

Appendix V Responses to Comments on the “Recirculated Sections of Chapter 4.0 (III, Air Quality; VII, Greenhouse Gases; 4.5, Climate Change; and Table 4.10)”

This appendix contains the comments received on the “Recirculated Sections of Chapter 4.0 (III, Air Quality; VII, Greenhouse Gases; 4.5, Climate Change; and Table 4.10)” for the proposed Mid County Parkway (MCP) Project and the responses to those comments.

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ATTACHMENT A: Air Quality Measures

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V.1 Introduction

The "Recirculated Sections of Chapter 4.0 (III, Air Quality; VII, Greenhouse Gases; 4.5, Climate Change; and Table 4.10)" (also referred to as the "Recirculated Sections of Chapter 4.0") of the Environmental Impact Report (EIR) for the proposed Mid County Parkway (MCP) project was circulated for public review from January 31, 2014, to March 17, 2014. The "Recirculated Sections of Chapter 4.0" was distributed to the agencies listed in Chapter 7, Distribution List, starting on page 7-1 in the Final EIR/EIS. Chapter 7 also lists organizations, interested parties, and members of the general public who received the Notice of Availability for the "Recirculated Sections of Chapter 4.0."

Written comments received during the public circulation period included letters and emails received by the Riverside County Transportation Commission (RCTC). Copies of all the written comments are included in this appendix.

Refer to Chapter 5, Comments and Coordination, in the Final EIR/EIS for additional discussion of the public review period for the "Recirculated Sections of Chapter 4.0."

The air quality and greenhouse gas (GHG) analyses provided in the "Recirculated Sections of Chapter 4.0" are in addition to the air quality and GHG analyses provided in Chapter 4, California Environmental Quality Act Evaluation, under the California Environmental Quality Act (CEQA) in the 2008 Draft EIR/Draft EIS and the 2013 Recirculated Draft EIR/Supplemental Draft EIS. Measures AQ-1 through AQ-5, cited in Section III, Air Quality, starting on page 4-9 in the Recirculated Draft EIR/Supplemental Draft EIS would continue to apply to the MCP Build Alternatives based on the analyses provided in the "Recirculated Sections of Chapter 4.0." The conclusions regarding the significance of effects under CEQA provided in the "Recirculated Sections of Chapter 4.0" include the mitigating effects of Measures AQ-1 through AQ-5. For convenience, the language of Measures AQ-1 through AQ-5 is provided in Attachment A, Air Quality Measures, in this responses to comments appendix.

V.2 Format of Responses to Comments

All the written comments received during, or shortly after the close of, the public review period are included in this appendix. Substantive environmental issues raised within each comment letter/email are numbered along the right-hand margin of each

letter or email. The responses to comments in each comment letter/email are referenced by the index numbers in the margins of the letters/emails.

The format of the responses to comments is based on a unique letter and number code for each comment. The number at the end of the code refers to a specific comment within the individual letter. Therefore, each individual comment has a unique code assignment. For example, St-1-1 is the first substantive comment in letter S-1. "St" represents a comment letter from a state agency, "1" refers to the first letter from a state agency, and the second "1" refers to the first substantive comment in that letter. The alphabetic codes used in this appendix are:

- "St" for state agencies;
- "Trib" for Tribal Governments;
- "Int P" for interested parties; and
- "Pub" for comments from the general public;

V.3 Index of Comments Received

Table V.1 lists the agencies, organizations, and persons who commented on the "Recirculated Sections of Chapter 4.0 (III, Air Quality; VII, Greenhouse Gases; 4.5, Climate Change; and Table 4.10)" during, or shortly after the close of, the public comment period. The individual comment letters/emails are listed within each category (agencies, interested parties, etc.) by the date they were received. The comment letters/emails are provided in this appendix followed by responses to the substantive comments in each comment letter/email.

V.4 Comments and Responses

The comments received on the "Recirculated Sections of Chapter 4.0 (III, Air Quality; VII, Greenhouse Gases; 4.5, Climate Change; and Table 4.10)" during the public comment period and the responses to those comments are provided in the following sections and are listed in Table V.1. The responses to the comments are provided following the last page of the coded letter in each category (i.e., state agency comment letters are followed by the responses to those comments; Tribal Government comment letters are followed by the responses to those comments, etc.).

Table V.1 Summary of Comments Received On the "Recirculated Sections of Chapter 4.0 (III, Air Quality; VII, Greenhouse Gases; 4.5, Climate Change; and Table 4.10)" During, or Shortly After the Close of, the Public Circulation Period on March 17, 2014

Letter Number	Agency/Commenter Name
State Agencies	
St-1	Native American Heritage Commission (March 4, 2014)
St-2	California Department of Fish and Wildlife (March 17, 2014)
St-3	State Clearinghouse (March 18, 2014)
St-4	California Transportation Commission (March 24, 2014)
Tribal Governments	
Trib-1	Pattie Garcia, Agua Caliente Band of Cahuilla Indians (February 22, 2014)
Interested Parties	
Int-1	Center for Biological Diversity, San Bernardino Valley Audubon Society, and the Sierra Club (March 17, 2014)
Members of the General Public	
Pub-1	Carl Sherrill (January 31, 2014)
Pub-2	Phil Norris (January 31, 2014)
Pub-3	R.E. Guiders (February 3, 2014)
Pub-4	Michael A. McKibben (February 9, 2014)
Pub-5	Ann Turner McKibben (February 9, 2014)
Pub-6	Gordon Weyland (February 22, 2014)
Pub-7	John Hu (March 13, 2014)

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V.4.1 Native American Heritage Commission (St-1)

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NATIVE AMERICAN HERITAGE COMMISSION

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West Sacramento, CA 95691
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Web Site www.nahc.ca.gov
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March 4, 2014

Mr. Alex Menor, Transportation Planner

Riverside County Transportation Commission

4080 Lemon Street, Third Floor
Riverside, CA 92501

RECEIVED

MAR 11 2014

BECHTEL INFRASTRUCTURE
CORPORATION

Sent by U.S. Mail

No. of Pages: 4

RE: SCH#2004111103 CEQA Notice of Completion; Re-circulated Draft Environmental Impact Report (RDEIR) for the **“Mid-County Parkway Project;”** located in the cities of Perris and San Jacinto; Riverside County, California

Dear Mr. Menor

The Native American Heritage Commission (NAHC) has reviewed the above-referenced environmental document.

The California Environmental Quality Act (CEQA) states that any project which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA guidelines 15064.5(b)). To adequately comply with this provision and mitigate project-related impacts on archaeological resources, the Commission recommends the following actions be required:

Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, pursuant to California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities. Also, California Public Resources Code Section 21083.2 require documentation and analysis of archaeological items that meet the standard in Section 15064.5 (a)(b)(f).

St-1-1

If there is federal jurisdiction of this project due to funding or regulatory provisions; then the following may apply: the National Environmental Policy Act (NEPA 42 U.S.C 4321-43351) and Section 106 of the National Historic Preservation Act (16 U.S.C 470 *et seq.*) and 36 CFR Part 800.14(b) require consultation with culturally affiliated Native American tribes to determine if the proposed project may have an adverse impact on cultural resources

St-1-2

We suggest that this (additional archaeological activity) be coordinated with the NAHC, if possible. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. Any information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure pursuant to California Government Code Section 6254.10.

St-1-3

A list of appropriate Native American Contacts for consultation concerning the project site has been provided and is attached to this letter to determine if the proposed active might impinge on any cultural resources.

St-1-4

California Government Code Section 65040.12(e) defines "environmental justice" to provide "fair treatment of People...with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations and policies." (The California Code is consistent with the Federal Executive Order 12898 regarding 'environmental justice.' Also, applicable to state agencies is Executive Order B-10-11 requires consultation with Native American tribes their elected officials and other representatives of tribal governments to provide meaningful input into the development of legislation, regulations, rules, and policies on matters that may affect tribal communities.

St-1-5

Lead agencies should consider first, avoidance for sacred and/or historical sites, pursuant to CEQA Guidelines 15370(a). Then if the project goes ahead then, lead agencies include in their mitigation and monitoring plan provisions for the analysis and disposition of recovered artifacts, pursuant to California Public Resources Code Section 21083.2 in consultation with culturally affiliated Native Americans.

St-1-6

Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

St-1-7

Sincerely,

Dave Singleton
Program Analyst

CC: State Clearinghouse

Attachment: Native American Contacts list

Native American Contacts
Riverside County California
March 4, 2014

Refer to comment St-1-4

Pala Band of Mission Indians
Historic Preservation Office/Shasta Gaughen
35008 Pala Temecula Road, PMB Luiseno
Pala , CA 92059 Cupeno
PMB 50
(760) 891-3515
sgaughen@palatribe.com
(760) 742-3189 Fax

Morongo Band of Mission Indians
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Banning , CA 92220 Serrano
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wmadrigal@morongo-nsn.
gov
(951) 572-6004 Fax

Pechanga Band of Mission Indians
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Temecula , CA 92593
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pmacarro@pechanga-nsn.
gov
(951) 506-9491 Fax

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Ramona Band of Cahuilla Mission Indians
Joseph Hamilton, Chairman
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(951) 763-4325 Fax

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bomazzetti@aol.com
(760) 749-1051
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Santa Rosa Band of Mission Indians
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Anza , CA 92539
(951) 659-2700
(951) 659-2228 Fax

Pechanga Band of Mission Indians
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hlaibach@pechanga-nsn.
gov
(951) 695-1778 FAX

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting locative Americans with regard to cultural resources for the proposed SCH#2004111103; cEQA Notice of Completion; Re-circulated Draft Environmental Impact REport (RDEIR) for the Mid County Parkway Project; located in the cities of Perris and San Jacinto; Riverside County, California.

**Native American Contacts
Riverside County California
March 4, 2014**

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(951) 654-4198-FAX

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760-763-2631 - Tribal EPA

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Temecula , CA 92593
ahoover@pechanga-nsn.gov
951-770-8104
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This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting locative Americans with regard to cultural resources for the proposed SCH#2004111103; cEQA Notice of Completion; Re-circulated Draft Environmental Impact REport (RDEIR) for the Mid County Parkway Project; located in the cities of Perris and San Jacinto; Riverside County, California.

St-1-1

Please note that the "Recirculated Sections of Chapter 4.0 (III, Air Quality; VII, Greenhouse Gases; 4.5, Climate Change; and Table 4.10)" specifically addressed air quality issues under the California Environmental Quality Act (CEQA). The potential effects of the MCP Build Alternatives on cultural resources were evaluated in detail in the following sections of the Environmental Impact Report (EIR)/Environmental Impact Statement (EIS):

- Section 3.8, Cultural Resources, Draft EIR/Draft EIS (2008; for an approximately 32 mile long MCP facility)
- Section 3.8, Cultural Resources, in the Recirculated Draft EIR/Supplemental Draft EIS (2013; for an approximately 16-mile long MCP project which is the length of the currently proposed Build Alternatives for the MCP project)
- Section 3.8, Cultural Resources, in this Final EIR/EIS (for the approximately 16-mile long MCP project)

The analyses in those documents are based on extensive cultural resources studies conducted under the requirements of the National Environmental Policy Act (NEPA) and CEQA as described in Section 3.8 in this Final EIR/EIS.

In addition, a Memorandum of Agreement (MOA) was developed in consultation with Native American tribes and groups to specifically address the treatment of adverse effects to five archaeological sites within the project disturbance limits. The MOA is provided in Appendix U of this Final EIR/EIS.

As a result, the cultural resources comments in this comment letter are addressed largely in Section 3.8 in this Final EIR/EIS, as explained in the following responses.

Please refer to Measures CUL-4 and 5 starting on page 3.8-27 in this Final EIR/EIS specifically address the discovery of previously unknown cultural resources during project construction.

In addition, the MOA provided in Appendix U of this Final EIR/EIS stipulates the responsibilities of the FHWA, State Historic Preservation Officer, Caltrans (as assigned by FHWA), and RCTC on measures that will be taken to avoid, minimize, or mitigate the effects of the MCP project on historic properties. The MOA includes a Discovery and Monitoring Plan including an Environmentally Sensitive Area Action Plan. The MOA documents the requirements for monitoring to be carried out by a monitor meeting the Secretary of the Interior's *Professionally Qualified Standards*

(48 Federal Register 44738-44739, September 29, 1983) (MOA Stipulation II.A). In addition, the MOA requires the presence of a Native American monitor during construction in native soils (MOA Stipulation V.C). Periodic archeological reports and appropriate documentation and curation of archeological collections will also be conducted (MOA Stipulations V.C and V.E, respectively) that meet the requirements of California Public Resources Code Section 21083.2.

St-1-2

The MCP project is subject to the requirements of both NEPA and CEQA. In addition, as described in Section 3.8 and Appendix U in the Final EIR/EIS, the MCP project is subject to the requirements of Section 106 and 36 CFR Part 800.14(b). The Final EIR/EIS documents the compliance of the MCP with these requirements.

Consultation has been conducted with all the currently identified Tribes during the course of the environmental studies for the MCP project.

St-1-3

Per Stipulation V.D in the MOA, the NAHC will be notified immediately regarding the management and disposition of Native American burials, human remains, cremations, and associated grave goods. A copy of the final cultural resources report for the MCP was submitted to the SHPO, and, per standard procedure, is also on file at the Eastern Information Center (EIC), of the California Historical Resources Information System (CHRIS) located at the University of California, Riverside. As stated in Stipulation VII.A in the MOA, all cultural resources covered by the MOA are subject to Section 6254.10 of the California Government Code to ensure that all sensitive information regarding the nature and location of cultural resources are to be protected to the fullest extent available under the law.

St-1-4

As noted in the response to comment S1-1-2, above, consultation has been conducted with all the currently identified Tribes during the course of the environmental studies for the MCP project. Specifically, consultation with Native American tribes and groups was conducted during the preparation of the Draft EIR/EIS and the Recirculated Draft EIR/Supplemental Draft EIS as well as during the development of the MOA. Please refer to Chapter 5, Comments and Coordination, in the Final EIR/EIS which summarizes consultation conducted for the MCP project with the NAHC through the Notice of Preparation process as well as direct consultation with Native American tribes and groups. The consultation conducted with Native

American Tribes regarding the MCP project since 2004 is documented in both the *Historic Property Survey Report* and the *Discovery and Monitoring Plan*, and is summarized in Chapter 5, Comments and Coordination, in this Final EIR/EIS.

St-1-5

Please refer to Chapter 5, Comments and Coordination, in the Final EIR/EIS which summarizes the consultation with Native American tribes and groups conducted for the MCP project.

St-1-6

The MOA was developed specifically because the MCP project would result in adverse effects to five prehistoric archeological sites that cannot be avoided. As a result, avoidance of those sites is not discussed in the Final EIR/EIS. The Discovery and Monitoring Plan, provided as Attachment D of the MOA, requires consultation with Native American Tribes should discovery of previously unknown cultural material occur during project construction. Please refer to the MOA provided in Appendix U of this Final EIR/EIS which discusses the handling of previously unknown cultural material discovered during project construction.

St-1-7

Please refer to the MOA provided in Appendix U of this Final EIR/EIS which discusses the handling of recovered Native American human remains and Measure CUL-5 on page 3.8-27 in this Final EIR/EIS which addresses the handling of human remains, including Native American human remains. The MCP project is subject to, and RCTC and Caltrans will comply with, all applicable provisions of law, including the applicable provisions of California Health and Safety Code Section 7050.5, California Public Resources Code Section 5097.98, and California Environmental Quality Act Guidelines Section 15064.5.

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V.4.2 California Department of Fish and Wildlife (St-2)

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State of California - Natural Resources Agency
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EDMUND G. BROWN, Jr., Governor
 CHARLTON H. BONHAM, Director



St-2

March 17, 2014

Mr. Alex Menor
 Riverside County Transportation Commission
 P.O. Box 12008
 Riverside, CA 92502

Subject: Recirculated Sections of Chapter 4.0 (III, Air Quality; VII, Greenhouse Gases; 4.5, Climate Change; and Table 4.10) of the Recirculated Draft Environmental Impact Report.
 Mid County Parkway Riverside County, California.
 State Clearinghouse No. 2004111103

Dear Mr. Menor:

The Department of Fish and Wildlife (Department) appreciates the opportunity to comment on the Recirculated Sections of Chapter 4.0 (III, Air Quality; VII, Greenhouse Gases; 4.5, Climate Change; and Table 4.10) of the Recirculated Draft Environmental Impact Report for the Mid County Parkway Project (Project) [State Clearinghouse No. 2004111103]. The Department is responding as a Trustee Agency for fish and wildlife resources (California Fish and Game Code Sections 711.7 and 1802, and the California Environmental Quality Act [CEQA] Guidelines Section 15386), and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines Section 15381), such as the issuance of a Lake or Streambed Alteration Agreement (California Fish and Game Code Sections 1600 *et seq.*) and/or a California Endangered Species Act (CESA) Permit for Incidental Take of Endangered, Threatened, and/or Candidate species (California Fish and Game Code Sections 2080 and 2080.1).

St-2-1

Project Description

The Riverside County Transportation Commission (RCTC) in cooperation with the Federal Highway Administration and the California Department of Transportation proposes to construct a six-lane access control freeway connecting the Interstate 15 to the future State Route 79. This new freeway will generally follow the existing Ramona Expressway alignment. RCTC recirculated Section 4.4, III, Air Quality; Section 34/4, VII Greenhouse Gas Emissions; Section 4.5, Climate Change; and Table 4.10, Summary of Effects by Alternative (part) because only those sections of the Recirculated Draft EIR have been revised and replace.

Department Recommendations

The Department is writing in response to Section 4.5.1.7 "Adaptation Strategies" for the Revised Section 4.5, Climate Change. In the recirculated documents adaptive strategies were not identified because only the effects of sea level rise were considered, which were not found to be significant. For inland areas, climate change models predict more frequent and intense heat waves, increased fire frequency, more intense winds, and increased rainfall variability with the potential for more intense rainfall events. The 2011 Federal Transit Administration (FTA) research report, Flooded Bus Barns and Buckled Rails: Public Transportation and Climate Change Adaptation¹, recommends that transportation projects consider these factors in road design and incorporate measures to help adapt to a changing climate. Adaptive strategies that should have been considered for the Mid County Parkway include planning for more intense hydrologic events, temperature extremes, increased winds, and more frequent wildfires. There is general acknowledgement that models based on current hydrologic patterns are unreliable given the predicted changes to climate and therefore do not adequately predict future conditions. Strategies to estimate future hydrologic conditions, especially extreme events, include looking at the 200- or 500-year floodplain, expert elicitation (a consensus-based process that relies on expert opinion), and/or risk assessment (FTA 2011). The FHWA (2013)² report recommends that projects should give careful consideration to project design elements such as culvert size and placement of structures by adapting hydrologic models to reflect future conditions rather than relying on past conditions. In addition, the FTA research reports suggests using sensors in vulnerable structures to detect increasing flood waters or extreme temperatures.

Given the uncertainty of future conditions, the project proponent should consider larger culverts, adaptive strategies to prevent wildfires related to the Project, careful design of bridges with sufficient capacity to prevent catastrophic failures during floods, and where appropriate removal of facilities that are vulnerable to increased flows.

St-2-2

¹ Flooded Bus Barns and Buckled Rails: Public Transportation and Climate Change adaptations. Federal Transportation Administration. August 2011. FTA Report No. 0001. http://www.fta.dot.gov/documents/FTA_0001_-_Flooded_Bus_Barns_and_Buckled_Rails.pdf

² Assessment of the Body of Knowledge on Incorporating Climate Change Adaptation Measures into Transportation Projects. US Department of Transportation, Federal Highway Administration. December 2011. FHWA-HEP-14-016. http://www.fhwa.dot.gov/environment/climate_change/adaptation/resources_and_publications/transportation_projects/transportationprojects.pdf

Recirculated Sections of the DEIR
Mid County Parkway Project
SCH No. 2004111103

Page 3 of 3

In summary, the Department requests that the Final Environmental Impact Report include a more careful and thorough evaluation of climate change adaptive strategies using the most current state of knowledge to ensure protection of streams, associated floodplains, and adjacent wildlands. If you should have any questions pertaining to these comments, please contact Heather Pert at 858-395-9692.

↑
St-2-2

Sincerely,



Heather Pert
Senior Environmental Scientist

cc: State Clearinghouse, Sacramento

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St-2-1

This paragraph describes CDFW's roles as a Trustee Agency and a Responsible Agency for the MCP project. No response is necessary.

St-2-2

This comment requests that Section 4.5.1.7 "Adaption Strategies" of Revised Section 4.5, Climate Change, include further evaluation of climate change adaptive strategies appropriate for inland areas. The comment raises concerns about designing the MCP project to address more severe hydrologic events (especially extreme events in the 200- and 500-year floodplains), temperature extremes, increased winds, and more frequent wildfires. The comment cites a 2013 FHWA report (http://www.fhwa.dot.gov/environment/climate_change/adaptation/publications_and_tools/) on potential adaptation measures applicable to transportation projects.

As indicated in the 2013 FHWA report, the development of climate change adaptation strategies for transportation projects (including highway projects) is evolving and the report provides an overview of the "state of the practice" in the United States and throughout the world. Of particular relevance to the MCP project because it is being designed to meet State Highway standards is the Caltrans' report entitled "Caltrans Activities to Address Climate Change – Reducing Greenhouse Gas Emissions and Adapting to Impacts" (http://www.dot.ca.gov/hq/tpp/offices/orip/climate_change/documents/Caltrans_ClimateChangeRprt-Final_April_2013.pdf). Section 8.2.3, Caltrans Adaptation Activities – Project Delivery, of this report states that:

“...the design of transportation assets is driven in part by local climate conditions. Caltrans will design and construct based on presently known or expected hydrologic, temperature, and other climate conditions. Caltrans views its responsibilities as designing and constructing based on the best information available. Any efforts by other state and national agencies to account for climate change will ripple through to Caltrans' design and construction activities.”

Table 12, Potential Climate Change Impacts on California Surface Transportation Infrastructure and Associated Adaptation Strategies, of this report provides a list of strategies to address increase in intense precipitation events as well as increase in temperature and extreme heat events. These strategies include increased capacity and

maintenance at pump plant facilities (ensuring that drainage systems are adequate to accommodate flood conditions), increased monitoring of infrastructure during extreme heat events (to ensure public safety), improved monitoring of bridge joints (to ensure public safety), increased ongoing bridge maintenance (to ensure public safety and to protect against high wind events), increased vegetation management (to ensure protection of streams, associated floodplains, and adjacent wildlands), use of heat-resistant infrastructure and incorporate mudslide mitigation measures for projects in vulnerable (e.g., burnt out) areas (for increased wildfires), and increased monitoring of slope stability in vulnerable areas (to ensure protection of streams, associated floodplains, and adjacent wildlands). Because the MCP project will be designed, constructed, and operated in accordance with the most current Caltrans highway design and maintenance standards in effect at the time of design, construction, and operation, these types of climate change adaptive strategies will be incorporated into the MCP project during final design and operation of the project.

The above information has been added to Section 4.5.1.7 "Adaptation Strategies" of Section 4.5, Climate Change in this Final EIR/EIS.

V.4.3 State Clearinghouse (St-3)

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Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

March 18, 2014

St-3

Alex Menor
Riverside County Transportation Commission
4080 Lemon Street, 3rd Floor
Riverside, CA 92051

Subject: Mid County Parkway Project
SCH#: 2004111103

Dear Alex Menor:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on March 17, 2014, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

St-3-1

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures

cc: Resources Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
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----- Document Details Report -----
State Clearinghouse Data Base

SCH# 2004111103
Project Title Mid County Parkway Project
Lead Agency Riverside County Transportation Commission

Type EIR Draft EIR
Description Note: Recirculated

RCTC, as the lead agency, has prepared additional quantitative analysis of the potential construction-related air emissions of the MCP project Build Alternatives and analysis supporting a determination of significance of project-related greenhouse gas emissions under CEQA. Those additional analyses are discussed in the following recirculated sections from Chapter 4.0, CEQA Evaluation in the Recirculated Draft EIR/Supplemental Draft EIS. Section 4.4, III, Air Quality, and VII, Greenhouse Gas Emissions; Section 4.5, Climate Change; and Table 4.10, Summary of Effects.

Lead Agency Contact

Name Alex Menor
Agency Riverside County Transportation Commission
Phone 951 787-7141 **Fax**
email
Address 4080 Lemon Street, 3rd Floor
City Riverside **State** CA **Zip** 92051

Project Location

County Riverside
City Perris, Corona, San Jacinto
Region
Lat / Long
Cross Streets Many
Parcel No. Many
Township **Range** **Section** **Base**

Proximity to:

Highways I-215 and SR-79
Airports March Air
Railways BNSF
Waterways Many
Schools Many
Land Use Many Various

Project Issues Flood Plain/Flooding; Toxic/Hazardous; Noise; Recreation/Parks; Aesthetic/Visual; Water Supply; Soil Erosion/Compaction/Grading; Geologic/Seismic; Traffic/Circulation; Agricultural Land; Air Quality; Biological Resources; Drainage/Absorption; Economics/Jobs; Forest Land/Fire Hazard; Minerals; Population/Housing Balance; Public Services; Schools/Universities; Solid Waste; Vegetation; Water Quality; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Boating and Waterways; Department of Fish and Wildlife, Region 6; Cal Fire; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 8; Air Resources Board; Air Resources Board, Transportation Projects; Regional Water Quality Control Board, Region 8; Department of Toxic Substances Control; Native American Heritage Commission; Public Utilities Commission

Date Received 01/31/2014 **Start of Review** 01/31/2014 **End of Review** 03/17/2014

MEOR
03/17/14
E

STATE OF CALIFORNIA

Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Boulevard, Suite 100
West Sacramento, CA 95691
(916) 373-3715
Fax (916) 373-5471
Web Site www.nahc.ca.gov
Ds_nahc@pacbell.net
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RECEIVED

MAR 06 2014



March 4, 2014

STATE CLEARING HOUSE

Mr. Alex Menor, Transportation Planner

Riverside County Transportation Commission

4080 Lemon Street, Third Floor
Riverside, CA 92501

Sent by U.S. Mail

No. of Pages: 4

RE: SCH#2004111103 CEQA Notice of Completion; Re-circulated Draft Environmental Impact Report (RDEIR) for the **"Mid-County Parkway Project;"** located in the cities of Perris and San Jacinto; Riverside County, California

Dear Mr. Menor

The Native American Heritage Commission (NAHC) has reviewed the above-referenced environmental document.

The California Environmental Quality Act (CEQA) states that any project which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA guidelines 15064.5(b)). To adequately comply with this provision and mitigate project-related impacts on archaeological resources, the Commission recommends the following actions be required:

Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, pursuant to California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities. Also, California Public Resources Code Section 21083.2 require documentation and analysis of archaeological items that meet the standard in Section 15064.5 (a)(b)(f).

If there is federal jurisdiction of this project due to funding or regulatory provisions; then the following may apply: the National Environmental Policy Act (NEPA 42 U.S.C 4321-43351) and Section 106 of the National Historic Preservation Act (16 U.S.C 470 *et seq.*) and 36 CFR Part 800.14(b) require consultation with culturally affiliated Native American tribes to determine if the proposed project may have an adverse impact on cultural resources

We suggest that this (additional archaeological activity) be coordinated with the NAHC, if possible. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. Any information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure pursuant to California Government Code Section 6254.10.

A list of appropriate Native American Contacts for consultation concerning the project site has been provided and is attached to this letter to determine if the proposed active might impinge on any cultural resources.

California Government Code Section 65040.12(e) defines "environmental justice" to provide "fair treatment of People...with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations and policies." (The California Code is consistent with the Federal Executive Order 12898 regarding 'environmental justice.' Also, applicable to state agencies is Executive Order B-10-11 requires consultation with Native American tribes their elected officials and other representatives of tribal governments to provide meaningful input into the development of legislation, regulations, rules, and policies on matters that may affect tribal communities.

Lead agencies should consider first, avoidance for sacred and/or historical sites, pursuant to CEQA Guidelines 15370(a). Then if the project goes ahead then, lead agencies include in their mitigation and monitoring plan provisions for the analysis and disposition of recovered artifacts, pursuant to California Public Resources Code Section 21083.2 in consultation with culturally affiliated Native Americans.

Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,


Dave Singleton
Program Analyst

CC: State Clearinghouse

Attachment: Native American Contacts list