloped lands in accordance with Section 6.4 of the MSHCP.</p>	RCTC Project Engineer	During site preparation, disturbance, grading and construction in brush management zones		
US&E-7	<p>Fire, Emergency Medical, and Law Enforcement Call Boxes. During final design, the RCTC Project Engineer will incorporate emergency call boxes in the final plans and specifications, consistent with Riverside County Fire Department, Caltrans, and/or local jurisdictions' policies on emergency call boxes.</p>	RCTC Project Engineer	During final design		
U&ES-8	<p>Utilities. During final design, the RCTC Project Engineer will prepare plans showing the utility facilities expected to be relocated or protected in place during project construction. The RCTC Project Engineer will coordinate the final plans for the proposed relocations/protection in place with each affected utility provider. During this process, the RCTC Project Engineer will:</p> <ol style="list-style-type: none"> 1. Continue to seek to avoid utility relocations by refining the project design and/or protection of existing utilities in place during and after construction; 2. If relocation is necessary, to relocate utilities across/within the MCP project right of way, other existing public right of ways and/or where easements are required; 3. Receive approval from each utility provider regarding the proposed relocation and/or protection in place; and 4. Incorporate the final relocation/protection in place measures in the final plans and specifications. 	RCTC Project Engineer	During final design		

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TRAFFIC AND TRANSPORTATION/PEDESTRIAN AND BICYCLE FACILITIES					
TR-1	<p>Traffic Management Plan. During final design, the Riverside County Transportation Commission (RCTC) Project Engineer will prepare the Final Traffic Management Plan (TMP), which will be based on the Preliminary TMP developed for the Project Report, to address specific short-term traffic impacts during construction of the project. The objectives of the Final TMP are to:</p> <ul style="list-style-type: none"> • Maintain traffic safety during construction • Effectively maintain an acceptable level of traffic flow throughout the transportation system during construction • Minimize traffic delays and facilitate reduction of overall duration of construction activities • Minimize detours and impacts to pedestrians and bicyclists • Foster public awareness of the project and related impacts • Achieve public acceptance of construction of the project and the Final TMP measures. <p>The RCTC Project Engineer will submit the Final TMP to the California Department of Transportation (Caltrans) for review and approval during final design and prior to any construction activities affecting Interstate 215 (I-215) or State Route 79 (SR-79). The Final TMP will also be reviewed with the local jurisdictions (Cities of San Jacinto and Perris, and the County of Riverside), which would or could experience short-term traffic impacts during project construction.</p> <p>The Preliminary TMP contains the following elements intended to reduce traveler delay and enhance traveler safety. These elements will be refined during final design and incorporated in the Final TMP for implementation during project construction.</p> <ul style="list-style-type: none"> • Public Information/Public Awareness Campaign (PAC). The primary goal of the PAC is to educate motorists, business owners/operators, residents, elected officials, and government agencies about construction activities and associated impacts. The PAC is an important tool for reaching target audiences with important construction project information and will include, but not be limited to: <ul style="list-style-type: none"> • Rideshare information • Brochures and mailers • Media releases • Paid advertising • Public meetings 	RCTC Project Engineer	During final design		

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	<ul style="list-style-type: none"> • Broadcast fax and email services • Telephone hotlines • Notification to targeted groups • Commercial traffic reporters/feeds • Project website • Visual information • Local cable television and news • Internet postings • Weekly traffic alerts • Traveler Information Strategies. The effective implementation of a traveler information system during construction is crucial for enabling motorists to make informed decisions about their travel plans and options with real-time traffic information. That real-time traffic information will include information on lane closures, detours, delays, access to adjacent land uses, "businesses are open" signing, and other signing and information to assist travelers in navigating through and in construction areas. Key components of this system will include, but not be limited to: <ul style="list-style-type: none"> • Fixed changeable message signs • Portable changeable message signs • Ground-mounted signs • Automated work zone information systems • Highway advisory radio • Lane closure website • Department highway information network • Bicycle and pedestrian information • Commute Smart website • Incident Management. Effective incident management will ensure that incidents in construction areas are cleared quickly and do not lead to substantial delays for the traveling public through work zones. Incident management includes, but is not limited to: <ul style="list-style-type: none"> • Construction Zone Enhanced Enforcement Program (COZEEP) • Freeway service patrol for construction 				

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	<ul style="list-style-type: none"> • Traffic surveillance stations • Transportation Management Center Unit 370 • Traffic management team • Towing services • Construction Strategies. The Final TMP will include procedures to lessen the effect of typical construction activities and will include, but not be limited to, consideration of the following: <ul style="list-style-type: none"> • Conflicts with other projects and special events • Construction staging alternatives • Mainline lane closures • Local road closures • Ramp/connector closures • Pedestrian and bicycle detours and facility closures • Traffic control improvements • Coordination with other projects • Project phasing • Traffic screens • Truck traffic restrictions • Haul routes 				
	<p>TMP During Construction. During site preparation, disturbance, grading, and construction, the RCTC Resident Engineer will require the Construction Contractor to implement the measure in the Final TMP as applicable in each construction area.</p>	RCTC Resident Engineer	During site preparation, disturbance, grading, and construction		
	<p>Public Awareness Campaign. Prior to and during all site preparation, disturbance, grading, and construction, the RCTC Resident Engineer and the Construction Contractor will coordinate with RCTC's Public Information staff to provide information regarding current and upcoming construction, detours, street closures, etc., that will then be transmitted by the Public Information staff to the general public.</p>	RCTC Resident Engineer	Prior to and during site preparation, disturbance, grading, and construction		
TR-2	<p>Local Road Access. If at the time the construction of the MCP project in the vicinity of Davis Road and Hansen Road (along the Ramona Expressway) 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 construction and operation of the MCP</p>	RCTC Project Manager	Prior to construction		

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	project. Although it is expected that planned local circulation elements in this area would be environmentally cleared, designed, and constructed by others prior to the initiation of the MCP construction in this area, if that is not the case, then the environmental clearance, design, and construction of improvements needed to maintain access to Davis Road would be conducted by RCTC as part of the final design and initiation of construction along the MCP project along that segment of Ramona Expressway.				
TR-3	Prior to opening of the MCP project, if not already improved from the existing (2010) condition the intersection of Cajalco Road/Alexander Street shall be improved to provide a traffic signal, an eastbound left-turn lane and a westbound left-turn lane.	RCTC Project Manager	Prior to opening		
TR-4	Prior to opening of the MCP project, if not already improved from the existing (2010) condition the intersection of Cactus Avenue and Innovation Drive shall be improved to provide three eastbound through lanes and three westbound through lanes.	RCTC Project Manager	Prior to opening		
TR-5	Prior to opening of the MCP project, if not already improved from the existing (2010) condition the intersection of Van Buren Boulevard/Harmon Street shall be improved to add a westbound right-turn lane, a southbound right-turn lane, and a southbound left-turn lane.	RCTC Project Manager	Prior to opening		
TR-6	Prior to opening of the MCP project, if not already improved from the existing (2010) condition the intersection of Van Buren Boulevard/I-215 Southbound Ramps shall be improved to add a traffic signal, two eastbound through lanes and two westbound through lanes.	RCTC Project Manager	Prior to opening		
TR-7	Prior to opening of the MCP project, if not already improved from the existing (2010) condition the intersection of Harley Know Boulevard/Western Way shall be improved to add a traffic signal and add an eastbound left-turn lane.	RCTC Project Manager	Prior to opening		

VISUAL AND AESTHETICS

VIS-1	Construction Plan. To keep construction and staging activities within the project right of way and to minimize views of construction access and staging areas, prior to the initiation of construction, the Riverside County Transportation Commission (RCTC) Project Engineer will require the Construction Contractor to document the locations of construction and staging areas within the disturbance footprint for the selected Mid County Parkway (MCP) Build Alternatives or within other public rights of way as approved by the local jurisdictions where those rights of way are located.	RCTC Project Engineer	Prior to the initiation of construction		
	During construction, the RCTC Project Engineer will require the Construction Contractor to construct the project in accordance with California Department of Transportation (Caltrans) Standard Construction Specifications, including measures included in those Specifications to address visual impacts during construction.	RCTC Project Engineer	During construction		
VIS-2	Construction Lighting. If construction work must be done at night, early evening, and/or early morning and lighting is required, RCTC's Project Engineer will require the Construction Contractor to properly locate and direct lighting within the construction area to minimize light shining off site during those nighttime construction activities.	RCTC Project Engineer	During construction		

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VIS-3	<p>MCP Corridor Master Plan. During final design, the RCTC Project Manager will have the <i>MCP Corridor Master Plan</i> (Master Plan) prepared. The Master Plan will include a design template for aesthetic features for structures throughout the MCP corridor. The purpose of the Master Plan is to create consistency in aesthetic design throughout the length of the MCP corridor. The aesthetic and design features described in Measure VIS-4 will be incorporated in the Master Plan. In addition, the Master Plan will be developed in conjunction with the <i>MCP Landscape Plan</i> described in Measure VIS-5.</p>	RCTC Project Manager	During final design		
	<p>The RCTC Project Manager will coordinate the preparation of the Master Plan with the County of Riverside (County) and the cities in which the project is located, and with Caltrans in the context-sensitive design process for the Master Plan.</p> <p>During final design, the RCTC Project Manager will incorporate the Master Plan in the project specifications.</p>				
	<p>During construction, the RCTC Project Engineer will require the Construction Contractor to implement the Master Plan in the construction of the project hardscape and landscape features.</p>	RCTC Project Engineer	During construction		
VIS-4	<p>Structural and Hardscape Elements. To address the adverse visual impacts of project structures, the RCTC Project Engineer will ensure that the final project design incorporates the mitigation and minimization elements A–D, below, and that these enhancements to structures are incorporated in the design and construction of sound walls, retaining walls, and bridge elements. The design of these aesthetic features will be based on the Master Plan described in Measure VIS-3.</p>	RCTC Project Engineer	During final design		
	<p>During construction, RCTC’s Project Engineer will ensure that the Construction Contractor constructs the retaining and sound walls, medians, bridges, and other structures and hardscape consistent with aesthetic and design features in the project specifications including the Master Plan.</p>	RCTC Project Engineer	During construction		
	<p>A. Sound walls will include attractive, decorative elements such as local art or local or historical references incorporated into the wall design to reduce visual impacts to community character, increase the visual quality of the area, and provide an expression of the local and/or regional “sense of place.” Areas in front of sound walls (the side facing away from the freeway) will be landscaped, where landscaping can be accommodated within the public right of way, including trees, shrubs, and vines.</p>	RCTC Project Engineer	During construction		

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	B. Retaining walls (including walls associated with bridge structures) will be heavily textured (i.e., split-face or fractured rib) to minimize glare and visual mass. Retaining walls facing public use areas (parks, streets, etc.) over 9 feet (ft) high will be heavily textured (i.e., split-face or fractured rib) and include site-specific aesthetic features (local or historical references). Color (integral or applied) is not required for retaining walls.	RCTC Project Engineer	During construction		
	C. In addition to texture and color as described in A and B, above, sound walls and retaining walls with low-density development or recreational viewer groups will include planting of trees or trees and shrubs at the base of the walls (non-motorist side) to minimize loss of visual unity. Plantings will be local native species or ornamental species that may require permanent irrigation after establishment consistent with the <i>MCP Landscape Plan</i> .	RCTC Project Engineer	During construction		
	D. Slope paving in all areas with bicyclist and pedestrian viewers will include texture (i.e., stamped slate). In urban areas, slope paving will incorporate site-specific aesthetic features in addition to texture. Texture and pattern will be used to minimize the visual impacts of increased hard surface, and reinforce community identity, offsetting reduced community connectivity associated with increased bridge widths.	RCTC Project Engineer	During construction		
	In addition to the design elements noted above, the RCTC Project Engineer will ensure that the designs of sound walls comply with the Caltrans standards for sound attenuation (where walls provide that function), safety requirements, and with the <i>Caltrans Highway Design Manual</i> standards.	RCTC Project Engineer	During final design		
	The RCTC Project Engineer will request the Caltrans District 8 Landscape Architect to review and approve the final design of any sound walls within state highway right of way.	RCTC Project Engineer and Caltrans District 8 Landscape Architect	During final design		
VIS-5	<p>MCP Landscape Plan. During final design, the RCTC Project Manager will contract with a licensed landscape architect to prepare the <i>MCP Landscape Plan</i>. The purpose of the <i>MCP Landscape Plan</i> is to create consistency in the landscaping and softscape project features throughout the length of the MCP corridor. The <i>MCP Landscape Plan</i> will be developed in conjunction with the Master Plan described in Measure VIS-3, and landscaping will be in compliance with the Multiple Species Habitat Conservation Plan (MSHCP) Urban/Wildlands Interface Guidelines.</p> <p>The RCTC Project Manager will coordinate the preparation of the plan with the County and the cities in which the project is located, and with Caltrans.</p>	RCTC Project Manager	During final design		

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	The RCTC Project Manager will submit the <i>MCP Landscape Plan</i> for review and approval by the Caltrans District 8 Landscape Architect for the parts of the <i>MCP Landscape Plan</i> applicable to state highway right of way.	RCTC Project Manager and the Caltrans District 8 Landscape Architect	During final design		
	The RCTC Project Manager will incorporate the <i>MCP Landscape Plan</i> in the project specifications.	RCTC Project Manager	During final design		
	<p>The <i>MCP Landscape Plan</i> will include the following components:</p> <ul style="list-style-type: none"> - Applicable procedures and requirements detailed in the Caltrans <i>Highway Design Manual</i>, Section 902.1, Planting Guidelines (September 2006), and any applicable local agency General Plan. - Identification of areas within the project limits for revegetation, including landscaping for graded areas with plant species consistent with adjacent vegetation and enhancement of new project structures (ramps, sound walls, and retaining walls). - Identification of trees and shrubs and their locations for planting along the MCP corridor and at interchanges to enhance the existing visual planting character of the area. - Identification of drought-resistant plants and their locations for planting along the MCP corridor; the plant materials will be consistent with Metropolitan Water District of Southern California (Metropolitan) guidelines, which promote the use of xeric (adapted to arid conditions) landscaping techniques. The irrigation design and implementation practices will conform to the water conservation measures established in Assembly Bill 325, the Water Conservation in Landscaping Act of 1990 (in effect January 1, 1993). The identified plant materials will also be durable in relation to urban pollutants, such as smog. - Identification of soil erosion control plant materials (groundcover, native grasses, and wildflowers) and the embankments and steeper slopes where those plant materials would be planted. - Identification of plant materials, which are not highly sensitive to shadow and shade, and their locations for planting along the walls of the MCP corridor. - Confirmation that all plantings will be drought-resistant and, where applicable, shadow-resistant to ensure plant longevity and the sustainable use of water resources. 	RCTC Project Manager and the Caltrans District 8 Landscape Architect	During final design		

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	<p>- Identification of locations along the MCP corridor where slope rounding and contour grading would be incorporated to minimize the appearance of slopes and visually soften grade changes in those areas.</p> <p>During final design, the RCTC Project Manager will incorporate the <i>MCP Landscape Plan</i> in the project specifications.</p> <p>During construction, the RCTC Resident Engineer will require the construction contractor to implement the <i>MCP Landscape Plan</i> in the construction of the project landscape features.</p> <p>Replacement planting will include no less than 3 years of plant establishment.</p>	<p>RCTC Project Manager</p> <p>RCTC Resident Engineer</p> <p>RCTC Project Manager</p>	<p>During final design</p> <p>During construction</p> <p>3 years after construction</p>		
VIS-6	<p>Trees. During final design, the RCTC Project Engineer will minimize the removal of existing mature trees when it can be accommodated without compromising the design of the project facilities, or the safety of construction workers or future travelers on the project facilities.</p> <p>The RCTC Project Engineer will ensure that the project plans identify mature trees that will not be removed during construction.</p> <p>During construction, the RCTC Project Engineer will require the Construction Contractor to avoid removal of mature trees as noted on the project plans. Any requests from the construction contractor to remove trees shown on the project plans as not to be removed must be approved in writing by the RCTC Project Engineer.</p> <p>For any removal of mature trees within State highway right-of-way, the RCTC Project Engineer will incorporate additional landscape improvements into the final design at a replacement ratio to be determined by the Caltrans District 8 Landscape Architect.</p>	<p>RCTC Project Engineer</p> <p>RCTC Resident Engineer</p> <p>RCTC Project Engineer</p>	<p>During final design</p> <p>During construction</p> <p>During final design</p>		
VIS-7	<p>Lighting. During final design, the RCTC Project Engineer will prepare a facility lighting plan. The lighting plan will include the following: Specifications for lighting fixtures designed to minimize glare and light on adjacent properties and into the night sky.</p> <p>Specifications for nonglare hoods to focus light within the MCP project or local jurisdictions' road rights of way.</p> <p>Compliance with the County of Riverside Ordinance No. 655, Regulating Light Pollution for Zone B, including installation of low pressure sodium street lights on private roadways and streets.</p>	<p>RCTC Project Engineer</p>	<p>During final design</p>		

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	The RCTC Project Engineer will submit the lighting plan to the Caltrans District 8 for areas under State jurisdiction and for approval by the County or the affected cities for areas within their jurisdictions.	RCTC Project Engineer	During final design		
	The RCTC Project Engineer will incorporate the lighting plan in the final design and project specifications.	RCTC Project Engineer	During final design		
	The RCTC Project Engineer will require the Construction Contractor to install light fixtures consistent with the lighting plan.	RCTC Project Engineer	During construction		

CULTURAL RESOURCES

CUL-1	Cultural Landscape Study. As stipulated in Section IV.A in the MOA, the RCTC, in consultation with FHWA, Caltrans, SHPO, and the Consulting Tribes shall prepare a Cultural Landscape Study of western Riverside County focused on the region surrounding the MCP Project APE. An annotated outline of the required study is provided as Attachment C in the MOA and specifies that the study will provide a synthesis of the prehistory and ethnography of western Riverside County, with a focus on the portions of the Perris and San Jacinto Valleys that surround the MCP Project APE, and develop an improved prehistoric/historic context for the vicinity. The annotated outline specifies that the Consulting Tribes will be invited to participate in the development of the required study. The Consulting Tribes' participation and consultation during the development of the Landscape Study will be guided by the provisions in Attachment C. A draft Cultural Landscape Study will be submitted to the Consulting Tribes for a thirty (30)-day review and comment period. The FHWA shall consider all comments from the Consulting Tribes within thirty (30) calendar days of receipt to conduct consultation on any issues stemming from the comments and before its final approval of the Cultural Landscape Study. The RCTC will submit the Draft Cultural Landscape Study and any comments from the Consulting Tribes to the Signatories to this MOA for a forty-five (45)-day review and comment period. Copies of all comments received will be provided to the FHWA. The Cultural Landscape Study will be completed prior to the start of any construction activities east of Redlands Avenue, including activities that would directly affect Sites 33-16598, 33-19862, 33-19863, 33-19864, and 33-19866.	RCTC Project Engineer	Prior to any construction east of Redlands Avenue, including activities that would directly affect Sites 33-16598, 33-19862, 33-19863, 33-19864, and 33-19866		
CUL-2	Bedrock Milling Surface Residue Analysis. As stipulated in Section IV.B in the MOA, prior to construction activities at Sites 33-19862, 33-19863, 33-19864, and 33-19866, the RCTC will conduct residue analysis from each bedrock milling surface within the four (4) sites. The results will be reported in the Final Monitoring Report and incorporated into the Cultural Landscape Study as appropriate.	RCTC Project Engineer	Prior to any construction east of Redlands Avenue, including activities that would directly affect Sites 33-16598, 33-19862, 33-19863, 33-19864, and 33-19866		

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CUL-3	<p>Implementation of the Archaeological Discovery and Monitoring Plan. As stipulated in Section V.A in the MOA, the RCTC, in consultation with FHWA, Caltrans, SHPO, and the Consulting Tribes, has prepared a Discovery and Monitoring Plan (DMP) (Attachment D in the MOA). The DMP establishes procedures for archaeological resource monitoring/observation, and procedures for temporarily halting or redirecting work to permit identification, sampling, and evaluation of archaeological resources. The DMP also describes the Protocols to be followed for the Environmentally Sensitive Areas (ESAs) established for the MCP Project. The ESAs have been established to prevent inadvertent adverse effects to historic properties and cultural resources during project construction.</p>	RCTC Resident Engineer	During construction in native soils		
CUL-4	<p>Implementation of the Archaeological Discovery and Monitoring Plan. As stipulated in Section V.C in the MOA, the RCTC, as the MCP Project Applicant, will pay for at least one (1) archaeological monitor and at least one (1) Native American monitor to be present during construction activities at each construction locale situated in native soils as determined by RCTC’s Resident Engineer for construction and the project archaeologist. Each monitoring team, composed of an archaeological and a Native American monitor, will work with one piece of heavy machinery and its operator at all times when native soil is being moved, including brush removal. Should there be more than one piece of heavy machinery at a construction locale that is working in native soils, additional monitors will be added. Native soils include all areas that have not been previously developed. These areas will be determined by the project archaeologist. Monitoring will continue until excavation has ceased or bedrock is reached. The RCTC will determine the Tribe responsible for monitoring various construction locales, and this may involve rotational monitoring among Consulting Tribes. Where a Tribe is not designated as the Native American Monitor in a specific location, the Tribe’s monitors are welcome to monitor that location on an unpaid basis. The RCTC will ensure that a periodic archaeological report containing the period monitoring logs is completed by the project archaeologist and submitted to all Consulting Tribes as will be described in the Draft Monitoring Agreement. The report will thoroughly detail all associated activities, discoveries, and updates within the period. The report will be sent via mail and/or email. Provisions for tribal and archaeological monitoring are included in the DMP (Attachment D in the MOA).</p> <p>Prior to construction, a Draft Monitoring Agreement will be prepared as a subsequent document to this MOA. The Draft Monitoring Agreement will provide the details regarding how the monitoring will proceed. Aspects of the Native American monitoring program will be listed and described. These will include, but are not limited to, the following: a) which Tribes will be participating in the monitoring; b) the locations within the APE where the monitoring will occur; and c) further details concerning the rotation of Native American monitors as discussed above. Consulting Tribes that choose to</p>	RCTC Project Manager and Resident Engineer	During construction in native soils		
	<p>Prior to construction, a Draft Monitoring Agreement will be prepared as a subsequent document to this MOA. The Draft Monitoring Agreement will provide the details regarding how the monitoring will proceed. Aspects of the Native American monitoring program will be listed and described. These will include, but are not limited to, the following: a) which Tribes will be participating in the monitoring; b) the locations within the APE where the monitoring will occur; and c) further details concerning the rotation of Native American monitors as discussed above. Consulting Tribes that choose to</p>	RCTC Project Manager	Prior to construction		

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	<p>participate in the monitoring will have the opportunity to provide input on the Draft Monitoring Agreement before it becomes finalized by the Transportation Agencies.</p> <p>A Native American monitor cannot be substituted for an archaeological monitor; however, this does not preclude a Native American monitor from serving as an archaeological monitor if they meet the professional qualification standards under the PA.</p>				
CUL-5	<p>The Discovery of Human Remains. As stipulated in Section V.D in the MOA, The FHWA shall implement the plan of action entitled "Mid County Parkway Burial Treatment Agreement" appended to the DMP as Appendix D in the MOA, regarding the management and disposition of Native American burials, human remains, cremations, and associated grave goods. RCTC, as the MCP Project Applicant, shall ensure that this measure is implemented during project construction.</p>	RCTC Resident Engineer	During construction		
CUL-6	<p>Curation of Archaeological Collections. As stipulated in Section V.E in the MOA, per the current Caltrans standards and protocols concerning the disposition of artifacts, all recovered materials resulting from construction monitoring, prior archaeological excavations, and surveys as provided for in this MOA will be curated by an institution that meets the standards set forth in 36 CFR Part 79, as well as the State of California "Guidelines for the Curation of Archaeological Collections." The FHWA understands that there is ongoing discussion between the Transportation Agencies and consulting Tribes regarding the possibility of reburying artifacts instead of curating them. Therefore, should the protocol for curation change, a future agreement regarding the reburial of artifacts, developed in consultation with the SHPO, may be executed by the FHWA, with the Tribes who are consulting parties to the MOA, and reburial of the recovered material may occur. Curation and/or reburial agreements will be executed prior to construction of the MCP Project, and the consulting Tribes will have the opportunity to provide input. RCTC, as the MCP Project Applicant, shall ensure that this measure is implemented during project construction.</p>	RCTC Project Manager	During and after construction		
CUL-7	<p>Native American Consultation. As stipulated in Section VI in the MOA, the involved Tribes shall be consulted throughout construction monitoring in regards to any known cultural resources, historic properties, or the discovery of any unanticipated Native American archaeological resources affected by the Undertaking. Consultation with the consulting Tribes will continue pursuant to the confidential Protocols developed by each Tribe and will continue until the Undertaking has been completed and all stipulations of the MOA are fulfilled. RCTC, as the MCP Project Applicant, shall ensure that this measure is implemented during project construction</p>	RCTC Project Manager	Ongoing until completion of construction		

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HYDROLOGY AND FLOODPLAINS					
Condition FP-1	Conditional Letter of Map Revision and Letter of Map Revision. During final project design, and prior to the issuance of any grading permits, for any parts of the Mid County Parkway (MCP) project located in a 100-year floodplain/floodway, the Riverside County Transportation Commission (RCTC) Project Manager shall process a Conditional Letter of Map Revision and a Letter of Map Revision for the floodplain and floodway encroachments through the Riverside County Flood Control and Water Conservation District (FC&WCD) and Federal Emergency Management Agency (FEMA) if the Perris Valley Storm Drain and the San Jacinto River levee projects are not constructed prior to construction of the MCP project. The information provided to the Riverside County FC&WCD and FEMA shall include the final detailed applications, certification forms, hydraulic analyses (i.e., Final Location Hydraulic Studies), and fee payment to FEMA to obtain a Conditional Letter of Map Revision and a Letter of Map Revision. Any parts of the MCP project located within a 100-year floodplain/floodway shall not be constructed until the Letter of Map Revision is approved by the Riverside County FC&WCD and FEMA	RCTC Resident Engineer	During final design		
WATER QUALITY AND STORM WATER RUNOFF					
WQ-1	National Pollutant Discharge Elimination System Permits. During construction, the Riverside County Transportation Commission (RCTC) Project Engineer will require the Construction Contractor to comply with the provisions of the following NPDES permits: <i>National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities</i> (Construction General Permit) (Order No. 2009-0009-DWQ, NPDES No. CAS000002) (the project construction would be required to comply with the conditions of this NPDES permit or any subsequent permit as it relates to construction of the MCP project, regardless of whether the MCP facility is a state or local highway), <i>National Pollutant Discharge Elimination System (NPDES) Permit for Storm Water Discharges from the State of California, Department of Transportation (Caltrans) Properties, Facilities, and Activities</i> (Order No. 2012-0011-DWQ) (the project construction would be required to comply with the conditions of the Caltrans MS4 NPDES permit or any subsequent permit as it relates to construction of the MCP project, if the MCP facility is adopted as a state highway), <i>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 with the Santa Ana Region</i> (Order No. R8-2010-003, NPDES No. CAS618033) (the project construction would be required to comply with the conditions of this NPDES permit [the Riverside County MS4 permit] or any subsequent permit as it relates to construction of the MCP project, if the MCP facility is a local highway not adopted as a	RCTC Project Engineer	Prior to the initiation of and during site preparation, grading, excavation, or construction activities		

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	state highway), and any subsequent permits, as they relate to construction activities for the project. This will include submission of the Permit Registration Documents, including a Notice of Intent, risk assessment, site map, Storm Water Pollution Prevention Plan (SWPPP), annual fee, and signed certification statement to the State Water Resources Control Board via the Storm Water Multi-Application and Report Tracking System at least 7 days prior to the start of construction.				
	The RCTC Resident Engineer will not authorize the Construction Contractor to begin construction activities until a Waste Discharger Identification number is received from the Storm Water Multi-Application and Report Tracking System.	RCTC Resident Engineer	Prior to the initiation of site preparation, grading, excavation, or construction activities		
	The RCTC Resident Engineer will require the Construction Contractor to prepare the SWPPP and will require the SWPPP to be prepared by a Qualified SWPPP Developer. The RCTC Resident Engineer will require the SWPPP to meet the requirements of the Construction General Permit; to identify potential pollutant sources associated with construction activities; identify non-storm water discharges; develop a water quality monitoring and sampling plan; and identify, implement, and maintain Best Management Practices (BMPs) to reduce or eliminate pollutants associated with the construction site. Those BMPs will include, but not be limited to, Good Housekeeping, Erosion Control, and Sediment Control BMPs.	RCTC Resident Engineer	Prior to the initiation of site preparation, grading, excavation, or construction activities		
	The RCTC Resident Engineer will require the Construction Contractor to implement the BMPs identified in the SWPPP during site preparation, grading excavation, construction, and site restoration activities, consistent with how, when, and where the SWPPP indicates those BMPs should be implemented.	RCTC Resident Engineer	During all site preparation, grading, excavation, construction, and site restoration activities		
	The RCTC Resident Engineer will require the Construction Contractor to comply with the sampling and reporting requirements of the Construction General Permit.	RCTC Resident Engineer	During all site preparation, grading, excavation, construction, and site restoration activities		
	The RCTC Resident Engineer will require the Construction Contractor to have a Rain Event Action Plan prepared by a Qualified SWPPP Developer prior to the initiation of site preparation, grading, excavation, or construction activities. The RCTC Resident Engineer will require the Construction Contractor to have the Rain Event Action Plan implemented by a Qualified SWPPP Developer within 48 hours prior to a rain event of 50 percent or greater probability of precipitation according to the National Oceanic and Atmospheric Administration.	RCTC Resident Engineer	During all site preparation, grading, excavation, construction, and site restoration activities		

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	The RCTC Resident Engineer will require the Construction Contractor to prepare and submit an Annual Report to the State Water Resources Control Board (SWRCB) no later than September 1 of each year using the Storm Water Multi-Application and Report Tracking System.	RCTC Resident Engineer	By September 1 during project construction		
	The RCTC Resident Engineer will submit a Notice of Termination to the SWRCB within 90 days of completion of construction and stabilization of the site.	RCTC Resident Engineer	Within 90 days of the completion of construction		
WQ-2	National Pollutant Discharge Elimination System CAG998001. The RCTC Resident Engineer will require the Construction Contractor to comply with the provisions of the <i>General Waste Discharge Requirements for Discharges to Surface Waters that Pose an Insignificant (De Minimus) Threat to Water Quality</i> , Order No. R8-2009-0003 National Pollutant Discharge Elimination System (NPDES) No. CAG998001 (the project construction would be required to comply with the conditions of the NPDES permit or any subsequent permit as it relates to construction of the MCP project, regardless of whether the MCP facility is a state or local highway, as they relate to discharge of non-storm water dewatering wastes for the project.	RCTC Resident Engineer	During all site preparation, grading, excavation, construction, and site restoration activities		
	The RCTC Resident Engineer will require the Construction Contractor to submit to the Santa Ana Regional Water Quality Control Board (RWQCB) a Notice of Intent at least 60 days prior to the start of construction.	RCTC Resident Engineer	At least 60 days prior to any site preparation, grading, excavation, construction, and site restoration activities		
	The RCTC Resident Engineer will require the Construction Contractor to submit to the Santa Ana RWQCB notification of discharge at least 5 days prior to any planned discharges.	RCTC Resident Engineer	At least 5 days prior to any planned discharges during site preparation, grading, excavation, construction, and site restoration activities		
	The RCTC Resident Engineer will require the Construction Contractor to submit to the Santa Ana RWQCB monitoring reports by the 30th day of each month following the monitoring period.	RCTC Resident Engineer	During site preparation, grading, excavation, construction, and site restoration activities		
WQ-3	Design Pollution Prevention and Treatment Best Management Practices. Riverside County Transportation Commission (RCTC) will comply with the <i>Storm Water Management Plan (SWMP)</i> and follow the procedures outlined in the <i>Storm Water Quality Handbooks, Project Planning and Design Guide</i> for implementing Design Pollution Prevention and Treatment BMPs for the project that address pollutants of	RCTC Project Engineer	Prior to construction		

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	concern. This will include coordination with the Santa Ana RWQCB with respect to feasibility, maintenance, and monitoring of Treatment BMPs as set forth in the Caltrans Statewide SWMP.				
WQ-4	<p>Groundwater Wells. During final design, the RCTC will conduct a detailed review of available well information to locate existing active groundwater wells within the MCP project right of way and coordinate with affected property owners of each well to determine if the well requires relocations. The abandonment procedure for each well will be described in accordance with California Department of Water Resources Standards (Bulletin 74-90), and the abandonment approvals by the agencies with jurisdiction for those wells will be documented.</p> <p>Any water supply provided by active wells will be replaced by RCTC during construction of the MCP project. Replacement water may be provided by a variety of means, such as installing a new well or by creating a connection to a municipal supply.</p>	RCTC Project Engineer	During final design		

GEOLOGY, SOILS, SEISMIC, AND TOPOGRAPHY

GEO-1	<p>Final Geotechnical Report. During final design, the Riverside County Transportation Commission (RCTC) will contract with a qualified geotechnical/geologic engineer to prepare the Final Geotechnical Report. This report will build on the information in the Preliminary Geotechnical Report, focusing the analysis on potential geotechnical constraints to the selected build alternative and the specific design features included in the final engineering 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 may affect the project. The detailed analysis in the Final Geotechnical Report will address those constraints along the entire alignment of the selected alternative with appropriate design features addressing those constraints included in the final project design.</p> <p>The report will specifically include:</p> <ul style="list-style-type: none"> • Evaluation of expansive soils along the selected alignment and recommendations regarding construction procedures and/or incorporation of design criteria in the final design to minimize the effect of these soils on the project. • Identification of potential liquefiable areas within the project limits and recommendations and/or design criteria to minimize the effect of liquefaction on the project. • Demonstration that side slopes can be designed and graded so that surface erosion of the engineered fill will not be increased compared to existing, natural conditions. • The performance standards for this report will be the geotechnical design standards of the California Department of Transportation (Caltrans) and the local 	RCTC Project Engineer	During final design		
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	agencies with jurisdiction over the Mid County Parkway (MCP) project right of way. Acceptance of this report will be needed from the local agencies with jurisdiction over the MCP project right of way and Caltrans for the parts of the MCP project within State highway right of way.				
GEO-2	Vegetation. During construction, RCTC will require the Construction Contractor to install slope stabilization as shown on the final project plans. If the slope stabilization requires planting with native species, those plants will include species that are compatible with existing adjacent habitat and native to the project area, including but not limited to the following: brittlebush (<i>California encelia</i>), California buckwheat (<i>Eriogonum fasciculatum</i>), California sagebrush (<i>Artemisia californica</i>), and deerweed (<i>Lotus scoparius</i>).	RCTC Resident Engineer	During construction, and as included on project plans during final design		
GEO-3	Quality Assurance/Quality Control Plan. The RCTC will maintain a quality assurance/quality control (QA/QC) plan during construction. The plan will include observing, monitoring, and testing by a geotechnical engineer and/or geologist during construction to confirm that geotechnical/geologic recommendations identified in Measure GEO-1 are fulfilled, or if different site conditions are encountered, appropriate changes are made to accommodate such issues. During site preparation, grading, excavation, and construction, the geotechnical engineer will submit weekly reports to the RCTC Resident Engineer describing that week's activities and the compliance with the relevant recommendations from GEO-1.	RCTC Resident Engineer	During site preparation, grading, excavation, and construction		
GEO-4	Blasting. During final design, if it is determined that blasting will be required, the RCTC Project Engineer shall require the Construction Contractor to prepare a blasting plan to minimize potential hazards related to blasting activities. The blasting plan will address all applicable standards in accordance with the United States Department of the Interior, Office of Surface Mining. The issues to be addressed in the blasting plan will include, but are not limited to, the following: hours of blasting activity, notification to adjacent property owners, noise and vibration, and dust control.	RCTC Project Engineer	During final design		
	RCTC's Resident Engineer shall require the Construction Contractor to implement the blasting plan prior to and during any blasting during construction.	RCTC Resident Engineer	Prior to and during any blasting		
PALEONTOLOGY					
PAL-1	Paleontological Mitigation Plan. During final design, the Riverside County Transportation Commission (RCTC) Project Engineer will require the qualified principal paleontologist under contract to RCTC to prepare a <i>Paleontological Mitigation Plan</i> (PMP). The PMP will provide guidance for developing and implementing paleontological mitigation efforts, including field work, laboratory methods, and curation during construction of the Mid County Parkway (MCP) project. The PMP will primarily be prepared following the guidelines in the California Department of Transportation (Caltrans) <i>Standard Environmental Reference</i> (SER), Environmental Handbook, Volume 1, Chapter 8 – Paleontology. In addition, the PMP will be prepared following	RCTC Project Engineer	During final design		

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	<p>guidance from the General Plan of the County of Riverside, and the guidelines of the Society of Vertebrate Paleontology. The PMP will be specifically tailored to the resources and sedimentary formations that are within the project disturbance limits.</p> <p>The PMP will include, but not be limited to, the following to reduce impacts to paleontological resources from ground-disturbing activities associated with the construction of the project:</p> <ul style="list-style-type: none"> • Description of the responsibilities and qualifications of the qualified principal paleontologist and the qualified paleontological monitors (who are qualified to identify vertebrate, invertebrate, and plant fossils). • Description of the communication channels among the qualified principal paleontologist, the qualified paleontological monitors, the RCTC Project Manager and Engineer, and the Construction Contractor. • Development of a detailed Monitoring Plan for paleontological resource monitoring defining the specific monitoring requirements and procedures during all ground-disturbing and excavation activities in areas of High A and High B sensitivity. • Development of specific procedures for temporarily halting or redirecting work at an area of a discovery of paleontological resources to permit the present within the locality. • Development of a detailed plan for the recovery, analysis, identification, processing, and cataloguing of fossils recovered during ground-disturbing and excavation activities. 				
	<p>The activities in the PMP will be implemented as described in the following steps:</p> <ul style="list-style-type: none"> • Prior to any ground-disturbing or excavation activities, the qualified principal paleontologist or his/her representative will participate in preconstruction and pregrading conferences with the RCTC Project Manager and Project Engineer, and the Construction Contractor. At this meeting, the qualified principal paleontologist, or his/her representative, will explain the likelihood for encountering paleontological resources during construction, what resources may be discovered, and the methods that will be employed to recover fossils if anything is discovered, consistent with the procedures established in the PMP. 	Qualified principal paleontologist	During the preconstruction and pregrading conferences		
	<ul style="list-style-type: none"> • RCTC's Resident Engineer will require the Construction Contractor to comply with the provisions of the PMP during all ground-disturbance, grading, and excavation activities, including appropriate coordination with RCTC's qualified principal paleontologist. 	RCTC Resident Engineer	Prior to and during any ground disturbing or excavation activities		

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	<ul style="list-style-type: none"> The curation facility should be identified prior to the beginning of excavation activities. At a minimum, a draft curation agreement should be in place between the curation facility, the land owner (RCTC), and the qualified principal paleontologist. This will ensure that collected resources have a permanent home and that the resources are prepared, identified, and cataloged following procedures acceptable to the curation facility. 	Qualified principal paleontologist	Prior to any ground disturbing or excavation activities		
	<ul style="list-style-type: none"> After vegetation, pavement, and structures are removed, the qualified principal paleontologist and/or qualified paleontological monitors will conduct a preconstruction field survey in areas identified as having high paleontological sensitivity. Observed surface paleontological resources in those areas will be collected by the qualified principal paleontologist, the qualified paleontological monitors, and/or other staff prior to the beginning of additional ground-disturbing activities in those areas. 	Qualified principal paleontologist	After vegetation, pavement, and structures are removed		
	<ul style="list-style-type: none"> A qualified paleontological monitor will be present during ground-disturbing and excavation activities within the project disturbance limits in potentially fossiliferous formations and/or geologic units crossed by the MCP project facilities as defined in the PMP. Consistent with the PMP, the monitoring for paleontological resources will be conducted on a full-time basis where fossiliferous sediments are exposed at the surface (High A) and at elevations where excavation is 3 feet (ft) below the surface where paleontological resources are anticipated at depth (High B). 	Qualified principal paleontologist	During any ground disturbing or excavation activities		
	<ul style="list-style-type: none"> Monitoring may be reduced to a part-time basis if no resources are being discovered in sediments with a high sensitivity rating. Any reduction or modification in scheduling of monitoring will be determined by the qualified principal paleontological in cooperation and consultation with RCTC's Resident Engineer. 	Qualified principal paleontologist and the RCTC Resident Engineer	During any ground disturbing or excavation activities		
	<ul style="list-style-type: none"> If paleontological resources are discovered during ground-disturbing and excavation activities, the qualified principal paleontologist shall implement the appropriate actions consistent with the PMP and in cooperation with the RCTC Resident Engineer, for recovery and collection of the fossil resources. 	Qualified principal paleontologist, and the RCTC Resident Engineer	During any ground disturbing or excavation activities		

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	<ul style="list-style-type: none"> The qualified principal paleontologist and qualified paleontological monitors will be empowered to temporarily halt or redirect construction activities around a discovery to reduce adverse impacts to paleontological resources by allowing for the collection of individual or multiple paleontological resources at the paleontological locality. The qualified principal paleontologist and qualified paleontological monitors will be equipped to rapidly remove any large or small fossil specimens encountered during excavation to locations away from the active construction areas to either a safe area within the overall project disturbance limits or an off-site laboratory setting. If large mammal fossils or large concentrations of fossils are encountered, RCTC's Resident Engineer will require the Construction Contractor to make heavy equipment available to assist in the removal and collection of those larger materials. The use of heavy equipment will speed up the recovery and collection process and reduce delays to construction activities. 	<p>Qualified principal paleontologist, the qualified paleontological monitors, and the RCTC Resident Engineer</p>	<p>When fossil discoveries are made during ground disturbing or excavation activities</p>		
	<ul style="list-style-type: none"> Upon encountering a large deposit of fossils, the monitor will attempt to salvage all identifiable vertebrate fossils, and a representative sample of invertebrate fossils using additional field staff, if required. Collection of specimens will be completed in accordance with modern paleontological techniques. If the deposit extends outside the work area, or deeper into the ground than any proposed excavation, detailed notes, sketches, and photographs may be taken in lieu of further attempts to collect fossil resources that would be outside the project limits or excavation conditions. 	<p>Qualified principal paleontologist</p>	<p>When fossil discoveries are made during ground disturbing or excavation activities</p>		
	<ul style="list-style-type: none"> For each newly discovered fossil locality, the qualified principal paleontologist shall submit a brief summary report to RCTC that describes an initial analysis of the discovery such as preliminary identification of the fossil specimen(s), the location within the project limits, the geologic formation or unit in which the fossil is located, and if the discovery resulted in a delay to the project construction. If an abundant number of fossil localities are discovered over 1 week, this report may be prepared on a weekly basis with a summary that includes all localities discovered over that weekly period. 	<p>Qualified principal paleontologist</p>	<p>When fossil discoveries are made during ground disturbing or excavation activities</p>		
	<ul style="list-style-type: none"> During monitoring of the ground-disturbing and excavation activities, sediment samples will be collected and processed through screens to recover microvertebrate fossils by the qualified paleontological monitors, as described in detail in the PMP. This processing will include either dry or wet screen washing and microscopic examination of the residual matrix to recover and identify any small vertebrate remains that may be present. 	<p>Qualified principal paleontologist</p>	<p>During any ground disturbing or excavation activities</p>		

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	<ul style="list-style-type: none"> All fossils collected will be prepared to a reasonable point of identification by qualified paleontologists. Excess sediment or matrix will be removed from the specimens to reduce the bulk of the material. An itemized inventory/catalog of all material collected and identified will be prepared using an Excel or Access type database in a format acceptable to the repository institution. 	Qualified principal paleontologists	During and after grading and excavation activities		
	<ul style="list-style-type: none"> A <i>Paleontological Mitigation Report</i> (PMR), which documents the results of the monitoring and recovery activities and the significance of the recovered fossils, will be prepared by the qualified principal paleontologist and submitted for filing at RCTC and Caltrans within 4 months of the end of project construction activities that could potentially impact fossiliferous formations or geologic units. The PMR will follow the report guidelines in the Caltrans SER, Environmental Handbook , Volume I, Chapter 8 -Paleontology. Additional time may be required to prepare the PMR if an abundant number of paleontological resources are collected that require an additional amount of time for curation and analysis. 	Qualified principal paleontologist	Within 4 months of the end of project construction activities that could potentially impact fossiliferous formations or geologic units		
	<ul style="list-style-type: none"> The RCTC Project Manager and the qualified principal paleontologist will transfer all the collected fossils, the itemized inventory/catalog of those specimens, and a copy of the PMP to an established repository (Society of Vertebrate Paleontology, 1995 and 1996), such as the Western Science Center in Hemet, for permanent curation and storage. 	RCTC Project Manager and the qualified principal paleontologist	At the completion of all documentation for the fossils collected during construction		

HAZARDOUS WASTE AND MATERIALS

<p>HW-1</p>	<p>Site Investigations. During final design, the Riverside County Transportation Commission (RCTC) Project Manager will require a qualified engineer/geologist (Contract Qualified Engineer/Geologist) under contract to RCTC to conduct site investigations for hazardous materials sites identified in the <i>Hazardous Waste Initial Site Assessment</i> (July 2011) that are within the right of way of the alternative selected for implementation.</p> <p>It was not prudent conduct these site investigations prior to completion of this Final Environmental Impact Report/Environmental Impact Statement (EIR/EIS), because new contamination may occur if the site investigations are completed too far in advance of right of way acquisition for the project.</p> <p>The performance standard for this measure is compliance with applicable federal, state, and local regulations. The Site Investigation Report will meet or exceed the requirements of the United States Environmental Protection Agency's (EPA) Standards and Practices for All Appropriate Inquiries (FR 66070, Vol. 70, No. 210, November 1, 2005).</p> <p>The Site Investigation Report will be submitted to the California Department of Transportation (Caltrans) District 8 Hazardous Waste Coordinator for review and approval of areas within state right of way.</p>	RCTC Project Manager	During final design		
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	<p>If contaminants are determined to be present during the site investigations, the RCTC Project Manager, in consultation with the Contract Qualified Engineer/Geologist, may determine that one or more of the following specialized reports may be necessary: Remedial Actions Options Report, Sensitive Receptor Survey, Human Health/Ecological Risk Assessment, and/or Quarterly Monitoring Report.</p> <p>These reports will be submitted to the Caltrans District 8 Hazardous Waste Coordinator, as well as to the applicable oversight agency for review and approval of areas within state right of way.</p>	RCTC Project Manager	During final design		
	<p>The RCTC Project Manager will require the Contract Qualified Engineer/Geologist to prepare a work plan for approval by the Riverside County Department of Environmental Health and if groundwater has been impacted, to also coordinate with the Regional Water Quality Control Board (RWQCB), Santa Ana Region for all site investigations for leaking underground storage tanks (LUSTs). The RCTC Project Manager will require the Contract Qualified Engineer/Geologist to conduct those site investigation consistent with the work plan approved by the Riverside County Department of Environmental Health and/or the RWQCB as appropriate.</p>	RCTC Project Manager	During final design		
	<p>The RCTC Project Manager will require the Contract Qualified Engineer/Geologist to coordinate all site investigations for any automotive or industrial uses to be coordinated with the Riverside County Department of Environmental Health. Site investigations for any clandestine drug lab locations will be coordinated with the Riverside County Department of Environmental Health, the California Department of Toxic Substances Control (DTSC), and law enforcement agency/ies with jurisdiction in the area of the suspected drug lab.</p>	RCTC Project Manager	During final design		
	<p>Prior to completion of final design, the RCTC Project Manager will require the Contract Qualified Engineer/Geologist to prepare a Hazardous Materials Disclosure Document that clears affected right of way for acquisition. The RCTC Project Manager will submit the Hazardous Materials Disclosure Document to the Caltrans District 8 Hazardous Waste Coordinator for review and approval.</p>	RCTC Project Manager	During final design		
HW-2	<p>Soil Sampling. Prior to any site preparation, disturbance, grading, and construction, the RCTC Project Manager will require a qualified engineer/geologist (Contract Qualified Engineer/Geologist) under contract to RCTC to conduct soil sampling for aerially deposited lead (ADL) in unpaved locations adjacent to existing state highway right of way within the project limits, if not previously tested.</p> <p>The performance standard for this measure is compliance with applicable federal, state, and local regulations related to the identification, removal, handling, and disposal of ADL. The analytical results of the soil sampling will determine the appropriate handling of the soil in those areas and disposal of surplus materials.</p>	RCTC Project Manager	Prior to initiation of right of way acquisition		

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	During site preparation, grading, excavation, and construction, the RCTC Resident Engineer will allow the Construction Contractor to use soil containing ADL within the Caltrans right of way in accordance with the California Environmental Protection Agency, DTSC, Variance No. V-9HHQSCD006, September 22, 2000, or a subsequent applicable variance. The RCTC Resident Engineer will require the Construction Contractor to provide written documentation regarding where the soil with ADL was removed from and where it was reused.	RCTC Resident Engineer	During site preparation, grading, excavation, and construction		
	During site preparation, grading, excavation, and construction, if it is determined by the RCTC Resident Engineer that it is not feasible to reuse soils, and that soils with ADL will require disposal off-site, the RCTC Resident Engineer will require the Construction Contractor to consolidate the material, load it into approved covered vehicles or containers, and transport it to a permitted hazardous waste disposal facility (Class I or II). The RCTC Resident Engineer will require the Construction Contractor to conduct the soil removal and transport consistent with the Caltrans Standard Special Provision XE 14-11.03, which includes additional information on the disposal of soils impacted with ADL.	RCTC Resident Engineer	During site preparation, grading, excavation, and construction		
HW-3	Hazardous Building Materials Surveys. Prior to any site preparation, disturbance, and construction, the RCTC Resident Engineer will require a certified consultant under contract to RCTC to conduct predemolition hazardous materials surveys for all potentially hazardous materials such as asbestos, lead-based paint, mercury, and polychlorinated biphenyl (PCB) surveys of any structures that will be renovated or demolished.	RCTC Resident Engineer and the Certified Consultant	Prior to any site disturbance, preparation, and construction		
	Based on the results of the testing conducted by the certified consultant and prior to the demolition or renovation of any structures determined to contain hazardous materials that exceed the California Health and Safety Code criteria for hazardous waste, the RCTC Resident Engineer will require the Construction Contractor to properly remove, store, transport and dispose of (at an appropriate Class I or II facility) any building materials that exceed the California Health and Safety Code criteria for hazardous waste.	RCTC Resident Engineer and the Certified Consultant	Prior to the demolition or renovation of any structures determined to contain hazardous materials that exceed the Health and Safety Code criteria		
HW-4	Utility Inspections. Prior to any site preparation, disturbance, grading, and construction, the RCTC Resident Engineer will require a qualified consultant (Contract Qualified Consultant) under contract to RCTC to conduct inspections of utility pole-mounted transformers that will be relocated or removed as part of the project. Any identified leaking transformers will be considered a PCB hazard unless tested and confirmed otherwise by the Contract Qualified Consultant. For any confirmed PCBs, the RCTC Resident Engineer will require the Construction Contractor to remove, handle, store, and dispose of them and any affected soils consistent with applicable laws and regulations.	RCTC Resident Engineer	Prior to site preparation, disturbance, grading, and construction		

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HW-5	Yellow Traffic Stripe and Pavement Markings. Prior to any site preparation, disturbance, grading, and construction, the RCTC Resident Engineer will require the Construction Contractor to test and remove any yellow traffic striping and pavement-marking material in accordance with Caltrans Standard Special Provisions.	RCTC Resident Engineer	Prior to site preparation, disturbance, grading, and construction		
	During site preparation, disturbance, and construction, the RCTC Resident Engineer will require the Construction Contractor to remove yellow traffic striping and pavement-marking material in accordance with Caltrans Standard Special Provisions.	RCTC Resident Engineer	During site preparation, disturbance, and construction		
HW-6	South Coast Air Quality Management District Rule 1403. No less than 10 days prior to the demolition or renovation of any structures, the RCTC Resident Engineer will require the Construction Contractor to notify and submit fees to the South Coast Air Quality Management District consistent with the requirements of South Coast Air Quality Management District Rule 1403. The RCTC Resident Engineer will require the Construction Contractor to comply with the requirements of South Coast Air Quality Management District Rule 1403 during renovation and demolition activities.	RCTC Resident Engineer	No less than 10 days prior to proceeding with any demolition or renovation of a structure		
HW-7	Groundwater Removal. During final design, the RCTC Project Engineer will determine whether groundwater removal will be required during construction of the project. The RCTC Project Engineer will coordinate with the Riverside County Department of Environmental Health and the DTSC regarding the removal and disposal of groundwater. If it is determined that groundwater dewatering is required in the vicinity of March Air Reserve Base, the RCTC Project Engineer will also coordinate with the Department of Defense regarding the removal and disposal of that groundwater. The RCTC Project Engineer will provide the RCTC Resident Engineer and the Construction Contractor with the Waste Discharge Identification Number or a copy of an individual permit (as applicable) issued by the RWQCB prior to construction.	RCTC Project Engineer	During final design.		
	During all disturbance, excavation, and drilling requiring groundwater dewatering, the RCTC Resident Engineer will require the Construction Contractor to collect any extracted groundwater and dispose of that water consistent with the requirements of the Waste Discharge Identification Number or the individual RWQCB permit.	RCTC Resident Engineer	During all disturbance, excavation, and drilling in the vicinity of March Air Reserve Base requiring dewatering		

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HW-8	<p>Soil Sampling adjacent to the Burlington Northern Santa Fe Railway Company Right of Way. During final design, the RCTC Project Engineer will require a qualified consultant (Contract Qualified Consultant) under contract to the RCTC to sample soils adjacent to the Burlington Northern Santa Fe (BNSF) railroad tracks that will be disturbed during construction of the project for petroleum hydrocarbons, metals, solvents, and other potential contaminants to determine whether they require special handling and disposal. Soils exceeding California Health and Safety Code criteria for hazardous waste will be disposed of at the appropriate Class I or II facility.</p> <p>Based on the results of that sampling, prior to the disturbance of any soils in areas documented as containing contaminants that exceed the California Health and Safety Code criteria for hazardous waste, the RCTC Resident Engineer will require the Construction Contractor to properly remove, store, transport and dispose of (at an appropriate Class I or II facility) any soils that exceed the California Health and Safety Code criteria for hazardous waste.</p>	RCTC Project Engineer	Prior to the disturbance of any soils in areas documented as containing contaminants that exceed the Health and Safety Code criteria		
HW-9	<p>Soil Sampling for Pesticides and Other Agriculture-Related Materials . Prior to completion of right of way acquisition, the RCTC Project Engineer will require a qualified consultant (Contract Qualified Consultant) under contract to the RCTC to conduct soil sampling for pesticides, other agricultural chemicals, organic (animal) waste, and other potentially hazardous agriculture-related residues in former or current agricultural/grazing properties that will be disturbed by the project where soil has not otherwise been disturbed (through grading, etc.).</p> <p>It is not feasible to conduct soil sampling and, if needed, remediation, and include the results of those activities in the Final EIR/EIS because RCTC does not currently own the properties that may require these investigations. Any such testing and remediation could result in ground disturbance or disturbance of existing structures, which are activities that need to be undertaken as part of the project implementation itself. In addition, new contamination may occur if those investigations are conducted too far in advance of property acquisition.</p> <p>The performance standard for this measure is in compliance with applicable federal, state, and local regulations. The analytical results of the soil sampling will determine the appropriate handling and disposal of the soil. Sampling will be conducted in general accordance with DTSC Interim Guidance for Sampling Agricultural Fields for School Sites (August 7, 2008).</p>	RCTC Project Engineer	Prior to completion of right of way acquisition		

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HW-10	<p>Caltrans Unknown Hazards Procedures for Construction. During site preparation, disturbance, grading, excavation, and construction, if suspect hazardous waste or underground tanks are encountered, the RCTC Resident Engineer will require the Construction Contractor to stop work in the affected area and implement the procedures outlined in Appendix E of the Caltrans Construction Manual, <i>Unknown Hazards Procedures for Construction</i>.</p>	RCTC Resident Engineer	During site preparation, disturbance, grading, excavation, and construction		
HW-11	<p>Health and Safety Plan. Prior to any site preparation, disturbance, grading, and construction, the RCTC Resident Engineer will require the Construction Contractor to prepare a site-specific Health and Safety Plan consistent with Caltrans and applicable regulatory requirements that were prepared by the Construction Contractor. The Plan will include, but not be limited to, the following:</p> <ul style="list-style-type: none"> • Identification of key personnel • Summary of risk assessment for workers, the community, and the environment • Air Monitoring Plan • Emergency Response Plan <p>The RCTC Resident Engineer must review and approve the Plan prior to the Construction Contractor accessing any project construction areas.</p>	RCTC Resident Engineer	Prior to any site preparation, disturbance, grading, and construction		
HW-12	<p>Underground Transmission Lines. No less than 2 days prior to any subsurface excavation or digging, the RCTC Resident Engineer will require the Construction Contractor to notify and ensure that utility owners mark the locations of underground transmission lines and facilities by calling the Underground Service Alert of Southern California at 811.</p>	RCTC Resident Engineer	No less than two days prior to any subsurface excavation or digging		
HW-13	<p>Blasting. Prior to any rock-blasting activities, the RCTC Resident Engineer will require the Construction Contractor to obtain a blasting permit from the County of Riverside (County) Sheriff's Department. As part of the permit requirements and pursuant to County requirements, the RCTC Resident Engineer will require the Construction Contractor to comply with the following requirements:</p> <ul style="list-style-type: none"> • Transportation, handling, storage, and use of explosives, blasting agents, and blasting equipment will be directed and supervised by a qualified Blast Officer, in accordance with local, state, and federal regulations. The Blast Officer will possess a current blasting license issued by the California Occupational Safety Administration (Cal-OSHA). • Allow the appropriate fire protection district and Sheriff's Department personnel to inspect the blast site and blast materials or explosives at any reasonable time. • Give reasonable notice in writing using a form approved by the Sheriff's Department for ongoing operations to all residences and businesses within the blast area. • Implement adequate precautions to reasonably safeguard persons and property before, during, and after blasting operations. 	RCTC Resident Engineer	Prior to any rock-blasting activities		

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AIR QUALITY					
AQ-1	<p>Fugitive Dust Source Controls. During all site preparation, grading, excavation, and construction, the Riverside County Transportation Commission (RCTC) will require the Construction Contractor to:</p> <ul style="list-style-type: none"> • Stabilize open storage piles and disturbed areas by covering them and/or applying water or chemical/organic dust palliative to the disturbed surfaces. This applies to inactive and active sites during workdays, weekends, holidays, and windy conditions. • Install wind fencing, phase grading operations, and operate water trucks for stabilization of surfaces under windy conditions. • Limit vehicle speeds to 15 miles per hour (mph) within the project limits. • Cover loads when hauling material to prevent spillage. • Limit speed of earthmoving equipment to 10 mph. 	RCTC Resident Engineer	During all site preparation, grading, excavation, and construction		
AQ-2	<p>Mobile and Stationary Source Controls. During all site preparation, grading, excavation, and construction, the RCTC Resident Engineer will require the Construction Contractor to:</p> <ul style="list-style-type: none"> • Reduce the use of trips by and unnecessary idling from heavy equipment. • Use solar-powered, instead of diesel-powered, changeable message signs. • Use electricity from power poles, rather than from generators, when electricity can be acquired from existing power poles in proximity to the construction areas. • Maintain and tune engines per manufacturers' specifications to perform at United States Environmental Protection Agency (EPA) certification levels and verified standards applicable to retrofit technologies. The RCTC Resident Engineer will conduct periodic, unscheduled inspections to ensure that there is no unnecessary idling and that construction equipment is properly maintained, tuned, and modified consistent with established specifications. • Prohibit any tampering with engines and require continuing adherence to manufacturers' recommendations. • Use new, clean (diesel or retrofitted diesel) equipment meeting the most stringent applicable federal or state standards and commit to the best available emissions control technology. Use Tier 3, or higher, engines for construction equipment with a rated horsepower exceeding 75. Use Tier 2, or higher, engines for construction equipment with a rated horsepower of less than 75. If nonroad construction equipment that meets or exceeds Tier 2 or Tier 3 engine standards is not available, the Construction Contractor will be required to use the best available emissions control technologies on all equipment. • Use EPA-registered particulate traps and other controls to reduce emissions of diesel particulate matter (PM) and other pollutants at the construction site 	RCTC Resident Engineer	During all site preparation, grading, excavation, and construction		

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AQ-3	<p>Administrative Controls. During final design, the RCTC Project Engineer will update the information on sensitive receptors adjacent to the project disturbance limits and along the primary access routes to/from the construction areas. These will include residential uses, schools, and individuals, such as children, the elderly, and the infirm. The locations of the updated sensitive receptors will be based on information in the Final EIR/EIS (including land use information provided and discussed in Sections 3.1, 3.4, and 3.14) and updated information on existing land uses along the alignment of MCP and the primary access routes to/from the construction areas. The Project Engineer will provide figures showing the locations of these sensitive receptors to the Construction Contractor.</p> <ul style="list-style-type: none"> • Prior to any site disturbance, the RCTC Resident Engineer will require the Construction Contractor to: • Provide documentation indicating all areas of sensitive receptors and how construction equipment, travel routes, and other activities that could emit air pollutants are located away from those sensitive populations; for example, locating construction equipment and staging zones away from sensitive receptors and away from fresh air intakes to buildings and air conditioners. • Prepare an inventory of all equipment and identify the compliance of each piece of mobile and stationary equipment with the mobile and stationary source control requirements listed in Measure AQ-2. 	RCTC Project Engineer	During final design		
AQ-4	<p>California Department of Transportation (Caltrans) Standard Specifications for Construction. During all site preparation, grading, excavation, and construction, the RCTC Resident Engineer will require the Construction Contractor to adhere to Caltrans Standard Specifications for Construction (Sections 14.9.03 and 18 [Dust Control] and Section 14.9-02 [Air Pollution Control]).</p>	RCTC Resident Engineer	During all site preparation, grading, excavation, and construction		
AQ-5	<p>Asbestos-Containing Materials. Should the project geologist determine that asbestos-containing materials are present at the project study area during final inspection prior to construction, the RCTC shall implement the appropriate methods to remove asbestos-containing materials.</p>	RCTC Project Engineer	During final inspection prior to construction		
AQ-6	<p>Construction Emissions. The RCTC Resident Engineer will require the construction contractor to incorporate the following in use of materials to construct the MCP project:</p> <ul style="list-style-type: none"> • If available for purchase within Riverside county, locally made building materials will be used for construction of the project and associated infrastructure. In accordance with 23 CFR 635.409(a), this requirement does not apply to any MCP project construction contracts funded with federal funds. • Demolished and waste construction materials will be reused/recycled to the extent possible and financially responsible prior to consideration of disposal of those materials in approved landfills. 	RCTC Resident Engineer	During construction		

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NOISE					
N-1	<p>Sound Barriers. Based on the studies completed to date, the Riverside County Transportation Commission (RCTC) shall incorporate noise abatement in the form of feasible and reasonable barriers at six locations, for Alternative 9 Modified with the SJRB DV (the preferred alternative) (see Table 3.15.AB). Calculations based on preliminary design data indicate that the barriers will reduce noise levels by 5 to 11 A-weighted decibels (dBA) (satisfying the 7 decibels [dB] or more for at least one of the benefited receptor locations based on the <i>Traffic Noise Analysis Protocol for New Highway Construction and Reconstruction Projects</i> (May 2011) for a total of 269 residences.</p>	RCTC Project Manager and Project Engineer	During final design		
	<p>During construction, RCTC's Resident Engineer will require the Construction Contractor to construct the noise abatement measures included in the final design and project specifications as early in the construction process as appropriate, based on other construction activities to maximize the reduction of construction noise on sensitive receptors on the non-freeway side of the wall.</p>	RCTC Resident Engineer	During construction		
N-2	<p>Construction Noise. During all site preparation, disturbance, grading, and construction, the RCTC Resident Engineer will require the Construction Contractor to control noise from construction activity consistent with the Caltrans Standard Specifications, Section 14-8.02, "Noise Control," and Standard Special Provisions S5-310. RCTC's Resident Engineer will require the Construction Contractor to ensure that noise levels from construction operations within the state right of way between the hours of 9:00 p.m. and 6:00 a.m. do not exceed 86 dBA at a distance of 50 ft from the noise source. The noise level requirement will apply to the equipment and activities on the job site or related to the job, including, but not limited to trucks, transit mixers, or transient equipment that may or may not be owned by the Construction Contractor.</p> <p>During all site preparation, disturbance, grading, and construction, RCTC's Resident Engineer will require the Construction Contractor to equip all internal combustion engines with the manufacturer-recommended mufflers and to not operate any internal combustion engine on the job site without the appropriate mufflers. As directed by RCTC's Resident Engineer, the Construction Contractor will implement additional minimization measures, including changing the location of stationary construction equipment, turning off idling equipment, rescheduling construction activity, notifying adjacent residents in advance of construction work, and installing acoustic barriers around stationary construction noise sources.</p>	RCTC Resident Engineer	During all site preparation, disturbance, grading, and construction		

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N-3	Noise Ordinances. During all site preparation, disturbance, grading, and construction, in accordance with the Municipal Codes of the City of Perris and the City of San Jacinto, and the Riverside County Noise Ordinance, the RCTC Resident Engineer will require the Construction Contractor to limit construction activities to between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday, excluding weekends and holidays. If construction is needed outside those hours or days, the RCTC Resident Engineer will require the Construction Contractor to coordinate with the affected local jurisdiction.	RCTC Resident Engineer	During all site preparation, disturbance, grading, and construction		
N-5	Blasting. Prior to blasting, the Construction Contractor shall conduct crack survey and video reconnaissance, documenting the existing condition of surrounding structures within 100 ft. A follow-up crack survey and video reconnaissance of neighboring structures shall be conducted to determine whether any new cracks or other damage have occurred. The Resident Engineer shall review the results of both pre- and post-construction surveys to determine whether any new damage resulted from blasting.	RCTC Resident Engineer	Prior to blasting		

ENERGY

Mitigation Measures AQ-1 through AQ-5, discussed in Section 3.14 will reduce impacts related to increased energy consumption and global climate change.

NATURAL COMMUNITIES

NC-1	Project Biologist (Design). Prior to the initiation of final design, the Riverside County Transportation Commission (RCTC) Project Manager will require the design contractor to have a Project Biologist under contract. The Project Biologist will ensure that all vegetation removal, seasonal restrictions, Best Management Practices (BMPs), environmentally sensitive areas, and all biological resources avoidance, minimization, and mitigation measures are properly included in the project design and specifications. Additional levels of biological monitors, such as qualified/authorized biologists for monitoring listed species, and general biological monitors, will also be used as needed to ensure that mitigation measures are properly implemented during the project design.	RCTC Project Manager	Prior to the initiation of final design		
	Project Biologist (Construction). Prior to the initiation of any site preparation or disturbance activities, the RCTC Project Manager will have a Project Biologist under contract. The Project Biologist will ensure that all vegetation removal, seasonal restrictions, BMPs, environmentally sensitive areas, and all biological resources avoidance and minimization measures are properly implemented by the Construction Contractor as required in the project design and specifications. Additional levels of biological monitors, such as qualified/authorized biologists for monitoring listed species, and general biological monitors, will also be used as needed to ensure that mitigation measures are properly implemented during construction.	RCTC Project Manager	Prior to the initiation of any site preparation or disturbance activities		

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NC-2	<p>Environmentally Sensitive Areas (ESAs). 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).</p> <p>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.</p> <p>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:</p>	RCTC Project Engineer	During final design		
	<ul style="list-style-type: none"> • 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. 	RCTC Resident Engineer and Project Biologist	During construction		

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	<ul style="list-style-type: none"> • 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, USFWS, 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. 				
NC-3	<p>Nesting Birds. To avoid effects to raptors and nesting birds, the RCTC Project Engineer will require the Construction Contractor to conduct any native or exotic vegetation removal or tree trimming activities outside of the nesting bird season (i.e., February 15 to September 15).</p> <p>In the event that vegetation clearing is necessary during the nesting season (i.e., February 15 to September 15), the RCTC Resident Engineer will require the Construction Contractor to have the Project Biologist conduct a preconstruction survey within a 300-foot (ft) buffer of project activities to identify the locations of listed and nonlisted bird and raptor nests within 3 days of the commencement of construction activities. In addition, if any trees are scheduled to be removed between January 15 and February 15, a preconstruction raptor specific survey would be required prior to removal of any trees. Should nesting birds be found, the RCTC Resident Engineer will require the Construction Contractor to establish a 300 ft exclusionary buffer around the nest developed in consultation among the RCTC Resident Engineer, the RCTC Contract Biologist, the Construction Contractor, and the Project Biologist. This buffer will be clearly marked in the field by construction personnel under guidance of the Project Biologist, and construction or clearing will not be conducted within this 300 ft</p>	RCTC Project Engineer	During the removal of any native or exotic vegetation and any tree trimming activities		
		RCTC Resident Engineer and the Project Biologist	Prior to the removal of any native or exotic vegetation and any tree trimming activities during the nesting seasons		

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	exclusionary buffer zone until the Project Biologist determines that the young have fledged or the nest is no longer active.				
NC-4	Design and Construction Management Measures. During final design, the RCTC Project Engineer and the Contract Biologist will coordinate with the Design Contractor and the Project Biologist to develop design and construction management specifications to direct temporary construction noise, nighttime construction lighting, and permanent facility lighting away from the wildlife corridors, biologically sensitive areas, the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Conservation Areas, and vegetated drainages. Those specifications will be included in the final design.	RCTC Project Engineer and the Project Biologist	During final design		
	If construction work must be done at night, the RCTC Resident Engineer will require the Construction Contractor to properly implements the specifications included in the final design to direct temporary construction noise and lighting away from the wildlife movement corridors, and biologically sensitive areas during those nighttime construction activities.	RCTC Resident Engineer	During nighttime construction activities		
	During construction, the RCTC Resident Engineer will ensure that the Construction Contractor properly implements the permanent facility lighting, directing the light from wildlife movement corridors, biologically sensitive areas, the Western Riverside County MSHCP Conservation Areas, and vegetated drainages.	RCTC Resident Engineer	During construction		
NC-5	Conservation Areas. During final design, the RCTC Project Engineer and the Contract Biologist will coordinate to identify existing and proposed conservation areas within the project footprint and in the immediately surrounding areas and will designate those areas on the project specifications. The Contract Biologist will provide the RCTC Resident Engineer with the applicable guidelines from the Western Riverside County MSHCP, including the Urban/Wildlands Interface Guidelines from Section 6.1.4 of the Western Riverside County MSHCP and compliance with these guidelines as identified in Section 3.17.3 of the Final EIR/EIS, for incorporation in the project specifications.	RCTC Project Engineer	During final design		
	To reduce impacts where the project interfaces with existing or proposed conservation areas as shown on the project specifications, the RCTC Resident Engineer will require the construction contractor to comply with the applicable guidelines from the Western Riverside County MSHCP, including the Urban/Wildlands Interface Guidelines from Section 6.1.4 of the Western Riverside County MSHCP, as included in the project specifications.	RCTC Resident Engineer	Prior to and during construction		
	During final design, the RCTC Project Engineer and Project Biologist will ensure the design for the wildlife crossing entrance at Wildlife Crossing No. 10 will minimize noise effects to the adjacent MSHCP Conservation Area and ensure that noise effects do not exceed residential noise standards.	RCTC Project Engineer and Project Biologist	During final design		

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NC-6	<p>Salvage of Alkali Soils. During final design, the RCTC Project Engineer will have the Project Biologist map all areas within the project disturbance limits that contain alkali soils, primarily within the 6 acres of fill for the bridges spanning the San Jacinto River Floodplain. The Project Biologist will provide specifications in the final design regarding how existing vegetation in those areas is/is not to be removed, how deep the upper layer of the alkali soils is, and how that soil is to be removed, transported from the construction area, and deposited at a storage site or restoration area.</p>	RCTC Project Engineer and Project Biologist	During final design		
	<p>Prior to any site disturbance, the Project Biologist and the Resident Engineer will require the Construction Contractor to mark areas with alkali soils to ensure that those soils (approximately the upper one foot layer of the soils) are properly removed from the project limits. The RCTC Resident Engineer, working with the Project Biologist, will direct the Construction Contractor on where to take those soils (storage site or restoration area). The Project Biologist will coordinate these activities with the United States Fish and Wildlife Service and the California Department of Fish and Wildlife.</p>	RCTC Resident Engineer and Project Biologist	Prior to any site disturbance		
NC-7	<p>Commitments under the Western Riverside County Multiple Species Habitat Conservation Plan. As a permittee under the Western Riverside County MSHCP, RCTC has committed to a number of measures addressing impacts of the MCP project on biological resources. Those measures are documented in the <i>Mid County Parkway MSHCP Consistency Determination Including Determination of Biologically Equivalent or Superior Preservation Analysis</i> (September 2014) and the <i>Determination of Biologically Equivalent or Superior Preservation Analysis Addendum</i> (October 2014) provided in Appendix T in the Final EIR/EIS. RCTC will comply with the commitments in those measures throughout the design, construction, and operation of the MCP project.</p>	RCTC Project Manager, Project Engineer, Resident Engineer, and Project Biologist	During final design, construction, and operation		
NC-8	<p>Habitat Mitigation and Monitoring Plans for Western Riverside County MSHCP Compliance. Prior to acquisition of mitigation properties for riparian/riverine resources (including least Bell's vireo), a Habitat Mitigation and Monitoring Plan for MSHCP Riparian and Riverine Resources and any updated DBESP report specifying final mitigation site selection will be prepared and submitted to RCA, as committed to on page 49 of the Mid County Parkway MSHCP Consistency Determination Including Determination of Biologically Equivalent or Superior Preservation (September 2014) and the Determination of Biologically Equivalent or Superior Preservation Analysis Addendum (October 2014) provided in Appendix T in the Final EIR/EIS. Additional Habitat Mitigation and Monitoring Plans and updated DBESPs will be submitted to RCA and Wildlife Agencies for NEPSSA, CASSA, LAPM, and SBKR prior to site acquisition.</p>	RCTC Project Manager and Project Biologist	Prior to acquisition of mitigation properties for riparian/riverine resources		
WETLANDS AND OTHER WATERS OF THE UNITED STATES					
WET-1	<p>Permanent Impacts to Jurisdictional Areas. Prior to, during, and after construction, the Riverside County Transportation Commission (RCTC) shall mitigate permanent impacts to United States Army Corps of Engineers (USACE) jurisdictional wetlands and</p>	RCTC Project Manager	Prior to, during, and after construction		

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	<p>nonwetlands and California Department of Fish and Wildlife (CDFW) jurisdictional areas at a minimum replacement ratio of 2:1. The RCTC Project Manager will provide for mitigation to occur primarily through habitat restoration and/or enhancement of on-site areas along the length of the Mid County Parkway (MCP) to the extent practical. Alternatively, if it is infeasible to mitigate entirely on site, the RCTC Project Manager will coordinate with USACE and CDFW to provide off-site mitigation, such as enhancement, creation, and restoration. The Habitat Mitigation and Monitoring Plan (HMMP) for USACE Jurisdictional Waters (Appendix P in the Environmental Impact Report [EIR]/Environmental Impact Statement [EIS]) describes the approach and specific concepts for mitigation of impacts to waters of the United States and wetlands. This HMMP for USACE Jurisdictional Waters was prepared in coordination with the USACE, the United States Fish and Wildlife Service (USFWS) and the United States Environmental Protection Agency (USEPA). It is RCTC's intent that mitigation sites identified in the HMMP for USACE Jurisdictional Waters will also address project effects on State jurisdictional areas.</p> <p>Additional mitigation, for impacts to resources covered under the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), including riparian and riverine habitats under the jurisdiction of CDFW, will be provided in accordance with the Determination of Biologically Equivalent or Superior Preservation (DBESP) provided in Appendix T in the Final EIR/EIS. More detailed plans will be developed as more specific design and land acquisition information becomes available, and implemented through the USACE and CDFW permit/authorization processes.</p> <p>The RCTC Project Manager will ensure that the mitigation implemented will comply with the federal policy of "no net loss" of wetlands. The RCTC Project Manager will ensure that a minimum of 1:1 replacement ratio will occur through establishment or reestablishment of both State and federal jurisdictional areas within the San Jacinto River watershed. This will mitigate for the replacement of area and function of both State and federal jurisdictional areas within the San Jacinto River watershed. Additional mitigation to achieve the remainder of the 2:1 mitigation ratio may occur outside of the San Jacinto River watershed.</p>				
WET-2	<p>Temporary Impacts to Jurisdictional Areas. After the completion of construction in areas that resulted in temporary impacts to USACE and/or CDFW jurisdictional areas, the RCTC Resident Engineer will require the Construction Contractor to revegetate those on site areas at a minimum 1:1 replacement ratio. The revegetation will be conducted as described in a future habitat mitigation program (as described in Measure WET-3) and in the applicable conditions from regulatory permits.</p>	RCTC Resident Engineer	After the completion of construction in areas that result in temporary impacts to jurisdictional area		

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WET-3	<p>Habitat Mitigation Program. The RCTC Project Manager will contract with a biologist (Project Biologist) to develop a comprehensive Habitat Mitigation Program to direct the restoration of temporarily impacted riparian habitats and other USACE and CDFW jurisdictional areas. The Habitat Mitigation Program will incorporate the applicable approaches and measures identified in the Habitat Mitigation and Monitoring Plan for USACE Jurisdictional Waters (provided in Appendix P in the Final EIR/EIS) for impacts to USACE jurisdictional areas, as well as the necessary details for implementation of the measures described in the DBESPs included in the MSHCP Consistency Determination Including Determination of Biologically Equivalent or Superior Preservation Analysis MSHCP provided in Appendix T.</p> <p>Measure WET-3 will be implemented in conjunction with Measures WET-1 and WET-2, above. Should an in-lieu fee program for mitigating impacts to waters of the United States be developed and become available within the San Jacinto River watershed with an appropriate service area that encompasses the MCP project area, the RCTC shall consult with the USACE and the USEPA to determine if a third-party mitigation option would be preferable rather than the permittee-responsible mitigation described in the HMMP for USACE Jurisdictional Waters.</p>	RCTC Project Manager	During final design		
WET-4	<p>Permits. During final design, the RCTC Project Engineer will obtain the following permits in order to comply with Section 1600 of the Fish and Game Code and Sections 404 and 401 of the Clean Water Act. Any additional mitigation required by a regulatory agency beyond the measures outlined in WET-1 through WET-3 for purposes of compliance with California Environmental Quality Act (CEQA)/ National Environmental Policy Act (NEPA) will be negotiated during the permit application and approval process. Those mitigation requirements will incorporate approaches and measures identified in the HMMP for USACE Jurisdictional Waters (provided in Appendix P in the EIR/EIS) and those described in Measures WET-1 through WET-3 above.</p> <ul style="list-style-type: none"> • A Section 404 permit from the USACE; • A Section 1602 Agreement for Streambed Alteration from the CDFW; and • A Section 401 water quality certification from the Santa Ana Regional Water Quality Control Board (RWQCB). <p>Mitigation ratios for the Section 404 permit will be finalized in coordination with the USACE using the most current version of the USACE South Pacific Division Regulatory Program Standard Operating Procedure for Determination of Mitigation Ratios.</p> <p>If additional compensation for permanent or temporary impacts beyond the minimum replacement ratios described in WET-1 and WET-2 is required as a result of the approved permits, during final design and construction, the RCTC Project Manager</p>	RCTC Project Engineer	During final design		

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	would arrange for RCTC to provide that additional mitigation through purchase of mitigation bank credits for removal of invasive plants and restoration of riparian habitat from a location approved by the USACE and the CDFW under guidelines described by the resource and regulatory agencies through the permitting process, or through participation in another approved habitat mitigation bank. Any additional amount of mitigation will be determined in coordination with the resource and regulatory agencies based on the quality and quantity of jurisdictional resources to be affected with consideration of the results from the study entitled <i>Potential Impacts of Alternative Corridor Alignments to Waters of the United States, Riparian Ecosystems, and Threatened and Endangered Species: Mid County Parkway Project, Riverside County, California</i> (USACE Engineer Research and Development Center, Smith 2011).				
PLANT SPECIES					
PS-1	Smooth tarplant. Prior to the start of any construction activities that would impact smooth tarplant populations within the MCP construction limits, the RCTC Project Manager shall have a qualified botanist collect seeds in the fall (September 1 to November 30) from these populations. The collected smooth tarplant seeds will be kept secure by a qualified botanist so that RCTC can have the collected smooth tarplant seeds dispersed on the most appropriate locations of the mitigation lands to be acquired by RCTC to comply with its MSHCP mitigation obligations.	RCTC Project Manager and Qualified Botanist	Prior to the start of any construction activities that would impact smooth tarplant populations		
ANIMAL SPECIES					
AS-1	<p>Burrowing Owl Habitat. During final design, the Riverside County Transportation Commission (RCTC) Project Engineer and Project Biologist will require the design engineer to identify all areas of potential burrowing owl habitat within the project footprint and the immediately surrounding areas and will designate those areas on the project specifications (including the known location east of Perris Valley Drain).</p> <p>To ensure that any burrowing owl that may subsequently occupy the site are not affected by construction activities, the RCTC Resident Engineer will require the Construction Contractor to have preconstruction burrowing owl surveys conducted by the Project Biologist within 120 days prior to ground disturbance in the areas identified as potential burrowing owl habitat. These preconstruction surveys are required to comply with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), the federal Migratory Bird Treaty Act (MBTA), and the California Fish and Game Code.</p> <p>During all site preparation, disturbance, grading, and construction activities, the RCTC Resident Engineer will require the Construction Contractor to implement all burrowing owl measures, including the preconstruction surveys described above.</p>	<p>RCTC Project Engineer and the Project Biologist</p> <p>RCTC Resident Engineer and the Project Biologist</p> <p>RCTC Resident Engineer</p>	<p>During final design</p> <p>30 days prior to any construction activities in potential burrowing owl habitat</p> <p>During all site preparation, disturbance, grading, and construction activities</p>		

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AS-2	<p>Active Burrowing Owl Nests. During all site preparation, disturbance, grading, and construction activities, the RCTC Resident Engineer will require the Construction Contractor to avoid the take of active burrowing owl nests. If the focused burrowing owl surveys required in Measure AS-1 determine that the project disturbance limits support burrowing owls, the burrowing owls will be relocated or translocated, as required in the relocation/translocation plan required in Measure AS-3. No site preparation, disturbance, grading, or construction activities will be allowed in those areas until the Project Biologist confirms that the burrowing owl relocation/translocation activities are complete.</p>	RCTC Resident Engineer and the Project Biologist	During all site preparation, disturbance, grading, and construction activities		
AS-3	<p>Burrowing Owl Relocation/Translocation Plan. If burrowing owls are identified during the preconstruction surveys (required in Measure AS-4) and cannot be avoided between 60 and 90 days prior to any ground-disturbing activities, the RCTC Project Manager and Project Biologist will prepare a <i>Burrowing Owl Relocation/Translocation Plan</i>. The RCTC Project Manager and the Project Biologist will submit the Plan to the California Department of Fish and Wildlife (CDFW) and the Regional Conservation Authority for approval prior to any ground disturbing activities. The Plan will include, but not be limited to, the following:</p> <ul style="list-style-type: none"> • Passive and, if needed, active relocation of BUOW by a qualified avian biologist. • Passive relocation activities to exclude BUOW from burrows and to provide artificial burrows elsewhere; BUOW will be passively evicted only during the non-breeding season (September 1 to January 31). • Active relocation to capture BUOW from original burrows that would be destroyed by construction activity, take them to a new site well removed from the original site, and release them into a new burrow; BUOW will be captured and moved during the non-breeding season or early in the breeding season but just prior to egg-laying (i.e., late January or early February). • Capture and banding of BUOW for identification and monitoring. • BUOW will be captured at least 1 week prior to passive or active relocation activities. • Passive and active relocation sites will be selected and finalized in consultation with the RCA and the Wildlife Agencies. • Passive and active relocation of owls to the identified relocation sites. • Monitoring will be conducted prior to, during, and after passive or active relocation efforts. • Habitat and artificial nest burrow management activities will be conducted at least once annually to maintain conditions that support BUOW. • Data collection and reporting to the RCA and the Wildlife Agencies regarding the results of presence/absence surveys, nest/burrow locations, locations to which the BUOW were moved, capture and banding data, date and time passively relocated 	RCTC Project Manager and Project Biologist	During final design and no later than 60 days prior to any ground-disturbing activities		

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	<p>owls were excluded from original burrows or actively relocated owls were released into field enclosures, date field enclosures were removed, nest burrow monitoring visits, burrow habitat characteristics, reproductive success information from nest visits, artificial nest burrow installation and maintenance activities and outcomes, habitat management activities and outcomes, and results of burrow inspections using the infrared video scope.</p> <ul style="list-style-type: none"> • A description of passive relocation techniques; • Methodology for monitoring and inspection of occupied and potentially suitable burrows; • Description of monitoring frequency to confirm owls have vacated occupied burrows within the MCP project footprint; • Requirement that any relocation and translocation will occur outside of the breeding season; and • Requirement that sites proposed for burrowing owl translocation sites will be identified and created in coordination with the wildlife agencies to establish new colonies. 				
AS-4	<p>Bat Maternity Roosting Survey. Between May 1 and August 31 and prior to any site preparation, disturbance, grading, or ground disturbing activities, the RCTC Resident Engineer will require the Construction Contractor to retain a qualified bat biologist at least 12 months prior to any construction activities at bridges. The qualified bat biologist must have extensive experience identifying bats in southern California and have experience in the ecology of bats using human-constructed structures. The qualified bat biologist will survey the project limits and assess the presence of or potential for bat maternity roosts, which are generally formed in spring and may change seasonally. Where existing or potential roosting habitat is present, the qualified bat biologist will conduct nighttime surveys that include a combination of structure inspection, sampling, exit counts, and acoustic surveys. A report will be prepared summarizing the data collected during these nighttime surveys, and will include any necessary avoidance and minimization recommendations such as directing light and noise away from bat habitat, humane bat eviction/exclusion, and replacement roosting habitat.</p>	<p>RCTC Resident Engineer</p>	<p>During all site preparation, disturbance, grading, and construction activities in burrowing owl habitat</p>		

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AS-5	<p>Humane Bat Eviction/Exclusion. Prior to site preparation, disturbance, grading, or construction activities in areas containing bat habitat, the RCTC Resident Engineer will require the Construction Contractor to install temporary bat eviction/exclusion devices under the supervision of a qualified bat biologist. The installation of the exclusion devices will be limited to the fall (September and October) preceding construction activities at structures containing bat habitat, in order to avoid trapping flightless young inside these structures during the summer or hibernating individuals during the winter. The exclusion devices must be retained in place to keep each structure free of bats until the completion of construction at that location. All bat exclusion devices and techniques will be coordinated with the California Department of Transportation (Caltrans) Biologist, the RCTC Project Manager, the RCTC Resident Engineer, the Construction Contractor, the Project Biologist, and the qualified bat biologist.</p> <p>In cases where bats are evicted from maternity roosts, and will remain excluded from these roosts throughout the maternity season (April through August), the RCTC Resident Engineer and the qualified bat biologist will replace roosting structures to minimize effects to excluded bats by providing an alternative site for these bats to rear young during the maternity seasons. The replacement roosting structures will be of suitable design and installed to provide roosting habitat for those bat species that are being evicted. The timing of installation of replacement roosting structures will be based on the expert opinion of the qualified bat biologist to ensure that roosting structures are installed with sufficient time for evicted roosting bats to find and commence occupation of the replacement roosting structures.</p>	RCTC Resident Engineer	Prior to site preparation, disturbance, grading, or construction activities		
AS-6	<p>Retention of Existing Bat Roosting Habitat and Creation of Habitat Replacement Structures. Prior to any site preparation, disturbance, grading, or construction, the RCTC Project Engineer and the qualified bat biologist will determine whether structural features providing existing bat roosting habitat cannot be permanently retained following construction. If that is the case, the qualified bat biologist will identify permanent alternative roosting habitat/replacement structures to be installed during construction. The project specifications will include suitable designs and specifications for bat exclusion and habitat replacement structures. All habitat replacement structures will provide suitable habitat (in terms of both design and installation) for those species of bats being evicted.</p>	RCTC Project Engineer	Prior to any site preparation, disturbance, grading, or construction		

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	Prior to and during construction, the RCTC Resident Engineer will require the Construction Contractor, under the guidance of the qualified bat biologist, to properly implement the designs and specifications for permanent bat exclusion and habitat replacement structures included in the project specifications. The timing of the installation of replacement roosting structures shall be based on the expert opinion of the qualified bat biologist to ensure that roosting structures are installed with sufficient time for evicted roosting bats to find and commence occupation of the replacement roosting structures. The installation and maintenance of those structures will be monitored by the qualified bat biologist.	RCTC Resident Engineer	Prior to and during construction		
THREATENED AND ENDANGERED SPECIES					
TE-1	Conservation of Off-Site Mitigation Areas. After completion of the implementation of the Determination of Biological Equivalent or Superior Preservation (DBESP) measures for spreading navarretia, San Jacinto Valley crowscale, least Bell's vireo, and San Bernardino kangaroo rat, the Riverside County Transportation Commission (RCTC) Project Manager will work with the RCTC Right-of-Way Agents to ensure that all off-site mitigation areas will be conserved in perpetuity, either through fee title transfer or a conservation easement to the Western Riverside County Regional Conservation Authority (RCA).	RCTC Project Manager	Prior to the start of construction		
TE-2	Stephens' Kangaroo Rat. Prior to the start of construction, the RCTC Project Manager will ensure "take" is authorized for areas of disturbance to occupied habitat of the Stephens' kangaroo rat through implementation of the measures described in the DBESP for riparian-alkaline communities in the San Jacinto River floodplain included in the MSHCP Consistency Determination Including Determination of Biologically Equivalent or Superior Preservation Analysis provided in Appendix T.	RCTC Project Manager	Prior to construction		
INVASIVE SPECIES					
IS-1	Revegetation of Disturbed Areas. During construction, the Riverside County Transportation Commission (RCTC) Resident Engineer will require the Construction Contractor to landscape/revegetate disturbed areas and bare soil within the project disturbance limits with California Department of Transportation (Caltrans) recommended seed mixtures and container plants from locally adapted species to preclude the invasion of noxious weeds. The use of site-specific materials adapted to local conditions increases the likelihood that the landscaping/revegetation will be successful and maintain the genetic integrity of the local ecosystem.	RCTC Resident Engineer	During construction		
	The RCTC Resident Engineer and the Construction Contractor will ensure that the invasive plant species listed in the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), Table 6-2, and in the most up-to-date Cal-IPC Invasive Plant Inventory are not planted within the project disturbance limits.	RCTC Resident Engineer	During construction		

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	During construction, the RCTC Resident Engineer will require the Construction Contractor to submit the proposed seed mixtures for the parts of the project under Caltrans jurisdiction for approval by the Caltrans District 8 Landscape Architect. No landscaping/ revegetation in state right of way will be installed prior to Caltrans' approval of the seed mixtures.	RCTC Resident Engineer	During construction		
	Prior to and during construction, RCTC will require the Construction Contractor to require the Project Biologist to make arrangements well in advance of planting (at least 9 months prior to the scheduled planting) to ensure that the needed seed and plant materials are collected and/or located and available for the scheduled planting time. Sufficient time must be allocated for a professional seed company to visit the project site during the appropriate season to collect native plant seed.	RCTC Resident Engineer	Prior to and during construction		
	If local propagates are not available or cannot be collected in sufficient quantities to meet the scheduled planting time, seed and/or plant materials collected or grown from other sources within southern California can be substituted, based on approval of use of those alternative plant materials by the RCTC Resident Engineer and the RCTC Contract Biologist, and for areas in the State right of way, by the Caltrans District 8 Landscape Architect.	RCTC Resident Engineer and the RCTC Contract Biologist	Prior to and during construction		
	For widespread native herbaceous species that are more likely to be genetically homogeneous, site specificity is a less important consideration, and seed and container plants from commercial sources may be used based on approval of use of those alternate seed and plant materials by the RCTC Resident Engineer and the RCTC Contract Biologist, and for areas in the state right of way, by the Caltrans District 8 Landscape Architect.	RCTC Resident Engineer and the RCTC Contract Biologist	Prior to and during construction		
IS-2	Seed Purity. During construction, as seed mixtures are collected, the RCTC Resident Engineer will require the Construction Contractor to require the Project Biologist to certify the seed purity by planting seed labeled under the California Food and Agricultural Code or that has been tested within the year by a seed laboratory certified by the Association of Official Seed Analysts or by a seed technologist certified by the Society of Commercial Seed Technologists. The Project Biologist will provide the documentation of compliance with this requirement to the RCTC Project Engineer and the RCTC Contract Biologist, and for seed mixtures that will be used in the state right of way, to the Caltrans District 8 Landscape Architect.	RCTC Resident Engineer and the Project Biologist	During construction		
IS-3	Construction Equipment. During all site preparation, disturbance, grading and construction activities, the RCTC Resident Engineer will require that the Construction Contractor implement procedures to ensure that construction equipment is cleaned of mud or other debris that may contain invasive plants and/or seeds and inspected to reduce the potential of spreading noxious weeds both before mobilizing to arrive at the site and before leaving the project limits. The Construction Contractor will document that equipment coming to the site will be cleaned at established truck wash facilities within	RCTC Resident Engineer	During all site preparation, disturbance, grading, and construction activities		

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	the project vicinity and will provide facilities within the project limits to clean equipment leaving the site.				
IS-4	Trucks. During all site preparation, disturbance, grading and construction activities, the RCTC Resident Engineer will require the Construction Contractor to implement procedures to ensure that all trucks carrying vegetation from within the project limits are covered and that all vegetative materials removed from within the project limits are properly disposed of in accordance with all applicable laws and regulations.	RCTC Resident Engineer	During all site preparation, disturbance, grading, and construction activities		
IS-5	Inspected Material. During all site preparation, disturbance, grading, and construction activities, the RCTC Resident Engineer will require the Construction Contractor implement procedures to ensure that if material is obtained from a borrow site, that the material is inspected for the presence of noxious weeds and invasive plants to ensure that the 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.	RCTC Resident Engineer	During all site preparation, disturbance, grading, and construction activities		
IS-6	Weeds and Invasive Plants. During all site preparation, disturbance, grading, and construction activities, the RCTC Resident Engineer will require the Construction Contractor to control, kill, and remove noxious weeds and invasive plants from within the project limits, under the direction of the Project Biologist.	RCTC Resident Engineer	During all site preparation, disturbance, grading, and construction activities		

Attachment B List of MCP Project Technical Reports Cited in the Responses to Comments on the Final EIR/EIS

Technical Report Topics	Technical Report Name/Names	Technical Report Date
Air Quality Technical Reports	<i>Air Quality Analysis</i>	March 2012
	<i>Updated Mid County Parkway Project Air Quality, Health Risk and Greenhouse Analyses</i>	January 2014
Biological Resources Technical Reports	<i>Natural Environment Study</i> which includes the following as an appendix: <i>Jurisdictional Delineation and Assessment Report</i> (May 2007, revised February 2008)	July 2008
	<i>Supplement to the Natural Environment Study</i> which includes the following as appendices: <i>Potential Impacts of Alternatives Corridor Alignments to Waters of the United States, Riparian Ecosystems, and Threatened and Endangered Species: Mid County Parkway Project, Riverside County, California</i> (October 2011) and <i>Supplemental Jurisdictional Delineation Report</i> (October 2011)	December 2011
	<i>Errata Memorandum for the Supplement to the Natural Environment Study</i>	November 2012
	<i>Jurisdictional Delineation and Assessment Report</i>	December 2013
Community Impact Technical Reports	<i>Community Impact Assessment</i>	June 2008
	<i>Addendum to the Community Impact Assessment</i>	January 2012
Relocation Technical Reports	<i>Draft Relocation Impact Report</i>	December 2011
	<i>Final Relocation Impact Report</i>	November 2014
Traffic Technical Reports	<i>Traffic Technical Report</i>	February 2012
	<i>Existing plus Project Traffic Analysis</i>	April 2012