

Appendix A – Title VI Policy Statement

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DEPARTMENT OF TRANSPORTATION

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*Making Conservation
a California Way of Life.*

April 2018

**NON-DISCRIMINATION
POLICY STATEMENT**

The California Department of Transportation, under Title VI of the Civil Rights Act of 1964, ensures *"No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."*

Related federal statutes and state law further those protections to include sex, disability, religion, sexual orientation, and age.

For information or guidance on how to file a complaint, please visit the following web page:
http://www.dot.ca.gov/hq/bep/title_vi/t6_violated.htm.

To obtain this information in an alternate format such as Braille or in a language other than English, please contact the California Department of Transportation, Office of Business and Economic Opportunity, 1823 14th Street, MS-79, Sacramento, CA 95811. Telephone (916) 324-8379, TTY 711, email Title.VI@dot.ca.gov, or visit the website www.dot.ca.gov.

A handwritten signature in blue ink, appearing to read "Laurie Berman".

LAURIE BERMAN
Director

CALTRANS DIVISION OF LOCAL ASSISTANCE

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TITLE VI: NONDISCRIMINATION PROGRAM

OVERVIEW

The California Department of Transportation (Caltrans) Division of Local Assistance (DLA) is responsible for funding local agency projects and programs that utilize federal funds. The DLA Title VI of the Civil Rights Act of 1964 (Title VI) Program compliance and oversight function resides in the Office of Guidance and Oversight (GO). Caltrans conducts program reviews of subrecipients of federal financial assistance to ensure compliance with Title VI requirements pursuant to 23 CFR 200.9(b)(7). Corrective action may be required, where applicable.

Title VI of the Civil Rights Act of 1964 prohibits discrimination based upon race, color, and national origin. Specifically, 42 USC 2000d states, "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

In addition to Title VI of the Civil Rights Act of 1964, other nondiscrimination statutes afford legal protection under the Federal Highway Administration's (FHWA) Title VI Program. These statutes include the following:

[Section 162\(a\) of the Federal-Aid Highway Act of 1973 \(23 USC 324\).\(sex\)](#)
[Age Discrimination Act of 1975 \(age\)](#)
[Section 504 of the Rehabilitation Act of 1973 \(disability\)](#)
[Americans with Disabilities Act of 1990 \(disability\)](#)

Two Presidential Executive Orders place further emphasis on the Title VI protections of race and national origin and are included in the scope of the FHWA's Title VI Program:

[Executive Order 12898](#), "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," directs federal agencies to develop strategies to address disproportionately high and adverse human health or environmental effects of their programs on minority and low-income populations. The order is also intended to promote nondiscrimination in federal programs substantially affecting human health and the environment, and to provide minority and low-income communities' access to public information and an opportunity for public participation in matters relating to human health or the environment.

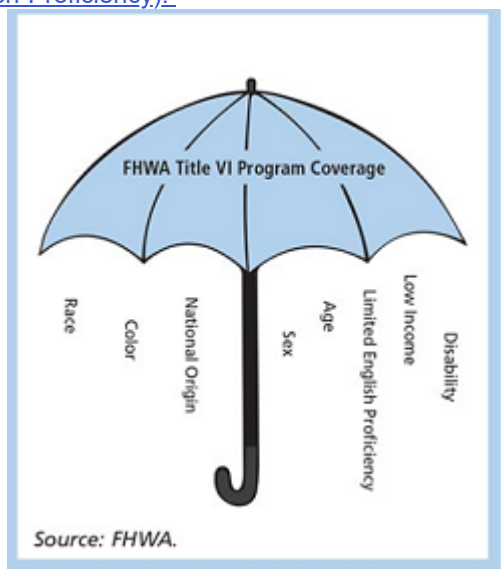
[Executive Order 13166](#), "Improving Access To Services For Persons With Limited English Proficiency," directs federal agencies to evaluate services provided and implement a system that ensures that Limited English Proficiency (LEP) persons are able to meaningfully access the services provided, consistent with, and without unduly burdening, the fundamental mission of the local agency. Additionally, each federal agency shall ensure that recipients of federal financial assistance provide meaningful access to programs, services, and information to their LEP applicants and beneficiaries free of charge.

Taken together, these requirements define an over-arching Title VI nondiscrimination program. Title VI and the additional nondiscrimination requirements are applicable to all programs and activities administered by a recipient, in addition to programs receiving federal financial assistance, due to the Civil Rights

Restoration Act of 1987. Nondiscrimination provisions apply to all programs and activities of federal-aid recipients, sub-recipients, and contractors, regardless of tier (49 CFR 21).

AUTHORITIES

- [Title VI of the Civil Rights Act of 1964 \(42 USC 2000d et seq\);](#)
- [Section 162 \(a\) of the Federal-Aid Highway Act of 1973 \(23 USC 324\)\(sex\);](#)
- [Age Discrimination Act of 1975;](#)
- [Section 504 of the Rehabilitation Act of 1973;](#)
- [Americans With Disabilities Act of 1990;](#)
- [Civil Rights Restoration Act of 1987;](#)
- [49 CFR Part 21;](#)
- [23 CFR Part 200;](#)
- [Executive Order #12898 \(Environmental Justice\);](#)
- [Executive Order #13166 \(Limited-English-Proficiency\);](#)



Please feel free to send comments regarding this web site to the [DLA Webmaster](#).

Page last Updated: November 9, 2018

Accessibility

To report any difficulty experienced in accessing Caltrans programs, services or activities or any discriminations covered under the Americans with Disabilities Act, Section 504 of Rehabilitation Act or the Fair Employment and Housing Act, please contact us at (866)810-6346 Voice; 711 TTY; (916)653-3055 Fax.

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Appendix B – Summary of Relocation Benefits

B.1 California Department of Transportation Relocation Assistance Program

B.1.1 Declaration of Policy

“The purpose of this title is to establish a **uniform policy for fair and equitable treatment** of persons displaced as a result of federal and federally assisted programs in order that such persons **shall not suffer disproportionate injuries** as a result of programs designed for the benefit of the public as a whole.”

The Fifth Amendment to the U.S. Constitution states, “No Person shall...be deprived of life, liberty, or property, without due process of law, nor shall private property be taken for public use without just compensation.” The Uniform Act sets forth in statute the due process that must be followed in Real Property acquisitions involving federal funds. Supplementing the Uniform Act is the government-wide single rule for all agencies to follow, set forth in 49 Code of Federal Regulations (CFR) Part 24. Displaced individuals, families, businesses, farms, and nonprofit organizations may be eligible for relocation advisory services and payments, as discussed below.

B.1.2 Fair Housing

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act, and as amended, makes discriminatory practices in the purchase and rental of most residential units illegal. Whenever possible, minority persons shall be given reasonable opportunities to relocate to any available housing regardless of neighborhood, as long as the replacement dwellings are decent, safe, and sanitary and are within their financial means. This policy, however, does not require the Department to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

Any persons to be displaced will be assigned to a relocation advisor, who will work closely with each displacee in order to see that all payments and benefits are fully utilized and that all regulations are observed, thereby avoiding the possibility of displacees jeopardizing or forfeiting any of their benefits or payments. At the time of the initiation of negotiations (usually the first written offer to purchase), owner-occupants are given a detailed explanation of the state’s relocation services. Tenant occupants of properties to be acquired are contacted soon after the initiation of negotiations and also are given a detailed explanation of the Caltrans Relocation Assistance Program. To avoid loss of possible benefits, no individual, family, business, farm, or nonprofit organization should commit to purchase or rent a replacement property without first contacting a Department relocation advisor.

B.1.3 Relocation Assistance Advisory Services

In accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, the Department will provide relocation advisory assistance to any person, business, farm, or nonprofit organization displaced as a

result of the acquisition of real property for public use, so long as they are legally present in the United States. The Department will assist eligible displacees in obtaining comparable replacement housing by providing current and continuing information on the availability and prices of both houses for sale and rental units that are “decent, safe, and sanitary.” Nonresidential displacees will receive information on comparable properties for lease or purchase (for business, farm, and nonprofit organization relocation services, see below).

Residential replacement dwellings will be in a location generally not less desirable than the displacement neighborhood at prices or rents within the financial ability of the individuals and families displaced, and reasonably accessible to their places of employment. Before any displacement occurs, comparable replacement dwellings will be offered to displacees that are open to all persons regardless of race, color, religion, sex, national origin, and consistent with the requirements of Title VIII of the Civil Rights Act of 1968. This assistance will also include the supplying of information concerning federal and state assisted housing programs and any other known services being offered by public and private agencies in the area.

Persons who are eligible for relocation payments and who are legally occupying the property required for the project will not be asked to move without first being given at least 90 days written notice. Residential occupants eligible for relocation payment(s) will not be required to move unless at least one comparable “decent, safe, and sanitary” replacement dwelling, available on the market, is offered to them by the Department.

B.1.4 Residential Relocation Payments

The Relocation Assistance Program will help eligible residential occupants by paying certain costs and expenses. These costs are limited to those necessary for or incidental to the purchase or rental of a replacement dwelling and actual reasonable moving expenses to a new location within 50 miles of the displacement property. Any actual moving costs in excess of the 50 miles are the responsibility of the displacee. The Residential Relocation Assistance Program can be summarized as follows:

B.1.4.1 Moving Costs

Any displaced person, who lawfully occupied the acquired property, regardless of the length of occupancy in the property acquired, will be eligible for reimbursement of moving costs. Displacees will receive either the actual reasonable costs involved in moving themselves and personal property up to a maximum of 50 miles, or a fixed payment based on a fixed moving cost schedule. Lawful occupants who move into the displacement property after the initiation of negotiations must wait until the Department obtains control of the property in order to be eligible for relocation payments.

B.1.4.2 Purchase Differential

In addition to moving and related expense payments, fully eligible homeowners may be entitled to payments for increased costs of replacement housing.

Homeowners who have owned and occupied their property for 90 days or more prior to the date of the initiation of negotiations (usually the first written offer to purchase

the property), may qualify to receive a price differential payment and may qualify to receive reimbursement for certain nonrecurring costs incidental to the purchase of the replacement property. An interest differential payment is also available if the interest rate for the loan on the replacement dwelling is higher than the loan rate on the displacement dwelling, subject to certain limitations on reimbursement based upon the replacement property interest rate.

B.1.4.3 Rent Differential

Tenants and certain owner-occupants (based on length of ownership) who have occupied the property to be acquired by the Department prior to the date of the initiation of negotiations may qualify to receive a rent differential payment. This payment is made when the Department determines that the cost to rent a comparable “decent, safe, and sanitary” replacement dwelling will be more than the present rent of the displacement dwelling. As an alternative, the tenant may qualify for a down payment benefit designed to assist in the purchase of a replacement property and the payment of certain costs incidental to the purchase, subject to certain limitations noted under the Down Payment section below.

To receive any relocation benefits, the displaced person must buy or rent and occupy a “decent, safe and sanitary” replacement dwelling within one year from the date the Department takes legal possession of the property, or from the date the displacee vacates the displacement property, whichever is later.

B.1.4.4 Down Payment

The down payment option has been designed to aid owner-occupants of less than 90 days and tenants in legal occupancy prior to the Department’s initiation of negotiations. The one-year eligibility period in which to purchase and occupy a “decent, safe and sanitary” replacement dwelling will apply.

B.1.4.5 Last Resort Housing

Federal regulations (49 CFR 24) contain the policy and procedure for implementing the Last Resort Housing Program on Federal-aid projects. Last Resort Housing benefits are, except for the amounts of payments and the methods in making them, the same as those benefits for standard residential relocation as explained above. Last Resort Housing has been designed primarily to cover situations where a displacee cannot be relocated because of lack of available comparable replacement housing, or when the anticipated replacement housing payments exceed the limits of the standard relocation procedure, because either the displacee lacks the financial ability or other valid circumstances.

After the initiation of negotiations, the Department will within a reasonable length of time, personally contact the displacees to gather important information, including the following:

- Number of people to be displaced.
- Specific arrangements needed to accommodate any family member(s) with special needs.

- Financial ability to relocate into comparable replacement dwelling which will adequately house all members of the family.
- Preferences in area of relocation.
- Location of employment or school.

B.1.5 Nonresidential Relocation Assistance

The Nonresidential Relocation Assistance Program provides assistance to businesses, farms and nonprofit organizations in locating suitable replacement property, and reimbursement for certain costs involved in relocation. The Relocation Advisory Assistance Program will provide current lists of properties offered for sale or rent, suitable for a particular business's specific relocation needs. The types of payments available to eligible businesses, farms, and nonprofit organizations are: searching and moving expenses, and possibly reestablishment expenses; or a fixed in lieu payment instead of any moving, searching and reestablishment expenses. The payment types can be summarized as follows:

B.1.5.1 Moving Expenses

Moving expenses may include the following actual, reasonable costs:

- The moving of inventory, machinery, equipment and similar business-related property, including: dismantling, disconnecting, crating, packing, loading, insuring, transporting, unloading, unpacking, and reconnecting of personal property. Items acquired in the right-of-way contract may not be moved under the Relocation Assistance Program. If the displacee buys an Item Pertaining to the Realty back at salvage value, the cost to move that item is borne by the displacee.
- Loss of tangible personal property provides payment for actual, direct loss of personal property that the owner is permitted not to move.
- Expenses related to searching for a new business site, up to \$2,500, for reasonable expenses actually incurred.

B.1.5.2 Reestablishment Expenses

Reestablishment expenses related to the operation of the business at the new location, up to \$25,000 for reasonable expenses actually incurred.

B.1.5.3 Fixed In Lieu Payment

A fixed payment in lieu of moving, searching, and reestablishment payments may be available to businesses that meet certain eligibility requirements. This payment is an amount equal to half the average annual net earnings for the last two taxable years prior to the relocation and may not be less than \$1,000 nor more than \$40,000.

B.1.6 Additional Information

Reimbursement for moving costs and replacement housing payments are not considered income for the purpose of the Internal Revenue Code of 1954, or for the purpose of determining the extent of eligibility of a displacee for assistance under the Social Security Act, or any other law, except for any federal law providing local “Section 8” Housing Programs.

Any person, business, farm or nonprofit organization that has been refused a relocation payment by the Department relocation advisor or believes that the payment(s) offered by the agency are inadequate may appeal for a special hearing of the complaint. No legal assistance is required. Information about the appeal procedure is available from the relocation advisor.

California law allows for the payment for lost goodwill that arises from the displacement for a public project. A list of ineligible expenses can be obtained from the Department’s Division of Right of Way and Land Surveys. California’s law and the federal regulations covering relocation assistance provide that no payment shall be duplicated by other payments being made by the displacing agency.

For more information, refer to the Division’s Right of Way’s Relocation Assistance program at:

<http://www.dot.ca.gov/hq/row/rap/index.htm>

Attachment A: Your Rights and Benefits as a Displacee Under the Uniform Relocation Assistance Program (Residential) 2014 (English and Spanish)

Attachment B: Your Rights and Benefits as a Displaced Business, Farm, or Nonprofit Organization Under the California Department of Transportation Relocation Assistance Program 2014 (English and Spanish)

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ATTACHMENT A:

**YOUR RIGHTS AND BENEFITS AS A DISPLACED
UNDER THE UNIFORM RELOCATION ASSISTANCE
PROGRAM (RESIDENTIAL) 2007**

(English and Spanish)

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Your Rights and Benefits
as a Displacee Under the
Uniform Relocation
Assistance Program
(Residential)



California Department of
Transportation

Introduction

In building a modern transportation system, the displacement of a small percentage of the population is often necessary. However, it is the policy of Caltrans that displaced persons shall not suffer unnecessarily as a result of programs designed to benefit the public as a whole.

Displaced individuals, families, businesses, farms, and nonprofit organizations may be eligible for relocation advisory services and payments.

This brochure provides information about available relocation services and payments. If you are required to move as the result of a Caltrans transportation project, a Relocation Agent will contact you. The Relocation Agent will be able to answer your specific questions and provide additional information.

Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 As Amended "The Uniform Act"

The purpose of this Act is to provide for uniform and equitable treatment of persons displaced from their homes, businesses, or farms by federal and federally assisted programs and to establish uniform and equitable land acquisition policies for federal and federally assisted programs.

49 Code of Federal Regulations Part 24 implements the "Uniform Act" in accordance with the following relocation assistance objective:

To ensure that persons displaced as a direct result of federal or federally-assisted projects are treated fairly, consistently and equitably so that such persons will not suffer disproportionate injuries as a result of projects designed for the benefit of the public as a whole.

While every effort has been made to assure the accuracy of this booklet, it should be understood that it does not have the force and effect of law, rule, or regulation governing the payment of benefits. Should any difference or error occur, the law will take precedence.

Some Important Definitions...

Your relocation benefits can be better understood if you become familiar with the following terms:

Comparable Replacement: means a dwelling which is:

- (1) Decent, safe, and sanitary. (See definition below)
- (2) Functionally equivalent to the displaced dwelling.
- (3) Adequate in size to accommodate the family being relocated.
- (4) In an area not subject to unreasonable adverse environmental conditions.
- (5) In a location generally not less desirable than the location of your displacement dwelling with respect to public utilities and commercial and public facilities, and reasonably accessible to the place of-employment.
- (6) On land that is typical in size for residential development with typical improvements.

Decent, Safe and Sanitary (DS&S): Replacement housing must be decent, safe, and sanitary - which

means it meets all of the minimum requirements established by federal regulations and conforms to applicable housing and occupancy codes. The dwelling shall:

- (1) Be structurally sound, weather tight, and in good repair.
- (2) Contain a safe electrical wiring system adequate for lighting and other devices.



- (3) Contain a heating system capable of sustaining a healthful temperature (of approximately 70 degrees) for a displaced person, except in those areas where local climatic conditions do not require such a system.
- (4) Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person. The Caltrans policy is that there will be no more than 2 persons per room unless

the room is of adequate size to accommodate the normal bedroom furnishings for the occupants.

- (5) Have a separate, well-lighted and ventilated bathroom that provides privacy to the user and contains a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and to a sewage drainage system.

Note: In the case of a housekeeping dwelling, there shall be a kitchen area that contains a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, and adequate space and utility service connections for a stove and refrigerator.

- (6) Contains unobstructed egress to safe, open space at ground level. If the replacement dwelling unit is on the second story or above, with access directly from or through a common corridor, the common corridor must have at least two means of egress.
- (7) *For a displaced person who is handicapped, be free of any barriers which would preclude reasonable ingress, egress, or use of the dwelling by such displaced person.*

Displaced Person or Displacee: Any person who moves from real property or moves personal property from real property as a result of the acquisition of the real property, in whole or in part, or as the result of a written notice from the agency to vacate the real property needed for a transportation project. In the case of a partial acquisition, Caltrans shall determine if a person is displaced as a direct result of the acquisition.

Relocation benefits will vary, depending upon the type and length of occupancy. As a residential displacee, you will be classified as either a:

- An owner occupant of a residential property (includes mobile homes)
- A tenant occupant of a residential property (includes mobile homes and sleeping rooms)

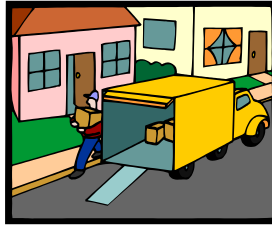
Dwelling: The place of permanent or customary and usual residence of a person, according to local custom or law, including a single family house; a single family unit in a two-family, multi-family, or multi-purpose property; a unit of a condominium or cooperative housing project; a non-housekeeping unit; a mobile home; or any other residential unit.

Owner: A person is considered to have met the requirement to own a dwelling if the person purchases or holds any of the following interests in real property:

- (1) Fee title, a life estate, a land contract, a 99-year lease, oral lease including any options for extension with at least 50 years to run from the date of acquisition; or
- (2) An interest in a cooperative housing project which includes the right to occupy a dwelling; or
- (3) A contract to purchase any interests or estates; or
- (4) Any other interests, including a partial interest, which in the judgment of the agency warrants consideration as ownership.

Tenant: A person who has the temporary use and occupancy of real property owned by another.

Moving Expenses



If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

Displaced individuals and families may choose to be paid on the basis of actual, reasonable moving costs and related expenses, or according to a fixed moving cost schedule. However, to ensure your eligibility and prompt payment of moving expenses, you should contact your Relocation Agent before you move.

You Can Choose Either:

Actual Reasonable Moving Costs - You may be paid for your actual reasonable moving costs and related expenses when a commercial mover performs the move. Reimbursement will be limited to a move of 50 miles or less. Related expenses may

include:

- Transportation
- Packing and unpacking personal property.
- Disconnecting and reconnecting household appliances.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.

OR

Fixed Moving Cost Schedule - You may be paid on the basis of a fixed moving cost schedule. Under this option, you will not be eligible for reimbursement of related expenses listed above. The fixed schedule is designed to cover such expenses.

Examples (Year 2014 Rate):

4 Rooms - \$ 1,295

7 Rooms - \$ 2,090

The Fixed Move Schedule for a furnished unit (e.g. you are a tenant of an apartment that is furnished by your landlord) is based on Schedule B.

Example (Year 2014 Rate):

1 Room - \$450

A dormitory style room under the 2014 Schedule B rate would receive \$125.

Under the Fixed Move Schedule, you will not receive any additional payments for temporary storage, lodging, transportation or utility hook-ups.

Replacement Housing Payments

The type of Replacement Housing Payment (RHP) depends on whether you are an owner or a tenant, and the length of occupancy in the property being acquired.

If you are a qualified **owner occupant** of more than 90 days prior to the initiation of negotiations for the acquisition of your property, you may be entitled to a RHP that consists of:

Price Differential, and

Mortgage Differential, and

Incidental Expenses;

OR

Rent Differential

If you are a qualified **tenant occupant** of at least 90 days, you may be entitled to a RHP as follows:

Rent Differential

OR

Down payment Option

Length of occupancy simply means counting the number of days that you actually occupied a dwelling before the date of initiation of negotiations by Caltrans for the purchase of the property. The term "initiation of negotiations" means the date Caltrans makes the first personal contact with the owner of real property, or his/ her representative, to give him/her a written offer for the property to be acquired.

Note: If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may or may not be eligible for a Replacement Housing Payment. Check with your Relocation Agent before you make any decision to vacate your property.

For Owner Occupants of 90 Days or More

If you qualify as a 90-day owner occupant, you may be eligible - in addition to the fair market value of your property - for a Replacement Housing Payment that consists of a Price Differential, Mortgage Differential and Incidental Expenses.

The **Price Differential** payment is the amount by which the cost of a replacement dwelling exceeds the acquisition cost of the displacement dwelling. This payment will assist you in purchasing a comparable decent, safe, and sanitary (DS&S) replacement dwelling. Caltrans will compute the maximum payment you may be eligible to receive.

In order to receive the full amount of the calculated price differential, you must spend at least the amount calculated by Caltrans on a replacement property

The **Mortgage Differential** payment will reimburse you for any increased mortgage interest costs you might incur because the interest rate on your new mortgage exceeds the interest rate on the property acquired by Caltrans. The payment computation is complex as it is based on prevailing rates, your existing loan and your new loan. Also, a part of this payment may be prorated such as reimbursement for a portion of your loan origination fees and mortgage points.

To be eligible to receive this payment, the acquired property must have been encumbered by a bona fide mortgage which was a valid lien for at least 180 days prior to the initiation of negotiations.

You may also be reimbursed for any actual and necessary **Incidental Expenses** that you incur in relation to the purchase of your replacement property. These expenses may be those costs for title search, recording fees, credit report, appraisal report, and certain other closing costs associated with the purchase of property. You will not be reimbursed for any recurring costs such as prepaid real estate taxes and property insurance.

EXAMPLES OF PRICE DIFFERENTIAL PAYMENT COMPUTATION:

Assume that Caltrans purchases your property for \$98,000. After a thorough study of available, decent, safe and sanitary dwellings on the open market, Caltrans determines that a comparable replacement property will cost you \$100,000. If your purchase price is \$100,000, you will receive \$2,000 (see *Example A*).

If your actual purchase price is more than \$100,000, you pay the difference (see *Example B*). If your purchase price is less than \$100,000, the differential payment will be based on actual costs (see *Example C*).

How much of a differential payment you receive depends on how much you actually spend on a replacement dwelling as shown in these examples:

Caltrans' Computation

Comparable Replacement Property	\$100,000
Acquisition Price of Your Property	<u>-\$ 98,000</u>
Maximum Price Differential	\$ 2,000

Example A

Purchase Price of Replacement	\$100,000
Comparable Replacement Property	\$100,000
Acquisition Price of Your Property	<u>-\$ 98,000</u>
Maximum Price Differential	\$ 2,000

Example B

Purchase Price of Replacement Property	\$105,000
Comparable Replacement Property	\$100,000
Acquisition Price of Your Property	<u>\$ 98,000</u>
Maximum Price Differential	\$ 2,000
You Must Pay the Additional \$5,000	

Example C

Comparable Replacement Property	\$100,000
Purchase Price of Replacement	\$ 99,000
Acquisition Price of Your Property	<u>\$ 98,000</u>
Price Differential	\$ 1,000

In Example C you will only receive \$1,000 - not the full amount of the Caltrans "Comparable Replacement Property" because the requirements to spend were not met.

IN ORDER FOR A "90 DAY OWNER OCCUPANT" TO RECEIVE THE FULL AMOUNT OF THEIR REPLACEMENT HOUSING PAYMENT (*Price Differential, Mortgage Differential and Incidental Expenses*), **you must:**

A) Purchase and occupy a DS&S replacement dwelling within one year after the later of:

- (1) The date you first receive a notification of an available replacement house, **OR**
- (2) The date that Caltrans has paid the acquisition cost of your current dwelling (usually the closing of escrow on State's acquisition),

AND

B) Spend at least the amount of the Caltrans "Comparable Replacement Property" for a replacement property,

AND

C) File a claim for relocation payments within 18 months of the later:

(1) The date you vacate the property acquired by Caltrans, **OR**

(2) The date that Caltrans has paid the acquisition cost of your current dwelling (usually the close of escrow on State's acquisition)

You will not be eligible to receive any relocation payments until the State has actually made the first written offer to purchase the property. Also, you will also receive at least 90 days' written notice before you must move.

For Tenants of 90 Days or More

If you qualify as a 90-day occupant, you may be eligible for a Replacement Housing Payment in the form of a Rent Differential.

The **Rent Differential** payment is designed to assist you in renting a comparable decent, safe and sanitary replacement dwelling. The payment is based on the difference between the base monthly Rent for the property acquired by Caltrans (including average monthly cost for utilities) and the lesser of:

- a) The monthly rent and estimated average monthly cost of utilities for a comparable replacement dwelling as determined by Caltrans, **OR**
- b) The monthly rent and estimated average monthly cost of utilities for the decent, safe and sanitary dwelling that you actually rent as a replacement dwelling.

Utility costs are those expenses you incur for heat, lights, water and sewer - regardless of the source (e.g. electricity, propane, and septic system). It does not include garbage, cable, telephone, or security. The utilities at your property are the average costs over the last 12 months. The utilities at the comparable replacement property are the estimated costs for the last 12 months for the type of dwelling

and area used in the calculation.

This difference is multiplied by 42 months and may be paid to you in a lump sum payment or in periodic installments in accordance with policy and regulations.

In order to receive the full amount of the calculated Rent Differential, you must spend at least the amount calculated by Caltrans on a replacement property.

This payment may - with certain limitations - be converted to a **Down payment Option** to assist you in purchasing a replacement property.

Example of Rent Differential Payment Computation:

After a thorough study of comparable, decent, safe and sanitary dwellings that are available for rent, Caltrans determines that a comparable replacement property will rent for \$325.00 per month.

Caltrans Computation (rates are per month)

Rental Rate for Comparable Replacement Property:	\$ 325
PLUS average estimated utilities costs:	<u>+ 100</u>
TOTAL Cost to Rent Comparable Replacement Property:	= \$ 425

Rental Rate for Your Current Property:	\$ 300
PLUS average utilities costs:	<u>+ 90</u>
TOTAL Cost you pay to rent your current property:	= \$ 390
Comparable Replacement Property including utilities:	\$ 425
Cost you pay to rent your property including utilities:	<u>+ 390</u>
Difference:	=\$ 35

Multiplied by 42 months = \$1,470 Rent Differential

Example A:

Rental Rate for a Replacement Property, including estimated average utilities costs:	\$ 525
Comparable Replacement Property including utilities:	\$ 425
Cost you pay to rent your property including utilities:	\$ 390

Since \$425 is less than \$525, the Rent Differential is based on the difference between \$390 and \$425.

Rent Differential (\$35 x 42 months = \$1,470)

In this case you spent “at least” the amount of the Comparable Replacement Property on the replacement property and will receive the full amount.

Example B:

Rental Rate for a Replacement Property, including estimated average utilities costs:	\$ 400
Comparable Replacement Property including utilities:	\$ 425
Cost you pay to rent your property including utilities:	\$ 390

Since \$400 is less than \$525, the Rent Differential is based on the difference between \$400 and \$390.

Rent Differential (\$10 x 42 months = \$420)

In this case you spent “less than” the amount of the Comparable Replacement Property on the replacement property and will not receive the full amount.

You will not be eligible to receive any relocation payments until the State has actually made the first written offer to purchase the property. And, you will also receive at least 90 days' written notice before you must move.

Down Payment Option

The Rent Differential payment may - with certain limitations - be converted to a **Down Payment Option** to assist you in purchasing a replacement property. The down payment option is a direct conversion of the Rent Differential payment.

If the Caltrans calculated Rent Differential is between \$0 and \$7,200, your down payment option will be \$7,200, which can be used towards the purchase of a replacement decent, safe and sanitary dwelling.

If the Rent Differential is over \$7,200, you may be able to convert the entire amount of the Rent Differential to a down payment option.

The down payment option must be used for the acquisition of the replacement dwelling, plus any eligible incidental expenses (see “90-day Owner Occupants Incidental Expenses”) related to the purchase of the property. You must work closely with your Relocation Agent to ensure you can utilize the full amount of your down payment option towards the purchase.

If any portion of the Rent Differential was used prior to the decision to convert to a down payment option, those advance payments will be deducted from the entire benefit.

Last Resort Housing

On most projects, an adequate supply of housing will be available for sale and for rent, and the benefits provided will be sufficient to enable you to relocate to comparable housing. However, there may be projects in certain locations where the supply of available housing is insufficient to provide the necessary housing for those persons being displaced. In such cases, Caltrans will utilize a method called Last Resort Housing. Last Resort Housing allows Caltrans to construct, rehabilitate or modify housing in order to meet the needs of the people displaced from a project. Caltrans can also pay above the statutory limits of \$7,200 and \$31,000 in order to make available housing affordable.

Relocation Advisory Assistance



Any individual, family, business or farm displaced by Caltrans shall be offered relocation advisory assistance for the purpose of locating a replacement property. Relocation services are provided by qualified personnel employed by Caltrans. It is their goal and desire to be of service to you and assist in any way possible to help you successfully relocate.

A Relocation Agent from Caltrans will contact you personally. Relocation services and payments will be explained to you in accordance with your eligibility. During the initial interview with you, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you.

You can expect to receive the following services, advice and assistance from your Relocation Agent who will:

- Explain the relocation benefits and eligibility requirements.
- Provide the amount of the replacement housing payments in writing.
- Assure the availability of a comparable property before you move.
- Inspect possible replacement residential units for DS&S compliance.
- Provide information on counseling you can obtain to help minimize hardships in adjusting to your new location.
- Assist you in completing loan documents, rental applications or Relocation Claims Forms.

AND provide information on:

- Security deposits
- Interest rates and terms
- Typical down payments
- VA and FHA loan requirements
- Real property taxes.
- Consumer education literature on housing

If you desire, your Relocation Agent will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or

handicapped. You may obtain the services of a real estate broker to assist in finding a replacement dwelling but, Caltrans cannot provide a referral.

Your Relocation Agent is familiar with the services provided by others in your community and will provide information on other federal, state, and local housing programs offering assistance to displaced persons. If you have special problems, your Relocation Agent will make every effort to secure the services of those agencies with trained personnel who have the expertise to help you.

If the highway project will require a considerable number of people to be relocated, Caltrans may establish a temporary Relocation Field Office on or near the project. Project relocation offices would be open during convenient hours and evening hours if necessary.

In addition to these services, Caltrans is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

Remember - YOUR RELOCATION AGENT is there to offer advice and assistance. Do not hesitate to ask questions and be sure you fully understand all of your rights and available benefits.



YOUR RIGHTS AS A DISPLACEE

All eligible displacees have a freedom of choice in the selection of replacement housing, and Caltrans will not require any displaced person to accept a replacement dwelling provided by Caltrans. If you decide not to accept the replacement housing offered by Caltrans, you may secure a replacement dwelling of your choice, providing it meets DS&S housing standards. Caltrans will not pay more than your calculated benefits on any replacement property.

The most important thing to remember is that the replacement dwelling you select must meet the basic "decent, safe, and sanitary" standards. Do not execute a purchase agreement or a rental agreement until a representative from Caltrans has inspected and certified in writing that the dwelling you propose to occupy meets the basic standards. **DO NOT jeopardize** your right to receive a replacement

housing payment by moving into a substandard dwelling.

It is important to remember that your relocation benefits will not have an adverse affect on your:

- Social Security Eligibility
- Welfare Eligibility
- Income Taxes

In addition, the Title VIII of the Civil Rights Act of 1968 and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex, or national origin.

Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe, and sanitary replacement dwellings, not located in an area of minority concentration, and that is within their financial means. This policy, however, does not require Caltrans to provide a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

Caltrans' Non-Discrimination Policy ensures that all services and/or benefits will be administered to the general public without regard to race, color, national origin, or sex in compliance with Title VI of the 1964 Civil Rights Act (42 USC 2000d. et seq.).

And you have the Right to Appeal any decision by Caltrans regarding your relocation benefits and eligibility.

Your Right of Appeal is guaranteed in the "Uniform Act" which states that any person may file an appeal with the head of the responsible agency if that person believes that the agency has failed to properly determine the person's eligibility or the amount of a payment authorized by the Act.

If you indicate your dissatisfaction, either verbally or in writing, Caltrans will assist you in filing an appeal and explain the procedures to be followed. You will be given a prompt and full opportunity to be heard. You have the right to be represented by legal counsel or other representative in connection with the appeal (but solely at your own expense).

Caltrans will consider all pertinent justifications and materials submitted by you and other available information needed to ensure a fair review. Caltrans will provide you with a written determination resulting from the appeal with an explanation of the basis for the decision. If you are still dissatisfied with the relief granted, Caltrans will advise you that you may seek judicial review.

Americans with Disabilities Act (ADA) Notice:

This document is available in alternative formats for people with physical disabilities. Please call (916) 654-5413, or write to 'Department of Transportation - Right of Way, MS-37, 1120 N Street, Sacramento, CA 95814,' for information.

NOTES



Residential
Effective October 1, 2014 (2nd Printing)

Sus Derechos y Beneficios
Como Una Persona
Desplazada Bajo el
Programa Uniforme De
Asistencia Para Reubicación
(Residencial)



California Department of
Transportation

Introducción

En la construcción de un sistema moderno de transportación, el desplazamiento de un pequeño porcentaje de la población es a menudo necesario. Sin embargo, la política de Caltrans es que las personas desalojadas no tengan que sufrir innecesariamente como resultado de los programas diseñados para el beneficio del público en general.

Los individuos y familias desplazadas pueden ser elegibles para recibir servicios de asesoramiento y pagos de reubicación.

Este folleto provee información acerca de los servicios y pagos de reubicación disponibles. Si usted es requerido a mudarse como resultado de un proyecto de transportación, un Agente de Reubicación se comunicará con usted. El Agente de Reubicación le contestará preguntas específicas y le proveerá información adicional.

Ley de Procedimiento Uniforme de Asistencia para Rubicación y Adquisición de Bienes Raíces de 1970, Enmendada “La Ley Uniforme”

El propósito de esta Ley es proveer tratamiento igual y uniforme para las personas que son desplazadas de sus hogares, negocios, u operaciones agrícolas por programas federales o programas que son asistidos con fondos federales y para establecer uniformidad e igualdad en la política de adquisición de tierras por programas federales y programas asistidos con fondos federales.

La ley trata de asegurar que las personas desplazadas directamente como resultado de proyectos federales o proyectos asistidos con fondos federales sean tratados con igualdad, consistencia y equidad para que esas personas no sufran daños desproporcionados como resultado de proyectos designados para el beneficio del público en general.

Aunque se ha hecho un esfuerzo para asegurar la precisión de este folleto, debe de ser entendido que no tiene la fuerza o efectos de la ley, regla, o

regulación que gobierna el pago de los beneficios. Si hay diferencias o error, la ley tomará precedencia.

Algunas Definiciones Importantes...

Sus beneficios de reubicación pueden ser entendidos mejor si usted entiende los siguientes términos:

Vivienda de Restitución comparable: significa una propiedad que es:

- (1) Decente, segura y sanitaria. (Vea la definición abajo.)
- (2) Equivalente funcionalmente a la propiedad desplazada.
- (3) Adecuada en tamaño para acomodar a la familia que esta siendo reubicada.
- (4) En un área que no esté sujeta a condiciones irrazonablemente adversas.
- (5) En una localidad generalmente no menos deseable que la localidad de su propiedad desplazada con respecto a servicios públicos, y acceso razonable al lugar de empleo.
- (6) En una parcela de tamaño típico para el desarrollo de una residencia de tamaño normal.

Decente, Segura y Sanitaria (DS&S): La vivienda de restitución debe de ser decente, segura y

sanitaria ... que significa que llena todos los requisitos mínimos establecidos por las regulaciones federales y conforme a los códigos de ocupación de viviendas aplicables. La propiedad será:

- (1) Buena estructuralmente, cerrada a las condiciones climáticas y en buen estado de reparación.
- (2) Contiene un sistema eléctrico adecuado para iluminación y otros aparatos.



- (3) Contiene un sistema de calefacción capaz de mantener una temperatura saludable (de aproximadamente 70 grados) para la persona desplazada, con excepción en aquellas áreas donde las condiciones climáticas no requieren dicho sistema.
- (4) Debe de ser adecuada en tamaño con respecto al número de cuartos y áreas para vivir necesarias para acomodar a las personas desplazadas. Es política de Caltrans que más

de dos personas no deben de estar en un solo cuarto, a menos que el tamaño del cuarto sea suficientemente adecuado para acomodar los muebles de dormitorios necesarios de los ocupantes.

- (5) Tener un baño separado, bien iluminado y ventilado que sea privado a los usuarios y que contenga un lavamanos, una tina o regadera, y un excusado, todos en buenas condiciones y apropiadamente conectados a los sistemas de aguas negras y aguas potables.

Nota: En el caso de una "housekeeping dwelling," debe de haber una área de cocina que contenga un lavatrastos usable, propiamente conectado a agua caliente y agua fría, y al sistema de drenaje, y con espacio adecuado para utilizar los servicios y conexiones para una estufa y un refrigerador.

- (6) Contiene la salida sin obstrucciones a la caja fuerte, espacio abierto a nivel del suelo. Si la unidad de vivienda de reemplazo está en el segundo piso o por encima, con acceso directamente desde o a través de un pasillo común, el corredor común debe tener por lo menos dos medios de egreso.

(7) Si la persona desplazada es incapacitada físicamente, debe de ser libre de cualquier barrera que le impidan la entrada o salida, o uso razonable de la propiedad por dicha persona incapacitada.

Persona Desplazada: Cualquier individuo o familia que se mueva de una propiedad o mueva sus bienes personales de una propiedad como resultado de la adquisición de bienes raíces, en todo o en parte, o como resultado de una notificación escrita de una agencia pidiéndole que desocupe la propiedad que se necesita para un proyecto de transportación. En el caso de una adquisición parcial, Caltrans debe de determinar si la persona es desplazada directamente como resultado de esta adquisición.

Los beneficios de reubicación van a variar dependiendo del tipo y tiempo de ocupación. Como una persona desplazada de una unidad residencial usted puede ser clasificado como:

- Un dueño ocupante de una propiedad residencial (incluyendo casas movibles)
- Un inquilino ocupante de una propiedad residencial (incluyendo casas movibles y cuartos para dormir)

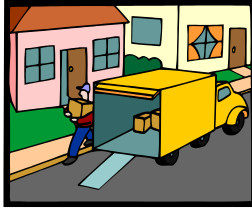
Vivienda: El lugar de permanencia o residencia regular y usual de una persona, de acuerdo a las costumbres locales o la ley, incluyendo una unidad familiar, una unidad familiar en un complejo doble o multi-familiar, o una propiedad de uso múltiple, una unidad de condominio o proyecto de vivienda en cooperativa, una unidad libre de mantenimiento doméstico, una casa movable, o cualquier otra unidad residencial.

Dueño: Una persona es considerada que llena los requisitos de dueño de una casa, si esta persona compra, tiene título o tiene algunos de los siguientes intereses en una propiedad:

- (1) Una escritura de propiedad, un interés de por vida en una propiedad, un contrato de renta por 99 años, un contrato oral de renta incluyendo una opción para extensión con al menos 50 años que queden después de la fecha de adquisición; o
- (2) El interés en un proyecto de vivienda en cooperativa que incluya el derecho de ocupar una vivienda; o
- (3) Un contrato de compra de interés, o bienes raíces.
- (4) Algún otro interés, incluyendo intereses parciales, que a juicio de la agencia garanticen los pagos como dueño.

Inquilino: Una persona que tiene el uso y la ocupación temporal de una propiedad de la que otro es dueño.

Gastos de Mudanza



Si usted califica como persona desplazada, usted tiene derecho a reembolso de sus gastos de mudanza y a ciertos gastos relacionados incurridos durante el traslado. Los métodos de traslado y los distintos tipos de pagos para gastos de mudanza son explicados abajo.

Los individuos y familias desplazadas pueden escoger un pago basado en los gastos reales, razonables y los gastos relacionados, o de acuerdo a una lista de costos fijos de mudanza. Sin embargo, para asegurar su elegibilidad y el pago rápido de sus gastos de mudanza, usted debe de ponerse en contacto con su Agente de Reubicación antes de mudarse.

Usted Puede Elegir Entre:

Los Gastos Razonables de Mudanza – A usted se le puede pagar por los gastos razonables de mudanza y gastos relacionados cuando una

compañía comercial de mudanza hace la mudanza. Los reembolsos deberán ser limitados a una mudanza de 50 millas o menos. Los gastos relacionados pueden incluir:

- Transportación.
- Empaque y desempaques de propiedades personales.
- Desconexión y reconexión de aparatos eléctricos.
- Almacenaje temporal de propiedades personales.
- Seguros cuando la propiedad está almacenada o en tránsito.

Ó

Lista de Costos Fijos de Mudanza – A usted se le puede pagar basado en una lista de costos fijos de mudanza. Bajo esta opción, usted no puede ser elegible para reembolsos de gastos relacionados incluidos en la lista de arriba. Esta lista de gastos fijos está designada a cubrir todos esos gastos.

Por ejemplo (Tarifa para el año 2014)

4 Cuartos - \$1,295

7 Cuartos - \$2,090

Los costos fijos de mudanza para una unidad (ejemplo, usted es inquilino en un apartamento donde los muebles pertenecen al dueño de la vivienda) están basados en la Tabla de Honorarios B.

Por ejemplo (Tarifa para el año 2014)
1 Cuartos - \$450

Una habitación de estilo dormitorio debajo de la tasa de la Tabla de B - \$125 (2014).

Bajo la lista de Pago Fijos de Mudanza, usted no puede recibir ningún pago adicional por almacenamiento temporario, vivienda temporaria, transportación o conexiones de servicios públicos.

Pagos Para Vivienda de Restitución

El tipo de Pago Para Vivienda de Restitución (RHP) depende de si usted es dueño o un inquilino, y en el tiempo de ocupación que tiene de la propiedad que será adquirida.

Si usted es calificado **como dueño ocupante** de más de 90 días antes de la iniciación de negociaciones para la adquisición de su propiedad, usted puede tener derecho a recibir RHP que consiste en:

Diferencia de Precio, y

Diferencia para Hipoteca, y

Gastos Incidentales

O

Diferencia Para Rentar

Si usted es un inquilino ocupante cualificada de al menos 90 días, usted puede tener derecho a un RHP de la siguiente manera:

Diferencia Para Rentar

U

Opción para Enganche

Tiempo de ocupación simplemente significa contar el número de días que usted actualmente ocupó la vivienda antes de la fecha de iniciación de negociaciones por Caltrans para la compra de la propiedad. El término “iniciación de negociaciones” significa la fecha que Caltrans hizo el primer contacto personal con el dueño de bienes raíces, o su representante, para darle a el/ella una oferta escrita para la adquisición de la propiedad.

Nota: Si usted ocupó una vivienda por menos de 90 días antes de la iniciación de negociaciones y la propiedad es posteriormente adquirida, o si usted se mudó a la propiedad después de la iniciación de negociaciones y usted todavía ocupaba la propiedad a la fecha de adquisición, usted puede ser elegible para un RHP, basado en una guía de elegibilidad establecida. Consulte con

su Agente de Reubicación antes de que haga cualquier decisión de mudarse de su propiedad.

Para Ocupantes de 90 Días o Más

Si usted califica como dueño ocupante de 90 días, puede ser elegible – además del valor equitativo en el mercado de su propiedad – para un RHP que consiste en un pago de Diferencia de Precio y/o Gastos Incidentales.

El Pago de **Diferencia de Precio** es la cantidad por la que el costo de una vivienda de restitución excede el costo de adquisición de la vivienda desplazada. Este pago le asistirá en la compra de una vivienda decente, segura, y sanitaria (DS&S). Caltrans computará el pago máximo que usted puede ser elegible para recibir.

Para recibir la cantidad total de la diferencia de precio calculadas, usted debe de gastar al menos la cantidad calculada por Caltrans en la propiedad de restitución.

El pago de **Diferencia de Hipoteca** le será reembolsado por cualquier aumento del costo de interés en la hipoteca que usted haya incurrido porque la tasa de interés en su nueva hipoteca excede la tasa de interés de la propiedad

adquirida por Caltrans. La computación del pago es complicada ya que está basada en las tasas típicas entre su préstamo anterior y su préstamo nuevo. También, una parte de los pagos pueden ser prorrateado como reembolso por una porción de los honorarios de su préstamo y los puntos (intereses) de la hipoteca.

Para ser elegible para recibir este pago, la propiedad adquirida debe de ser hipotecada con una hipoteca de buena fé, la cual fue un crédito válido de por lo menos 180 días antes de la iniciación de negociaciones.

Usted también puede ser reembolsado por cualquier **Gasto Incidental** actual y necesario que usted incurra en relación con la compra de su propiedad de restitución. Estos gastos pueden ser los costos por búsqueda de título, honorarios de copia en el Registro, reporte de crédito, reporte de evaluación, y ciertos otros gastos de cierre de escritura. Usted no puede ser reembolsado por ningún gasto frecuente como pre-pagos de impuesto de bienes raíces y seguro de propiedad.

EJEMPLO DE COMO SE CALCULA LA DIFERENCIA DE PAGO:

Suponga que Caltrans compra su propiedad por \$98,000. Después de un estudio completo de viviendas disponibles en el mercado, que sean decentes, seguras y sanitarias, Caltrans determina que la propiedad de restitución comparable en el mercado abierto le costará \$100,000. Si su precio de compra es \$100,000 usted recibirá \$2,000 (Vea el Ejemplo A)

Si su precio de compra es de más de \$100,000, usted paga la diferencia (vea el Ejemplo B). Si su precio de compra es menos de \$100,000, el pago se basará en los costos actuales (vea el Ejemplo C).

La cantidad que usted recibe en un pago diferencial dependerá de cuanto usted realmente gasta en una vivienda de restitución, como se muestra en estos ejemplos.

Computación de Caltrans

Precio Comparable de la Propiedad de Restitución	\$100,000
Precio de Adquisición de su Propiedad	<u>-\$ 98,000</u>
Diferencia Máxima de Precio	\$ 2,000

Ejemplo A

Precio de Compra de Restitución	\$100,000
Propiedad Comparable de Restitución	\$100,000
Precio de Adquisición de su Propiedad	<u>-\$ 98,000</u>
Diferencia Máxima de Precio	\$ 2,000

Ejemplo B

Precio de Compra de Restitución	\$105,000
Propiedad Comparable de Restitución	\$100,000
Precio de Adquisición de su Propiedad	<u>\$ 98,000</u>
Diferencia Máxima de Precio	\$ 2,000

Usted Debe de Pagar el Precio Adicional de \$5,000.

Ejemplo C

Propiedad Comparable de Restitución	\$100,000
Precio de Compra de Restitución	\$ 99,000
Precio de Adquisición de su Propiedad	<u>\$ 98,000</u>
Diferencia de Precio	\$ 1,000

En el ejemplo C usted solo recibirá \$1,000 – no la cantidad completa de “La propiedad Comparable de Restitución” por los requisitos de “Gastar para Obtener” de Caltrans.

PARA QUE UN “DUENO OCUPANTE DE 90 DÍAS” RECIBA LA CANTIDAD TOTAL DE SUS BENEFICIOS DE PAGOS PARA VIVIENDA

(Diferencia de Precio, Diferencia de Hipoteca y Gastos Incidentales), usted debe:

A) Comprar y ocupar una vivienda de restitución que sea DS&S dentro de al menos un año desde la fecha más tarde de:

(1) La fecha en que recibió la primera notificación de una casa de restitución, **O**

(2) La fecha que Caltrans pagó los costos de adquisición de su vivienda actual (usualmente

los gastos de cierre de escritura en la adquisición del Estado.)

Y

B) Haber gastado al menos la cantidad que Caltrans estableció para “La Propiedad Comparable de Restitución” para la propiedad de restitución.

Y

C) Reportar un reclamo para pago para reubicación dentro de los 18 meses de la fecha más tarde de:

(1) La fecha en que se mudó de la propiedad adquirida por Caltrans, ○

(2) La fecha en que Caltrans le pagó los costos de adquisición de su vivienda actual (usualmente al cierre de escritura en la adquisición del Estado.)

Usted no será elegible para recibir ningún pago de reubicación hasta que el Estado haya hecho la primera oferta por escrito de la compra de la propiedad. Usted también recibirá una notificación escrita por lo menos 90 días antes de tener que mudarse.

Para Inquilinos de 90 Días o Más

Si usted califica como un ocupante de 90 días, usted puede ser elegible para un Pago de Vivienda de Restitución en la forma de Diferencia para Rentar.

El pago de la **Diferencia para Rentar** es designado para asistirle en la renta de una vivienda comparable que sea decente, segura y sanitaria. El pago será basado en la diferencia entre la renta básica mensual por la propiedad adquirida por Caltrans (incluyendo el promedio del costo mensual de servicios públicos) y el menor de:

- a) La renta mensual y el promedio del costo mensual estimado de los servicios públicos para una vivienda comparable de restitución determinada por Caltrans, **○**

- b) La renta mensual y el promedio del costo mensual estimado de los servicios públicos para una vivienda decente, segura y sanitaria que usted rente como vivienda de restitución.

Gastos de servicios públicos son esos gastos que usted incurre por calefacción, luz, agua, y aguas negras – sin importar quien los provea (ejemplo,

electricidad, gas propano, y sistema séptico.) No incluye cable de televisión, teléfono, o seguridad. Los servicios públicos en su propiedad de restitución será el estimado del promedio de costos por los 3 últimos meses para el tipo de vivienda y área usados en los cálculos.

Esta diferencia es multiplicada por 42 meses y le puede ser pagado en una sola suma o en pagos periódicos de acuerdo con la política y regulaciones.

Para recibir la cantidad calculada total de la diferencia para rentar, usted debe gastar al menos la cantidad calculada por Caltrans en la propiedad de restitución.

Este pago puede – con ciertas limitaciones – ser convertido en una **Opción para Enganche** para asistirle en la compra de una propiedad de restitución.

EJEMPLO DE LA COMPUTACIÓN DEL PAGO DE LA DIFERENCIA PARA RENTAR:

Después de hacer un estudio completo de viviendas comparables, decentes, seguras y sanitarias que estén disponibles para rentar, Caltrans determina que una propiedad comparable de restitución podría ser rentada por \$325 al mes.

Computación de Caltrans

Renta por una Propiedad Comparable de Restitución	\$ 325
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MÁS: estimado de costos de servicios Públicos	<u>+100</u>
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TOTAL Costo de renta por una Propiedad Comparable de Restitución	=\$425
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Renta por su Propiedad Actual	\$ 300
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MÁS: costos de servicios públicos	<u>+ 90</u>
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TOTAL Costo para pagar la renta de su propiedad actual	=\$390
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Propiedad Comparable de Restitución
incluyendo servicios públicos \$ 425

Costo para pagar la renta de su
propiedad incluyendo servicios públicos + 390

Diferencia = \$ 35

Multiplicado por 42 meses = \$1,470 Diferencia
para Rentar.

Ejemplo A:

Renta para una Propiedad de Restitución,
incluyendo los costos estimados
de servicios públicos \$525

Propiedad Comparable de Restitución
incluyendo servicios públicos \$425

Costos de pago de la renta de su
propiedad incluyendo servicios públicos \$390

Ya que \$425 es menos que \$525, la diferencia
para rentar está basada en la diferencia entre
\$390 y \$425.

Diferencia para Rentar (\$35 x 42 meses = \$1,470)

*En este caso usted gasta “al menos” la cantidad
de la Propiedad de Restitución Comparable en la
propiedad de restitución y así recibirá la cantidad
total.*

Ejemplo B:

Renta por una Propiedad de Restitución,
incluyendo los costos estimados
de servicios públicos \$400

Propiedad Comparable de Restitución
incluyendo servicios públicos \$425

Costos de pago de la renta de su
propiedad incluyendo servicios públicos \$390

Ya que \$400 es menos que \$525, la diferencia
para rentar está basada en la diferencia entre
\$400 y \$390.

Diferencia para Rentar (\$10x 42 meses = \$420)

En este caso usted va a gastar “menos que” la
cantidad de Propiedad de Restitución Comparable
en la restitución de la vivienda y usted no recibirá
la cantidad total.

**Usted no será elegible para recibir ningún
pago de reubicación hasta que haya hecho la
primera oferta escrita para comprar la
propiedad. Además, usted recibirá al menos
una noticia por escrito 90 días antes de tener
que mudarse.**

OPCIÓN PARA ENGANCHE

El pago de Diferencia para Rentar puede – con ciertas limitaciones – ser convertido en una **Opción para Enganche** para asistirle en la compra de una propiedad de restitución. La Opción para Enganche es una conversión directa del pago de la diferencia para rentar.

Si la diferencia para rentar es calculada entre \$0 y \$7,200, su Opción Para Enganche será de \$7,200 la cual puede ser usada para la compra de una vivienda de restitución decente, segura y sanitaria.

Si la diferencia para rentar es más de \$7,200 usted podrá convertir la cantidad completa de diferencia para rentar a una Opción Para Enganche.

La Opción Para Enganche debe de ser usada para el enganche requerido, la cual usualmente es un porcentaje del precio total de compra, más cualquier gasto incidental elegible (vea, “Gastos Incidentales para Dueños Ocupantes de 90 días”) relacionado con la compra de la propiedad. Usted debe trabajar junto con su Agente de Reubicación para asegurarse de que puede utilizar la cantidad total de su Opción Para Enganche en su compra.

Si alguna porción de la diferencia para rentar fue usada antes de su decisión de convertirla a una Opción Para Enganche, los pagos avanzados serán deducidos de los beneficios completos.

CASA DEL ÚLTIMO RECURSO

En la mayoría de los proyectos de Caltrans, existe una cantidad adecuada de viviendas de venta y alquiler, y los beneficios serán suficientes para que usted pueda reubicarse a una vivienda comparable. Sin embargo, en ciertas localidades pueden haber proyectos donde el número de viviendas disponibles no son suficientes para proveer viviendas a todas las personas desplazadas. En estos casos, Caltrans utiliza un método llamado Casa del Último Recurso. La Casa del Último Recurso permite a Caltrans construir, rehabilitar, o modificar viviendas para cumplir con las necesidades de las personas desplazadas por un proyecto. Caltrans puede también pagar arriba de los límites legales de \$7,200 y \$31,000 para hacer posible viviendas con precios razonables.

Asistencia de Consulta Para Reubicación



A cualquier individuo, familia, negocio u operación agrícola desplazada por Caltrans deberá ofrecérsele servicios de asistencia con el propósito de localizar una propiedad de restitución. Los servicios de reubicación son proveídos por empleados calificados de Caltrans. Es la meta de ellos y el deseo de estos empleados de servirle y asistirle de cualquier manera posible para ayudarle a reubicarse exitosamente.

Un Agente de Reubicación de Caltrans se pondrá en contacto con usted personalmente. Los servicios de reubicación y pagos se le explicarán de acuerdo con su elegibilidad. Durante la entrevista inicial, sus necesidades de vivienda y deseos se determinarán así como sus necesidades de asistencia. No se le puede pedir

que se mude a menos que una vivienda comparable de restitución le sea disponible.

Usted puede esperar recibir los siguientes servicios, consejos y asistencia de su Agente de Reubicación quien le:

- Explicará los beneficios de reubicación y los requisitos de elegibilidad.
- Proveerá por escrito la cantidad de pago por su vivienda de restitución.
- Asegurará la disposición de una propiedad comparable antes de que se mude.
- Inspeccionará las posibles unidades residenciales de restitución para el cumplimiento de DS&S.
- Proveerá información y aconsejará como puede obtener ayuda para minimizar las adversidades en ajustarse a su nueva localidad.
- Ayudará en completar los documentos de préstamos, aplicaciones de rentas o las Formas de Reclamo para Reubicación.

Y proveerle información de:

- Seguro de Depósitos
- Taza de intereses y términos
- Pagos típicos de enganches

- Requisitos de préstamos de la Administración de Veteranos (VA) y la Administración de Vivienda Federal (FHA)
- Impuestos sobre bienes raíces
- Literatura de educación en viviendas para el consumidor

Si usted lo desea, el Agente de Reubicación le dará una lista actual de otras viviendas de restitución disponibles.

Se proveerá transportación para inspeccionar viviendas disponibles, especialmente si usted es mayor de edad o con impedimento físico. Aunque usted puede utilizar los servicios de un agente de bienes raíces, Caltrans no lo podrá referir.

Su Agente de Reubicación está familiarizado con los servicios proveídos por otras agencias de su comunidad y le proveerá información de otros programas de viviendas federales, estatales y locales que ofrecen programas de asistencia para personas desplazadas. Si usted tiene algún problema especial, su Agente de Reubicación hará su mejor esfuerzo para asegurarle los servicios de esas agencias con personal capacitado y con experiencia que le ayudarán.

Si el proyecto de transportación requiere un número considerable de personas que sean reubicados, Caltrans establecerá una Oficina Temporal de Reubicación en, o cerca del proyecto. Las oficinas de proyectos de reubicación deberán de abrirse durante horas convenientes y en horas tempranas de la noche, si es necesario.

Además de estos servicios, Caltrans es requerido que coordine las actividades de otras agencias que causen desplazamientos para asegurar que todas esas personas desplazadas reciban beneficios de reubicación equitativos y consistentes.

Recuerde – SU AGENTE DE REUBICACIÓN está para aconsejarle y asistirle. No vacile en hacer preguntas, y asegúrese de que entiende completamente sus derechos y beneficios de reubicación disponibles.



SUS DERECHOS COMO UNA PERSONA DESPLAZADA

Todas las personas elegibles como personas desplazadas tienen la libertad de escoger dentro de la selección de viviendas de restitución, y Caltrans no requerirá a ninguna persona que sea desplazada que acepte una vivienda de restitución proveída por Caltrans. Si usted decide no aceptar la vivienda de restitución ofrecida por Caltrans, usted puede elegir una vivienda de restitución de su propia selección, mientras que cumple con los requisitos de DS&S. Caltrans no pagará más que los beneficios calculados por una vivienda de restitución.

Lo más importante que usted debe de recordar es que la vivienda de restitución que usted seleccione debe de llenar los requisitos básicos de “decente, segura y sanitaria”. No ejecute los documentos de compra o el contrato de renta hasta que un representante de Caltrans haya inspeccionado y certificado por escrito que la vivienda que usted se propone ocupar cumple con los requisitos básicos. **NO ARRIESGUE** su derecho de recibir los pagos de vivienda de restitución por mudarse a una vivienda que no sea “decente, segura y sanitaria.”

Es importante recordar que sus beneficios de reubicación no van a tener ningún efecto adverso en su:

- Elegibilidad para Seguro Social
- Elegibilidad para Asistencia Social
- Impuestos sobre ingresos

Además, el Título VIII de los Derechos Civiles, Ley de 1968 y luego otras leyes y enmiendas hacen discriminatoria la práctica de compra y renta de unidades de vivienda si es basada ilegalmente en la raza, color, religión, sexo u origen nacional.

Cuando sea posible, a personas de minorías se les debe de dar oportunidades razonables para reubicarse a viviendas de restitución que sean decentes, seguras y sanitarias, no localizadas en áreas de concentración de minorías, y que estén dentro de sus recursos económicos. Esta política, sin embargo, no requiere que Caltrans provea a una persona pagos más grandes de lo que sean necesarios para permitir que la persona sea reubicada a una vivienda de restitución comparable.

La política No-Discriminatoria de Caltrans asegura que todos los servicios y/o los beneficios deben de ser administrados al público en general sin importar la raza, color, origen nacional, o sexo en cumplimiento con el Título VI de la Ley de Derechos Civiles de 1964 (42 USC 2000 d. et seq.)

Usted siempre tendrá el Derecho de Apelar cualquier decisión hecha por Caltrans relacionada a los beneficios de reubicación y elegibilidad.

Su Derecho de Apelar está garantizado en la “Ley Uniforme” la cual establece que una persona puede apelar al jefe de la agencia responsable, si ella cree que la agencia ha fallado en determinar correctamente su elegibilidad, o la cifra del pago autorizado por la Ley.

Si usted indica su disatisfacción, ya sea verbalmente o por escrito, Caltrans le asistirá en hacer su demanda de apelación y le explicará el procedimiento que debe de seguir. Usted tiene derecho de ser representado por un asesor legal u otro representante en conexión con su apelación (pero solamente por su propia cuenta.)

Caltrans considerará toda justificación y materia pertinente que usted entregue u otra información disponible, necesaria para asegurar una audiencia equitativa. Caltrans le proveerá una determinación por escrito del resultado de su apelación, con una explicación sobre la base de la decisión. Si usted aún no está satisfecho con la decisión otorgada, Caltrans le aconsejará que usted puede pedir una audiencia judicial.

Noticiero de la Ley para Americanos con Incapacidades Físicas (ADA):

Para personas con incapacidades físicas, este documento es disponible en formatos alternativos. Para información llame al número (916) 654-5413, o escriba a 'Department of Transportation - Right of Way, MS-37, 1120 N Street, Sacramento, CA 95814.'

NOTAS



Residential (Spanish)
Effective October 1, 2014

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ATTACHMENT B:

**YOUR RIGHTS AND BENEFITS AS A DISPLACED
BUSINESS, FARM, OR NONPROFIT ORGANIZATION
UNDER THE CALIFORNIA DEPARTMENT OF
TRANSPORTATION RELOCATION ASSISTANCE
PROGRAM**

(English and Spanish)

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Your Rights and Benefits
as a Displaced
Business, Farm, or
Nonprofit Organization
Under the California
Department of
Transportation Relocation
Assistance Program



California Department of
Transportation

Introduction

In building a modern transportation system, the displacement of a small percentage of the population is often necessary. However, it is the policy of Caltrans that displaced persons shall not suffer unnecessarily as a result of programs designed to benefit the public as a whole.



Displaced businesses, farms, and nonprofit organizations may be eligible for relocation advisory services and payments.

This brochure provides information about available relocation services and payments. If you are required to move as the result of a Caltrans transportation project, a Relocation Agent will contact you. The Relocation Agent will be able to answer your specific questions and provide additional information.

Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as Amended "The Uniform Act"



The purpose of this Act is to provide for uniform and equitable treatment of persons displaced from their business, farm or non-profit organization, by federal and federally assisted programs and to establish uniform and equitable land acquisition policies for federal and federally assisted programs.

49 Code of Federal Regulations Part 24 implements the "Uniform Act" in accordance with the following relocation assistance objective:

To ensure that persons displaced as a direct result of federal or federally-assisted projects are treated fairly, consistently and equitably so that such persons will not suffer disproportionate injuries as a result of projects designed for the benefit of the public as a whole.

While every effort has been made to assure the accuracy of this booklet, it should be understood that it does not have the force and effect of law, rule, or regulation governing the payment of benefits. Should any difference or error occur, the law will take precedence.

Relocation Services

The California Department of Transportation has two programs to aid businesses, farms and nonprofit organizations which must relocate.

These are:

1. The Relocation Advisory Assistance Program, which is to aid you in locating a suitable replacement property, and
2. The Relocation Payments Program, which is to reimburse you for certain costs involved in relocating. These payments are classified as:
 - Moving and Related Expenses (costs to move personal property not acquired).
 - Reestablishment Expenses (expenses related to the replacement property).
 - In-Lieu Payment (a fixed payment in lieu of moving and related expenses, and reestablishment expenses).

Note: Payment for loss of goodwill is considered an acquisition cost. California law and the federal regulations mandate that relocation payments cannot duplicate other payments such as goodwill.

You will **not** be eligible to receive any relocation payments until the State has actually made the first written offer to purchase the property. You will also receive at least 90 days' written notice before you must move.

Some Important Definitions...

Your relocation benefits can be better understood if you become familiar with the following terms:

Business: Any lawful activity, with the exception of a farm operation, conducted primarily for the purchase, sale, lease and rental of personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property, or for the sale of services to the public, or solely for the purpose of this Act, and outdoor advertising display or displays, when the display(s) must be moved as a result of the project.

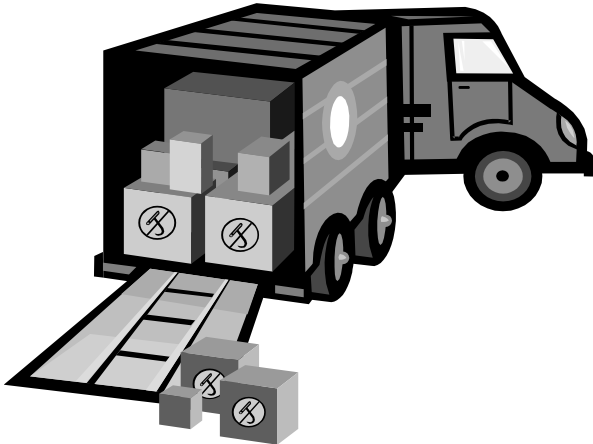
Small Business: A business having not more than 500 employees working at the site being acquired or displaced by a program or project.

Contributes Materially: A business or farm operation must have had average annual gross receipts of at least \$5,000 or average annual net earnings of at least \$1,000, in order to qualify as a bona-fide operation.

Farm Operation: Any activity conducted solely or primarily for the production of one or more agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

Nonprofit Organization: A public or private entity that has established its nonprofit status under applicable law.

MOVING EXPENSES



If you qualify as a displaced business, farm or nonprofit organization, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. To qualify you must legally occupy the property as the owner or lessee/tenant when Caltrans initiates negotiations for the acquisition of the property **OR** at the time Caltrans acquires title or takes possession of the property. However, to assure your eligibility and prompt payment of moving expenses, you should contact your Relocation Agent before you move.

You Can Choose Either:

Actual Reasonable Moving Costs - You may be paid for your actual reasonable moving costs and related expenses when a commercial mover performs the move. Reimbursement will be limited to a move of 50 miles or less. Related expenses, with limitations, may include:

- Transportation.
- Packing and unpacking personal property.
- Disconnecting and reconnecting personal property related to the operation.
- Temporary storage of personal property.
- Insurance while property is in storage or transit, or the loss and damage of personal property if insurance is not reasonably available.
- Expenses in finding a replacement location (\$2,500 limit).
- Professional services to plan and monitor the move of the personal property to the new location.
- Licenses, permits and fees required at the replacement location.

OR

Self-Move Agreement - You may be paid to

move your own personal property based on the lower of two acceptable bids obtained by Caltrans.

Under this option, you will still be eligible for reimbursement of related expenses listed above that were not included in the bids.

OR

In-Lieu Payment – A small business may be eligible to accept a fixed payment between \$1,000 and \$40,000, based on your annual earnings IN LIEU OF the moving cost and related expenses. Consult your Relocation Agent for more information about this option.

Actual Reasonable Moving Costs

You may be paid the actual reasonable and necessary costs of your move when a professional mover performs the move. All of your moving costs must be supported by paid receipts or other evidence of expenses incurred. In addition to the transportation costs of your personal property, certain other expenses may also be reimbursable, such as packing, crating, unpacking and uncrating, and the disconnecting, dismantling, removing, reassembling, and

reinstalling relocated machinery, equipment, and other personal property.

Other expenses such as professional services necessary for planning and carrying out the move, temporary storage costs, and the cost of licenses, permits and certifications may also be reimbursable. This is not intended to be an all-inclusive list of moving related expenses. Your Relocation Agent can provide you with a complete explanation of reimbursable expenses.

Self-Move Agreement

If you agree to take full responsibility for all or part of the move of your business, farm, or nonprofit organization, the Department may approve a payment not to exceed the lower of two acceptable bids obtained by the Department from qualified moving firms or a qualified Department staff employee. A low-cost or uncomplicated move may be based on a single bid or estimate at the Department's discretion. The advantage of this moving option is the fact that it relieves the displaced business, farm, or nonprofit organization operator from documenting all moving expenses. The Department may make the payment without additional documentation as long as the payment is limited to the amount of

the lowest acceptable bid or estimate. Other expenses, such as professional services for planning, storage costs, and the cost of licenses, permits, and certifications may also be reimbursable if determined to be necessary. These latter expenses must be pre approved by the Relocation Agent.

Requirements:

Before you move, you must provide Caltrans with the:

- Certified inventory of all personal property to be moved.
- Date you intend to vacate the property.
- Address of the replacement property.
- Opportunity to monitor and inspect the move from the acquired property to the replacement property.

Related Expenses

1. Searching Expenses for Replacement

Property: Displaced businesses, farms, and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals, and lodging when away from home; the reasonable value of the time spent during the search; fees paid to the real estate agents, brokers or consultants; and other expenses determined to be reasonable and necessary by the Department.



2. Direct Loss of Tangible Personal Property:

Displaced businesses, farms, and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property which is incurred as a result of the move or discontinuance of the operation. This payment will be based upon the lesser of:

- a) The fair market value of the item for continued use at the displacement site minus the proceeds from its sale.

OR

- b) The estimated cost of moving and reinstalling the replaced item, based on the lowest acceptable bid or estimate obtained by the Department for eligible moving and related expenses, including dismantling and reassembly, but with no allowance for storage, cost of code requirement betterments or upgrades at the replacement site.

EXAMPLE:

You determine that the "document shredder" cannot be moved to the new location because of its condition, and you will not replace it at the new location.

Fair Market Value of the Document Shredder based on its use at the current location		\$ 1,500
Proceeds: Price received from selling the Document Shredder	-	<u>\$ 500</u>
Net Value		\$ 1,000

OR

Estimated cost to move	\$ 1,050
------------------------	----------

Based on the "lessor of", the amount of the "Loss of Tangible Personal Property" =	\$ 1,000
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Note: You are also entitled to all reasonable costs incurred in attempting to sell the document shredder (e.g. advertisement).

3. Purchase of Substitute Personal Property:

If an item of personal property, which is used as part of the business, farm, or nonprofit organization, is not moved but is promptly replaced with a substitute item that performs a

comparable function at the replacement site, the displacee is entitled to payment of the lesser of:

- a) The cost of the substitute item, including installation costs at the replacement site, minus any proceeds from the sale or trade-in of the replaced item;

OR

- b) The estimated cost of moving and reinstalling the replaced item, based on the lowest acceptable bid or estimate obtained by the Department for eligible moving and related expenses, including dismantling and reassembly, but with no allowance for storage, cost of code requirement betterments or upgrades at the replacement site.

EXAMPLE A:

You determine that the copying machine cannot be moved to the new location because it is now obsolete and you will replace it.

Cost of a substitute <i>Copying Machine</i> including installation costs at the replacement site.	\$ 3,000
Trade-in Allowance	- <u>\$ 2,500</u>
Net Value	\$ 500

OR

Estimated cost to move	\$ 550
------------------------	--------

Based on the "lesser of", the amount of the "Substitute Personal Property" = **\$ 500**

EXAMPLE B:

You determine that the chairs will not be used at the new location because they no longer match the décor and you will replace them.

Cost of substitute chairs	\$ 1,000
Proceeds: From selling the Chairs	- <u>\$ 100</u>
Net Value	\$ 900

OR

Estimated cost to move \$ 200

Based on the "lesser of", the amount of
the "Substitute Personal Property" = \$ 200

Note: You are also entitled to all reasonable costs incurred in attempting to sell the document shredder (e.g. advertisement).

4. Disconnecting and Reinstallation: You will be reimbursed for your actual and reasonable costs to disconnect, dismantle, remove, reassemble and reinstall any machinery, equipment or other personal property in relation to its move to the new location. This includes connection to utilities available nearby and any modifications to the personalty that is necessary to adapt it to utilities at the replacement site.

5. Physical changes at the new location: You may be reimbursed for certain physical changes to the replacement property if the changes are necessary to permit the reinstallation of machinery or equipment necessary for the continued operation of the business. **Note:** *The changes cannot increase the value of the building*

for general purposes, nor can they increase the mechanical capability of the buildings beyond its normal requirements.

6. The cost of installing utilities from the right of way line to the structure(s) or improvements on the replacement site.

7. Marketing studies, feasibility surveys and soil testing.

8. One-time assessments or impact fees for anticipated heavy utility usage.

Reestablishment Expenses

A small business, farm or nonprofit organization may be eligible for a payment, not to exceed \$25,000, for expenses actually incurred in relocating and reestablishing the enterprise at a replacement site.

Reestablishment expenses may include, but are not limited to, the following:

1. Repairs or improvements to the replacement real property required by Federal, State or local laws, codes or ordinances.
2. Modifications to the replacement of real property to make the structure(s) suitable for the business operation.
3. Construction and installation of exterior signing to advertise the business.
4. Redecoration or replacement such as painting, wallpapering, paneling or carpeting when required by the condition of the replacement site or for aesthetic purposes.
5. Advertising the new business location.
6. The estimated increased costs of operation at the replacement site during the first two years, for items such as:
 - a) Lease or rental charges
 - b) Personal or real property taxes
 - c) Insurance premiums, and
 - d) Utility charges (excluding impact fees).

7. Other items that the Department considers essential for the reestablishment of the business or farm.

In-Lieu Payment (Fixed)

Displaced businesses, farms, and nonprofit organizations may be eligible for a fixed payment in lieu of (in place of) actual moving expenses, personal property losses, searching expense, and reestablishment expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, the Department must determine the following:

1. The business owns or rents personal property that must be moved due to the displacement.
2. The business cannot be relocated without a substantial loss of existing patronage.
3. The business is not part of a commercial enterprise having more than three other businesses engaged in the same or similar activity, which are under the same ownership and are not being displaced by the department.

4. The business contributed materially to the income of the displaced business operator during the two taxable years prior to displacement.

Any business operation that is engaged solely in the rental of space to others is not eligible for a fixed payment. This includes the rental of space for residential or business purposes.

Eligibility requirements for farms and nonprofit organizations are slightly different than business requirements. If you are being displaced from a farm or you represent a nonprofit organization and are interested in a fixed payment, please consult your relocation counselor for additional information.

Note: A nonprofit organization must substantiate that it cannot be relocated without a substantial loss of existing patronage (membership or clientele). The payment is based on the average of two years annual gross revenues less administrative expenses.

The Computation of Your In-Lieu Payment:

The fixed payment for a displaced business or farm is based upon the average annual net earnings of the operation for the two taxable

years immediately preceding the taxable year in which it was displaced. Caltrans can use a different two year period if it is determined that the last two taxable years do not accurately reflect the earnings of the operation.

EXAMPLE: Caltrans acquires your property and you move in 2013:

2011 Annual Net Earnings	\$ 10,500
2012 Annual Net Earnings	<u>\$ 12,500</u>
TOTAL	\$ 23,000
Average over two years	\$ 11,500

This would be the amount of your in-lieu payment. Remember - this is in-lieu of all other moving benefits. You must provide the Department with proof of net earnings to support your claim.

Proof of net earnings can be documented by income tax returns, certified financial statements, or other reasonable evidence of net earnings acceptable to the Department.

Note: The computation for nonprofit organizations differs in that the payment is computed on the basis of average annual gross revenues less administrative expenses for the two-year period specified above.

Before You Move:

- A. Complete a "Request for Determination of Entitlement" form available from your Relocation Agent, and return it promptly.
- B. Include a written statement of the reasons the business cannot be relocated without a substantial loss in net earnings.
- C. Provide certified copies of tax returns for the two tax years immediately preceding the tax year in which you move. (If you move anytime in the year 2013, regardless of when negotiations began or the State took title to the property, the taxable years would be 2011 and 2012).
- D. You will be notified of the amount you are entitled to after the application is received and approved.
- E. You cannot receive the payment until after you vacate the property, AND submit a claim for the payment within 18 months of the date of your move.

Relocation Advisory Assistance



Any business, farm or non-profit organization, displaced by Caltrans shall be offered relocation advisory assistance for the purpose of locating a replacement property. Relocation services are provided by qualified personnel employed by Caltrans. It is their goal and desire to be of service to you and assist in any way possible to help you successfully relocate.

A Relocation Agent from Caltrans will contact you personally. Relocation services and payments will be explained to you in accordance with your eligibility. During the initial interview with you, your needs and desires will be determined as well as your need for assistance.

You can expect to receive the following services, advice and assistance from your Relocation Agent who will:

- Determine your needs and preferences.
- Explain the relocation benefits and eligibility.
- Provide information on replacement properties for your consideration.
- Provide information on counseling you can obtain to help minimize hardships in adjusting to your new location.
- Assist you in completing loan documents, rental applications or Relocation Claims Forms.

AND provide information on:

- Security deposits.
- Interest rates and terms.
- Typical down payments.
- Permits, fees and local planning ordinances.
- SBA loan requirements.
- Real property taxes.
- Consumer education literature.

If you desire, your Relocation Agent will give you current listings of other available replacement property. Transportation will be provided to inspect available property, especially if you are elderly or handicapped. Though you may use the services of a real estate broker, Caltrans cannot provide a referral.

Your Relocation Agent is familiar with the services provided by others in your community and will provide information on other federal, state, and local programs offering assistance to displaced persons. If you have special needs, your Relocation Agent will make every effort to secure the services of those agencies with trained personnel who have the expertise to help you.

If the highway project will require a considerable number of people to be relocated, Caltrans will establish a temporary Relocation Field Office on or near the project. Project relocation offices will be open during convenient hours and evening hours if necessary.

In addition to these services, Caltrans is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

Remember - YOUR RELOCATION AGENT is there to offer advice and assistance. Do not hesitate to ask questions. And be sure you fully understand all of your rights and available benefits.

YOUR RIGHTS AS A DISPLACEE

It is important to remember that your relocation benefits will not have an adverse effect on you:

- Social Security Eligibility
- Welfare Eligibility
- Income Taxes

In addition, the Title VIII of the Civil Rights Act of 1968 and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex, or national origin.

Caltrans' Non-Discrimination Policy ensures that all services and/or benefits will be administered to the general public without regard to race, color, national origin, or sex in compliance with Title VI of the 1964 Civil Rights Act (42 USC 2000d. et seq.).

And you always have the Right to Appeal any decision by Caltrans regarding your relocation benefits and eligibility.

Your Right of Appeal is guaranteed in the "Uniform Act" which states that any person may file an appeal with the head of the responsible

agency if that person believes that the agency has failed to properly determine the person's eligibility or the amount of a payment authorized by the Act.

If you indicate your dissatisfaction, either verbally or in writing, Caltrans will assist you in filing an appeal and explain the procedures to be followed. You will be given a prompt and full opportunity to be heard. You have the right to be represented by legal counsel or other representative in connection with the appeal (but solely at your own expense).

Caltrans will consider all pertinent justifications and materials submitted by you and other available information needed to ensure a fair review. Caltrans will provide you with a written determination resulting from the appeal with an explanation of the basis for the decision. If you are still dissatisfied with the relief granted, Caltrans will advise you that you may seek judicial review.

Americans with Disabilities Act (ADA) Notice:

This document is available in alternative formats for people with physical disabilities. Please call (916) 654-5413, or write to 'Department of Transportation - Right of Way, MS-37, 1120 N Street, Sacramento, CA 95814,' for information.

NOTES:



Non-Residential (2nd Printing)
Effective October 1, 2014

Sus Derechos y Beneficios
Como Negocio, Operación
Agrícola o Organización No
Lucrativa Desplazada Bajo el
Departamento de
Transportación de California,
Programa para Asistencia de
Reubicación



California Department of
Transportation

Introducción

Cuando se está construyendo un sistema de transporte moderno, el desplazamiento de un pequeño porcentaje de la población es a veces necesario. Sin embargo, es el procedimiento de Caltrans que las personas desplazadas no deben de sufrir innecesariamente como resultado de los programas diseñados para el beneficio del público en general.



Los negocios, operaciones agrícolas, y organizaciones no-lucrativas desplazadas pueden ser elegibles para servicios de reubicación y pagos.

Este libreto le provee información acerca de los servicios y pagos de reubicación disponibles. Si usted tiene que mudarse como resultado de un proyecto de transportación de Caltrans, un Agente de Reubicación lo contactará. El Agente

de Reubicación estará disponible para responderle preguntas específicas y darle información adicional.

Acta de Procedimiento Uniforme de Asistencia para Reubicación y Adquisición de Bienes Raíces de 1970, Emendada “El Acta Uniforme”



El propósito de esta Acta es de proveer uniformidad e igualdad de tratamiento a personas desplazadas de sus negocios, operaciones agrícolas, u organización no-lucrativa, por programas federales o programas asistidos con fondos federales, y de establecer uniformidad e igualdad en los procedimientos para adquisición de tierras para los programas federales y programas asistidos con fondos federales.

El Código de Regulaciones Federales 49, Parte 24 implementa el “Acta Uniforme” de acuerdo a los siguientes objetivos de asistencia de relocalización:

Para asegurar que las personas desplazados como resultado directo de proyectos federales o proyectos asistidos con fondos federales sean tratados con justicia, consistencia e igualdad de tal manera que esas personas no sufran daños desproporcionados como resultado de los proyectos diseñados para el beneficio del público en general.

Mientras se ha hecho todo esfuerzo para asegurar la veracidad de este folleto, debe entenderse que no tiene la fuerza ni efecto de la ley, regla o regulaciones que gobiernan el pago de los beneficios. Si alguna diferencia o error resulta, la ley tomará precedencia.

Servicio de Reubicación

El Departamento de Transportación tiene dos programas para de ayudar a negocios, granjas y organizaciones no-lucrativas que tienen que reubicarse.

Estas son:

1. El Programa de Consejos de Asistencia de Reubicación, que es para ayudarle en localizar una propiedad de reemplazo conveniente, y
2. El Programa de Pagos para Reubicación, que le reembolsará de ciertos costos envueltos en la reubicación. Estos pagos están clasificados como:
 - Gastos Relacionados a Mudanza (costos de mover propiedad personal no adquirida).
 - Gastos de Restablecimiento (gastos relacionados a la propiedad de reemplazo).
 - Pagos Fijos (pago fijo en vez de los gastos de mudanzas y otros gastos relacionados, y gastos de restablecimiento).

Nota: Pagos por pérdida de clientela es considerado un costo de adquisición. La ley de

California y las regulaciones federales mandan que los pagos de reubicación no pueden duplicar otros pagos, como los pagos de pérdida de clientela.

Usted **no** puede ser elegible a recibir ningún pago de reubicación hasta que el Estado haya hecho la primera oferta escrita para comprar su propiedad. Usted también recibirá un aviso escrito por lo menos 90 días antes que se tenga que mover.

Alguna Definiciones Importantes...

Sus beneficios de relocalización pueden ser entendidos mejor si usted se familiariza con los siguientes términos:

Negocio: Cualquier actividad legal, con la excepción de operaciones agrícolas, conducida principalmente para la compra, venta, arrendamiento, y alquiler de bienes personales o bienes raíces, o para la fabricación, elaboración y/o mercadotecnia de productos, mercancías, u otros bienes personales, o solamente para el propósito de ésta Acta, un rótulo con anuncio o anuncios, cuando el rótulo(s) tenga(n) que ser movido(s) como resultado del proyecto.

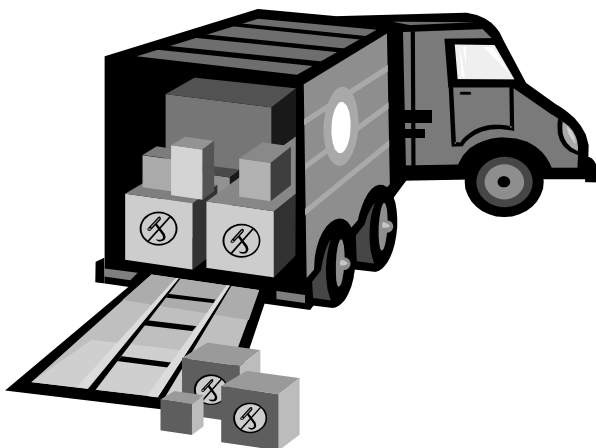
Negocio Pequeños: Un negocio que tenga no más de 500 empleados trabajando en el lugar que esta siendo adquirido o desplazado por un programa o proyecto.

Contribuye Materialmente: Un negocio u operación agrícola debe de haber tenido un ingreso bruto en recibos de al menos \$5,000 o un promedio anual de ingreso netos de al menos \$1,000, para poder calificar como una operación de buena fé.

Operación Agrícola: Cualquier actividad conducida sola o principalmente para la producción de uno o más productos de agricultura o mercancías, incluyendo venta de madera, para la venta y uso en casa, y producción ordinaria de tales productos o mercancía en cantidades suficientes para tener la capacidad de contribuir materialmente al soporte del operario.

Organización No-lucrativa: Una entidad pública o privada que haya establecido su estado de organización no-lucrativa bajo leyes aplicables.

GASTOS DE MUDANZA



Si usted califica como un negocio, operación agrícola, u organización no-lucrativa desplazada, usted puede recibir reembolso de los gastos de mudanza y ciertos gastos relacionados incurridos en la mudanza. Para calificar, usted tiene que ocupar la propiedad legalmente como dueño o inquilino cuando Caltrans inicie negociaciones para la adquisición de la propiedad, O al tiempo que Caltrans adquiera título, o tome posesión de la propiedad. Sin embargo, para asegurar su elegibilidad y el pronto pago de los gastos de mudanza, usted tiene que haber contactado a su Agente de Reubicación antes de que se mude.

Usted Puede Escoger Entre:

Gastos Razonables de Mudanza Actual –

Usted tiene que haber pagado por sus gastos de mudanza razonables y gastos relacionados cuando una compañía comercial hace la mudanza.

El reembolso será limitado a mudanza de 50 millas o menos. Los gastos relacionados, con limitaciones, ***pueden*** incluir:

- Transportación.
- Embalaje y desembalaje propiedad personal
- Desconexión y reconexión relacionada a la operación de la propiedad personal.
- Almacenamiento temporal de la propiedad personal.
- Seguros mientras la propiedad está en almacenamiento o en tránsito, o la propiedad personal es perdida y dañada, si los seguros no son razonablemente disponible.
- Gastos en encontrar un lugar de reemplazamiento (\$2500 máxima).

- Servicios profesionales para planificar y supervisar la mudanza de la propiedad personal al nuevo lugar.
- Licencias, permisos y honorarios requeridos en el lugar de reemplazamiento.
- El costo de instalación de servicios públicos desde la línea del derecho de vía a la estructura(s) o mejoramientos en el sitio de reemplazamiento.
- Estudios de mercado, estudios de factibilidad y exámen de suelo.

O

Contrato de Mudanza Propia – Usted puede ser pagado por mover su propia propiedad personal basado en la más baja de dos ofertas aceptables obtenidas por Caltrans. Bajo esta opción, usted todavía será elegible para el reembolso de los gastos relacionados arriba mencionados, que no fueron incluidos en las ofertas.

O

Pago Fijo – Usted puede aceptar un pago fijo entre \$1,000 y \$40,000 basado en sus ganancias anuales EN VEZ de los costos y gastos relacionados de la mudanza.

Costos Actuales Razonables de Mudanza

Pueden pagársele los gastos actuales razonables y necesarios de su mudanza si lo transporta con una compañía comercial de muebles y mudanzas. Todos sus gastos deben de ser respaldados con recibos u otra evidencia de gastos incurridos. Además de los gastos de transportación de su propiedad personal, ciertos otros gastos también pueden ser reembolsados, tales como empaque, embalaje, desempaque y desembalaje, desconexión, desmantelación, removimiento, reensamblamiento, y reinstalación de maquinaria relocalizada, equipos y otras propiedades personales. Otros gastos necesarios tales como servicios profesionales para planificar y supervisar la mudanza, almacenaje temporal y el costo para licencias, permisos y certificados también pueden ser reembolsables. Esta no es la intención de ser una lista inclusiva de todos los gastos relacionados de mudanza. Su Agente de Reubicación puede proveerle una explicación completa de los gastos reembolsables.

Contrato de Mudanza Propia

Si usted elige tomar la responsabilidad total o parcial para la mudanza de su negocio,

operación agrícola, u organización no-lucrativa, Caltrans puede aprobar un pago sin exceder el presupuesto más bajo de dos ofertas aceptables de una compañía comercial de muebles y mudanzas o por el Agente de Reubicación. Una mudanza a costo bajo o sin complicaciones puede ser basada en una sola oferta o estimado. En realidad, la ventaja de esta opción es que releva de la obligación al operador del negocio, operación agrícola u organización no-lucrativa desplazadas de documentar todos los gastos de mudanza. Caltrans puede hacer el pago sin documentación adicional siempre y cuando el pago sea limitado a la cantidad más baja aceptable de la oferta o del estimado. Otros gastos tales como servicios profesionales para planificar, costos de almacenaje y el costo de licencias, permisos, y certificados también pueden ser reembolsables si son necesarios. Estos gastos tienen que ser aprobados de ante mano por el Agente de Reubicación.

Requisitos:

Antes de que se mueva, usted tiene que proveer a Caltrans con:

- El inventario certificado de toda la propiedad personal que va a mover.

- La fecha que usted intenta desalojar la propiedad.
- La dirección de la propiedad de reemplazamiento.
- La oportunidad de supervisar e inspeccionar la mudanza desde la propiedad adquirida a la propiedad de reemplazo.

Gastos Relacionados

1. Gastos Para la Búsqueda de una Propiedad de Reemplazo – Negocios, operaciones agrícolas, y organizaciones no-lucrativas tienen derecho a un reembolso por gastos actuales razonables, incurridos en la búsqueda de una propiedad de reemplazo, sin exceder \$2,500. Los gastos pueden incluir transportación, alimento y alojamiento cuando esté lejos de su casa; el valor razonable del tiempo que ha gastado buscando una propiedad de reemplazo; los honorarios pagados a agentes de bienes raíces o asesores; y otros gastos determinados por Caltrans como razonables y necesarios.



2. Pérdidas Directas de Bienes Personales

Tangibles: Los negocios, operaciones agrícolas, y organizaciones no-lucrativas desplazada pueden ser elegibles para un pago por pérdidas directas de bienes personales tangibles incurrido como resultado de la mudanza o discontinuación de la operación. Este pago deberá ser basado en el menor de:

- a) El valor de mercado de un producto para uso continuo en el sitio de desplazamiento menos la ganancia por su venta.

O

- b) El costo estimado de mudanza y reinstalación de los objetos reemplazados es basado en la oferta mas baja o el estimado obtenido por Caltrans para mudanza elegible y costos relacionados, incluyendo desmantelamiento y reensamblaje, pero sin pago por almacenamiento.

POR EJEMPLO:

Usted determina que el “contador de documentos” no puede ser movido a la nueva localidad por su condición, y usted no lo va a reemplazar en la nueva localidad.

El Valor de Mercado del Cortador de Documentos basado en su uso actual en La Localidad actual es de \$1,500

Ganancia: Precio recibido por la venta Del Cortador de Documentos -\$ 500

Valor Neto \$1,000

O

El costo estimado de moverlo \$1,050

Basado en el “menor de,” la cantidad de la “Perdida de Propiedad Personal Tangible” **= \$1,000**

Nota: *Usted también tiene derecho a todos los costos razonables incurrido en su esfuerzo por vender el cortado de documentos (por ejemplo, anuncio comercial)*

3. Compra de Substitución de la Propiedad

Personal: Si un objeto de propiedad personal, el cual es usado como parte del negocio, la operación agrícola, o la organización no-lucrativa, no es movido pero es prontamente reemplazado con un objeto sustituto que hace una función comparable en el sitio de reemplazo, el desplazado tiene derecho al menor de:

- a) El costo de un objeto sustituto, incluyendo los costos de instalación en el sitio de reemplazamiento, menos cualquier ganancia por la venta o intercambio del objeto reemplazado.

O

- b) El costo estimado de mudanza y reinstalación del objeto de reemplazo, basado en la oferta mas baja aceptable o el estimado obtenido por Caltrans para una mudanza elegible y gastos relacionados, incluyendo el desmantelamiento y reensamblaje, pero sin pago por almacenamiento

EJEMPLO A:

Usted puede determinar que la máquina copiadora no puede ser movida a la nueva localidad porque es ahora obsoleta y la va a reemplazar.

Costo de substituir una Máquina Copiadora incluyendo costos de instalación en el sitio de reemplazamiento. \$3,000

Pago por el intercambio -\$2,500

Valor Neto \$ 500

O

Costo estimado de la mudanza \$ 550

Basado en el “menor de” la cantidad de “La Propiedad Personal Substituida.” **\$ 500**

EJEMPLO B:

Usted determina que las sillas no van a ser usadas en la nueva localidad, porque ya no combinan con la decoración, y usted las quiere reemplazar.

Costo de la sillas substitutas	\$1,000
Ganancias: Por la venta de las Sillas	<u>-\$ 100</u>
Valor Neto	\$ 900

O

Costo estimado de la mudanza	\$ 200
Basado en el “menor de,” la cantidad de “La Propiedad Personal de Substitución	\$ 200

Nota: *Usted también tiene derecho a todos los gastos razonables incurridos en su esfuerzo por vender la copiadora (Ejemplo A) o las sillas (Ejemplo B).*

4. Desconexión y Reinstalación: Usted va a ser reembolsado por los costos actuales y razonables de desconexión, desmantelamiento, mudanza, reensamblaje, e reinstalación de cualquier maquinaria, equipo u otra propiedad personal en relación a la mudanza a su nuevo local. Esto incluye conexión a los servicios públicos disponibles en el lugar y a cualquier modificación de los objetos personales que sean necesario para adaptar a los servicios públicos en el sitio de reemplazamiento.

5. Cambios Físicos en el nuevo local: Usted puede ser reembolsado por cierto cambios físicos de la propiedad de reemplazamiento si los cambios son necesarios para permitir la reinstalación de la maquinaria o equipo necesario para la continua operación del negocio.

***Nota:** Los cambios no pueden incrementar el valor del edificio para propósitos generales, tampoco pueden incrementar la capacidad mecánica de los edificios más allá de los requerimientos normales.*

6. El costo de instalación de los servicios públicos desde la derecha de la línea de camino a las estructuras o mejoras en el lugar de reemplazo.

7. Los estudios de marketing, encuestas de viabilidad y análisis de suelos.

8. Evaluaciones de una sola vez o tarifas de impacto para uso pesado utilidad esperada.

Gastos De Restablecimiento

Un pequeño negocio, operación agrícola, u organización no-lucrativa puede ser elegible para un pago, que no exceda \$25,000, para los gastos actuales incurridos en la reubicación y el reestablecimiento en el sitio de reemplazo.

Gastos de reestablecimiento pueden incluir, pero no están limitado a, lo siguiente:

1. Reparación y mejoramiento de la propiedad de reemplazamiento requerido por las leyes, códigos, u ordenanzas federales, estatales o locales.
2. Modificaciones de la propiedad de reemplazamiento para hacer la estructura(s) apropiado para la operación del negocio.
3. Construcción e instalación de los letreros exteriores para anunciar el negocio.

4. Redecoración o reemplazamiento como pintura, tapizado de pared, paneles, o carpetas cuando sean requeridas por la condición del sitio de reemplazo o con propósitos estéticos.
5. Anunciar la localidad del nuevo negocio.
6. El aumento del costo estimado de operación en el lugar de reemplazo durante los primeros dos años, por objetos como:
 - a. Cargas de rentas.
 - b. Impuestos de propiedad personal o propiedad real
 - c. Prima de seguros, y
 - d. Carga de servicios públicos (excluyendo honorarios de impacto).
7. Otros objetos que el Departamento considere esenciales para el restablecimiento del negocio ú operación agrícola.

Pago De Una Vez (O Pago Fijo)

Negocios que han sido desplazados, operaciones agrícolas, y organizaciones no-lucrativas podrían ser elegibles para un pago fijo (en vez de) por los gastos actuales de mudanza, pérdida de propiedad personal, gastos de búsqueda, y gastos de restablecimiento. Los pagos fijos no podrán ser menos de \$1,000 o más de \$40,000.

Para que un negocio sea elegible por un pago fijo, Caltrans debe de determinar lo siguiente:

1. El negocio posee o renta propiedad personal que debe de ser movida debido al desplazamiento.
2. El negocio no puede ser relocalizado sin una pérdida substancial de la clientela existente.
3. El negocio no es parte de un empresa comercial que tiene más de tres otros negocios conectados en una misma o actividad similar, las cuales están bajo el mismo dueño y no estan siendo desplazadas por el Departamento.
4. El negocio contribuyó materialmente a las ganancias del operador del negocio desplazado durante los do años anteriores al desplazamiento.

Cualquier operación del negocio que está conectado solamente en la renta del espacio de otros, no es elegible para un pago fijo. Esto incluye la renta de espacio con propósitos residenciales o de negocios.

Los requerimientos de elegibilidad para las operaciones agrícolas y organizaciones no-lucrativas son un poco diferentes a los requerimientos para negocios. Si usted está siendo desplazado de una finca o usted representa una organización no-lucrativa y está interesado en un pago fijo, por favor consulte con su consejero de reubicación para información adicional.

Nota: Una organización sin fines de lucro debe corroborar que no puede ser reubicado sin una pérdida sustancial de patrocinio existente (membresía o clientela). El pago se basa en el promedio de dos años los ingresos brutos menos los gastos administrativos anuales.

La computación de Su Pago Fijo

El pago fijo para un negocio desplazado o una operación agrícola es basado en el promedio anual neto de ganancias de la operación por los dos años inmediatamente precedentes al año en el cual fue desplazado. Caltrans puede usar un período de dos años diferentes, si se determina que los dos últimos años no reflejan con certeza las ganancias de la operación.

Ejemplo: Caltrans adquiere su propiedad y usted se mueve en el 2013:

2011 Ganancias Netas Anuales	\$10,500
2012 Ganancias Netas Anuales	<u>\$12,500</u>
TOTAL	\$23,000
Promedio de los años	\$11,500

Este podría ser la cantidad de su pago fijo. Recuerde – esto es “en vez de” todos los otros beneficios de mudanza, incluyendo restablecimiento. Usted tendrá que proveer Caltrans pruebas de las ganancias netas para verificar su reclamo.

Prueba de las ganancias netas pueden ser documentas con sus declaraciones de impuestos, cartas financieras certificadas, u otra evidencia razonable de las ganancias netas aceptables por Caltrans.

Nota: La computación de las organizaciones no-lucrativas difiere en que los pagos son computados en la base del promedio anual grueso de las ganancias menos los gastos administrativos por el período de los dos años especificados arriba.

Antes de que se Mueva

- A. Completar una "Solicitud de Determinación de Titularidad" forma disponible de su agente de reubicación, y volver de inmediato.
- B. Somete una declaración escrita de las razones por las cuales su negocio no puede ser reubicado sin una pérdida substancial en la ganancia neta.
- C. Provea una copia certificada de su declaración de impuestos de los dos años inmediatamente precedentes al año en el que se va a mover. (Si usted se mueve en cualquier momento en el año 2013, sin importar de cuando comenzaron las negociaciones o cuando el Estado tomó título de su propiedad, los años serán el de 2011 y el 2012.
- D. Usted deberá ser notificado de la cantidad a la que tiene derecho después que la aplicación es recibida y aprobada.
- E. Usted no puede recibir un pago hasta que se haya movido de la propiedad, Y que haya entregado un reclamo de pago dentro de los 18 meses de la fecha de mudanza.

Asistencia de Asesoría de Reubicación



A cualquier negocio, operación agrícola, u organización no-lucrativa, desplazado por Caltrans debe de ofrecer los servicios de asistencia de reubicación con el propósito de localizar una propiedad de reemplazamiento. Los servicios de reubicación deben de ser proveídos por un empleado de Caltrans. Es la meta y el deseo de nosotros de servirle y asistirle en cualquier manera posible para ayudarle a reubicarse exitosamente.

Un Agente de Reubicación de Caltrans se comunicará con usted personalmente, Los servicios de reubicación y los pagos deberán ser explicados a usted de acuerdo con su

elegibilidad. Durante la entrevista inicial con usted, sus necesidades y deseos deberán determinarse así como su necesidad de asistencia.

Usted puede esperar recibir los siguientes servicios, consejos, y asistencia de su Agente de Reubicación quien le:

- Determinará sus necesidades y preferencias.
- Explicará los beneficios de reubicación y su elegibilidad.
- Proveerá información en las propiedades de reemplazo para su consideración.
- Proveerá información en aconsejarle como puede obtener ayuda para minimizar la adversidad en ajustarse a su nuevo local.
- Asistirá en completar los documentos de préstamos, aplicaciones de rentas o Formas de Reclamos de Reubicación.

Y puede proveerle información en:

- Depósitos de seguridad.
- Taza de intereses y términos.

- Pagos típicos de enganches.
- Permisos, honorarios, y ordenanzas locales.
- Requerimientos de préstamos SBA.
- Impuestos de bienes raíces.
- Literatura de educación al consumidor.

Si usted desea, su Agente de Reubicación le dará una lista actual de otras propiedades de reemplazamiento que estén disponibles. Se le proveerá transportación para inspeccionar la propiedad disponible, especialmente si usted es anciano o deshabilitado. Aunque usted puede usar los servicios de un vendedor de bienes raíces, Caltrans no lo puede referir a un agente específico.

Su Agente de Reubicación está familiarizado con los servicios proveído por otros en su comunidad y le proveerá información de otros programas federales, estatales y locales que ofrecen asistencia a las personas desplazadas. Si usted tiene necesidades especiales, su Agente de Reubicación hará un esfuerzo para asegurar los servicios del personal entrenado de estas agencias que tienen la experiencia para ayudarle.

Si el proyecto de carreteras requiere que un número considerable de personas sean reubicadas, Caltrans establecerá Oficinas temporales de Reubicación en o cerca del proyecto. Las oficinas de proyectos de reubicación serán abiertas durante las horas convenientes y hasta horas de la noche si es necesario.

Además de estos servicios, Caltrans será requerido a coordinar las actividades de reubicación con otras agencias causantes de desplazamiento para asegurar que todas las personas desplazadas reciban beneficios de reubicación iguales y consistentes.

Recuerde – Su Agente Reubicación está ahí para ofrecer consejos y asistencia. No tenga dudas en preguntar. Y esté seguro que usted entiende completamente todos los derechos y beneficios disponibles.

SUS DERECHOS COMO UNA PERSONA DESPLAZADA

Es importante que recuerde que los beneficios de reubicación no tendrán un efecto adverso en su:

- Elegibilidad para Seguro Social
- Elegibilidad para Asistencia Social
- Declaración de Impuestos

Además, el **Título VIII del Acta de Derechos Civiles de 1968**, y las actas anteriores y sus enmiendas hacen ilegal las prácticas en la venta y renta de las unidades residenciales que estén basadas en la raza, color, religión, sexo, u origen nacional.

Los Procedimientos No-Discriminatorios de Caltrans aseguran que todos los servicios y/o beneficios sean administrados al público en general sin diferencia de raza, color, origen nacional, o sexo en cumplimiento con el Título VI del Acta de Derechos Civiles de 1964. (42 USC 2000 (d.) et seq.).

Y usted siempre tiene el **Derecho de Apelar** una decisión de Caltrans en relación a sus beneficios de reubicación y elegibilidad.

Su Derecho de Apelación es garantizado en la “Ley Uniforme” que establece que una persona puede apelar con el responsable de la agencia si esta persona cree que la agencia ha fallado en determinar apropiadamente la elegibilidad de la persona o la cantidad de un pago autorizado por la Ley.

Si usted indica su disatisfacción, ya sea verbalmente o por escrito, Caltrans puede asistirle en entregar su caso y explicar los procedimientos a seguir. A usted le darán la oportunidad de ser oído pronta y totalmente. Usted tiene el derecho de ser representado por un consejero legal u otro representante en conexión con la apelación (pero solamente a su propio costo).

Caltrans puede considerar todas las justificaciones pertinentes y materiales entregadas por usted y cualquier otra información disponible que sea necesaria para asegurar una revisión justa. Caltrans le proveerá con una determinación de la apelación por escrito con una explicación de la base de la decisión. Si usted todavía no está satisfecho con las asistencia prestada, Caltrans le aconsejará que usted puede buscar una revisión judicial.

Noticiero de la Ley para Americanos con Incapacidades Físicas (ADA):

Para personas con incapacidades físicas, este documento es disponible en formatos alternativos. Para información llame al número (916) 654-5413, o escriba a 'Department of Transportation - Right of Way, MS-37, 1120 N Street, Sacramento, CA 95814.'



Nonresidential (Spanish)
Effective October 1, 2014

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Appendix C – Environmental Commitments Record

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Permit Type	Agency	Date Received	Expiration	Notes
Section 404 Nationwide Permit No. 14	United States Army Corps of Engineers (USACE)			
Section 1602 Streambed Alteration Agreement	California Department of Fish and Wildlife (CDFW)			
Section 401 Water Quality Certification; National Pollutant Discharge Elimination System (NPDES) Notice of Construction; Section 402 Clean Water Act NPDES (Construction Activity)/Department NPDES Permit CAS000003 and CAS000002 (General Permit); Storm Water Pollution Prevention Plan (SWPPP)	Santa Ana Regional Water Quality Control Board (RWQCB)			
Air Quality Conformity Determination	Federal Highway Administration (FHWA)	September 21, 2020		
CTC vote to approve funds	California Transportation Commission (CTC)			
Grading Permit; Encroachment Permit	City of Moreno Valley			
Encroachment Permit	County of Riverside			
MS4 Permit	California Department of Transportation (Caltrans)			

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 EA 0M590
 PN 0813000109
 Generalist: Jeanine Gray
 ECL: [TBD]

Project Phase:
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							Date / Initials	Date / Initials	YES	NO	
LAND USE											
LU-1: Restoration of Land Used Temporarily During Construction. Prior to construction, the Contractor shall generate time-stamped photodocumentation of the pre-construction conditions of all temporary staging areas. All construction access, mobilization, material laydown, and staging areas shall be returned to the property owner in a condition equal to the pre-construction staging condition.	Section 2.1 – Page 2.1-15	EIR/EA Subsection 2.1.1.5 Avoidance, Minimization, and/or Mitigation Measures	Construction Contractor	Prior to, during, and after construction							No
COMMUNITY IMPACTS											
REL-1: Caltrans and the City will comply with the Uniform Act (Public Law 91-646, 84 Statutes 1894) as applicable and provide all affected property owners with a copy of the act. The Uniform Act mandates that certain relocation services and payments be made available to eligible residents, businesses, and nonprofit organizations displaced by its project. The Uniform Act also provides for uniform and equitable treatment by federal or federally	Section 2.4 – Page 2.4-21	EIR/EA Subsection 2.4.2.4 Avoidance, Minimization, and/or Mitigation Measures	Caltrans	Prior to relocation of properties							No

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<p>assisted programs of persons displaced from their homes, businesses, or farms, and establishes uniform and equitable land acquisition policies.</p> <p>Where acquisition and relocation are unavoidable, the provisions of the Uniform Act would be followed. An independent appraisal of the affected property will be obtained, and an offer for the full appraisal would be made.</p> <p>The Uniform Act requires that comparable, decent, safe, and sanitary replacement housing that is within a person's financial means be made available before that person may be displaced. In the event that such replacement housing is not available for persons displaced by the project within the statutory limits for replacement housing payments, last resort housing may be provided in a number of prescribed ways. A summary of the relocation benefits pursuant to the Uniform Act is provided in Appendix B.</p>											

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UTILITIES AND EMERGENCY SERVICES											
UES-1: During final design, utility relocation plans will be prepared in consultation with the affected utility providers/owners for those utilities that will need to be relocated, removed, or protected in-place. If relocation is necessary, the final design will focus on relocating utilities within existing public rights-of-way and/or easements. If relocation outside of existing rights-of-way or additional public rights-of-way and/or easements required for the project are necessary, the final design will focus on relocating those facilities to minimize environmental impacts as a result of project construction and ongoing maintenance and repair activities. Utility relocations are anticipated to be completed by the various utility owners prior to or during construction.	Section 2.5 – Page 2.5-4	EIR/EA Subsection 2.5.2.3 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer Resident Engineer Construction Contractor	During final design Prior to utility relocation activities Prior to and during construction							No
UES-2: Prior to and during construction, the Construction Contractor will coordinate all temporary mainline, ramp, and arterial roadway closures and detour plans with law enforcement.	Section 2.5 – Page 2.5-5	EIR/EA Subsection 2.5.2.3 Avoidance, Minimization,	Construction Contractor	Prior to and during construction							No

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fire protection, and emergency medical service providers to minimize temporary delays in emergency response times, including the identification of alternative routes for emergency vehicles and routes across the construction areas that are developed in coordination with the affected agencies.		and/or Mitigation Measures									
TRAFFIC AND TRANSPORTATION/PEDESTRIAN AND BICYCLE FACILITIES											
TR-1: Transportation Management Plan. A detailed Transportation Management Plan (TMP) will be prepared during the final design phase of the project. The objective of the TMP is to minimize the potential impacts that construction activities may have on the traveling public and emergency services providers. Preparation of the TMP will be coordinated with the emergency services providers in the project vicinity to minimize response delays resulting from traffic delays, temporary ramp and freeway mainline lane closures, and detours during project construction.	Section 2.6 – Page 2.6-25	EIR/EA Subsection 2.6.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer Resident Engineer Construction Contractor Qualified Traffic Engineer	During final design and construction							No

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<p>The TMP for the project would include the following elements and strategies:</p> <p>a. During construction, the contractor will be required to coordinate all temporary ramp closures and detour plans with applicable fire, emergency, medical, and law enforcement providers in order to minimize temporary delays in provider response times.</p> <p>b. The TMP will include construction staging, detours, and road closures, as applicable.</p> <p>c. The project will provide access to the parking area and gate for the Sketchers Warehouse at all times.</p> <p>d. Traffic control plans and related specifications, to be completed during final design of the project, will be developed in accordance with the Work Area Traffic Control Handbook (also referred to as the WATCH Manual), Section 5 of the California Department of Transportation (Caltrans) Traffic Manual, Caltrans Standard Plans,</p>											

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<p>and applicable City of Moreno Valley requirements. These plans and specifications will include elements such as: advance roadside signs and portable changeable message signs (CMSs); traffic surveillance; lane/shoulder closures; and temporary signing/stripping on local streets, the State Route 60 (SR 60) ramps, and the SR-60 mainline. Temporary closures of SR-60 are anticipated during construction. Closures along the mainline, which will be limited to nighttime and off-peak hours, are anticipated to re-route traffic to Eucalyptus Avenue.</p> <p>e. The improvements to Eucalyptus Avenue will be constructed early in the construction schedule, prior to the closure of the WLC Pkwy Overcrossing. During construction, access to SR-60 north of the freeway will be provided via Ironwood Avenue and Redlands Boulevard. Access to SR-60 south of the freeway will be provided via Alessandro Boulevard and Gilman Springs Road and via Eucalyptus Avenue and Redlands Boulevard. Additional intersection</p>											

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<p>improvements required along the detour routes to facilitate vehicle movement shall be implemented prior to the closure of the WLC Pkwy overcrossing.</p> <p>f. The project will implement a Construction Zone Enhanced Enforcement Program (COZEEP) and use California Highway Patrol (CHP) officers to enforce lane closures and provide a visual deterrent to errant/speeding vehicles.</p> <p>g. The project will implement a Public Awareness Campaign (PAC). Although any lane closures will occur at night, there will still be a potential temporary impact to vehicles traveling through the construction zone. The purpose of this PAC is to keep the surrounding community abreast of the project's progress and construction activities that could affect the public's travel plans, as well as minimize delays or confusion to the motoring public during construction activities. Mailers/flyers and local newspaper advertising will be used to disseminate this information.</p>											

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h. The project will implement the following construction strategies to minimize construction-related impacts: i. Perform major construction activities at off-peak hours, such as at night or during the weekends, when feasible and reasonable. ii. Finalize ramp closure charts during the final design phase. During final design, the proposed lane and ramp closures will be presented to the Caltrans Lane Closures Review Committee (LCRC) for approval. iii. Coordinate construction with adjacent projects. Coordination is important to address possible temporary increases in traffic due to detours from adjacent projects. Construction of the adjacent projects is anticipated to be completed prior to construction of the project. iv. All ramp reconstruction and local street widening will be											

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constructed in stages to minimize disruption. i. The project will include provisions for maintaining pedestrian and bicycle access at all times during construction through implementation of various detour routes throughout the study area along Ironwood Avenue, Eucalyptus Avenue, Gilman Springs Road, and Alessandro Boulevard. The project will include contingency plans that specify the actions that will be taken in the event that something unexpected occurs with respect to construction activities or traffic operations. The contractor will review these plans and incorporate them into the contractor's contingency plan.											
TR-2: Overlap Phasing. Eastbound right-turn green during northbound-left phase and southbound right-turn green during eastbound-left phase at the westbound ramps intersection of World Logistics Center Parkway (WLC Pkwy) and SR-60 under Alternative 2 and/or Design Variation 2a shall be implemented	Section 2.6 – Page 2.6-27	EIR/EA Subsection 2.6.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer Resident Engineer Construction Contractor	During final design and construction							No

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to achieve an acceptable level of service (LOS).											
TR-3: Roundabout Capacity. The roundabout lanes and associated approach roadway segments under Alternative 6 (Preferred Alternative) and/or Design Variation 6a must be constructed to sufficient widths so as to achieve acceptable LOS and be clear of obstructions pursuant to current Caltrans standards.	Section 2.6 – Page 2.6-27	EIR/EA Subsection 2.6.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer Resident Engineer Construction Contractor	During final design and construction							No
VISUAL											
VIS-1: Architectural Treatments and Review. All Architectural Treatments proposed shall be developed during the Plans, Specifications, and Estimates (PS&E) phase in consultation with the City of Moreno Valley and the California Department of Transportation (Caltrans) District Landscape Architect and shall be consistent with the guidelines present in the <i>State Route 60 Corridor Master Plan for Aesthetics and Landscaping Moreno Valley City Limits</i> (Corridor Master Plan), prepared by Caltrans District 8, dated August 2010, as well as the Gateway Monument policy	Section 2.7 – Page 2.7-32	EIR/EA Subsection 2.7.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer Resident Engineer	During PS&E							No

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identified in Chapter 29 of the <i>Project Development Procedures Manual</i> , prepared by Caltrans, dated May 2016. All proposed architectural treatments shall be reviewed and approved by Caltrans prior to final design and implementation.											
<p>VIS-2: Landscaping. Freeway landscaping shall retain the character of the existing desert scrub. An informal mixture of low-growing native desert plants shall be protected in-place and/or filled in where needed. A few tall specimens shall be incorporated at the overcrossing structure to provide scale without impacting the broader vista. Landscape palettes and concept plans will be implemented in consultation with the City of Moreno Valley and the Caltrans District Landscape Architect. All proposed landscaping would follow the guidance in Section 92.3 of the Streets and Highways code, and shall include the following measures:</p> <ul style="list-style-type: none"> All proposed landscaping species shall be well suited for 	Section 2.7 – Page 2.7-33	EIR/EA Subsection 2.7.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer Resident Engineer Construction Contractor Licensed Landscape Architect	During final design and construction						No	

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the local climate, humidity, soil types, and local wind. <ul style="list-style-type: none"> • All selected species shall share similar water requirements. • Appropriate plant spacing shall be allowed to avoid overcrowding. • Landscape concepts shall include zoning areas of medium and low water use to meet the needs for usage and achieve efficiency. It is Caltrans' policy to conserve water and use drought-tolerant and low to moderate water-using plants. High water-using plants are discouraged. • The construction of unnaturally steep slopes shall be avoided. • Mulches, gravels, or other inert materials, and drip or other non-spray irrigation shall be implemented. 											

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VIS-3: Construction Lighting. Construction lighting types, plans, and placement shall be reviewed at the discretion of the Caltrans District Landscape Architect and in accordance with Moreno Valley Municipal Code Section 9.10.110 in order to minimize light and glare impacts on surrounding sensitive uses. Specifically, Section 9.10.110 of the Moreno Valley Municipal Code states: "No operation, activity, sign or lighting fixture shall create illumination which exceeds 0.5 footcandles minimum maintained on any adjacent property, whether the illumination is direct or indirect light from the source. All lighting shall be designed to project downward and shall not create glare on adjacent properties."	Section 2.7 – Page 2.7-33	EIR/EA Subsection 2.7.4 Avoidance, Minimization, and/or Mitigation Measures	Resident Engineer Licensed Landscape Architect	During final design and construction							No
VIS-4: Operational Lighting. Compliance with Caltrans Standard Design Practices, including the use of directional lighting, and Moreno Valley Municipal Code Section 9.10.110 will be used to reduce new sources of light and glare impacts.	Section 2.7 – Page 2.7-33	EIR/EA Subsection 2.7.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer Resident Engineer Construction Contractor	During final design, construction, and operation							No

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CULTURAL RESOURCES											
CR-1: Cultural Materials. If cultural materials are discovered during construction, it is Caltrans policy that all construction work activities within 60 feet of the discovery shall stop until a qualified archaeologist can assess the nature and significance of the find.	Section 2.8 – Page 2.8-7	EIR/EA Subsection 2.8.4 Avoidance, Minimization, and/or Mitigation Measures	Construction Contractor Caltrans Archaeologist	During site preparation, grading, or excavation							No
CR-2: Human Remains. If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities shall stop in any area or nearby area suspected to overlie remains, and the County of Riverside Coroner shall be contacted. Pursuant to California Public Resources Code (PRC) Section 5097.98, if the remains are thought to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC), which will then notify the Most Likely Descendant (MLD). At this time, the person who discovered the remains will contact the California Department of Transportation (Caltrans) District 8 Environmental	Section 2.8 – Page 2.8-7	EIR/EA Subsection 2.8.4 Avoidance, Minimization, and/or Mitigation Measures	Construction Contractor Resident Engineer Native American Heritage Commission	During site preparation, grading, or excavation							No

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Branch Chief so that he or she may work with the MLD on the respectful treatment and disposition of the remains. Further provisions of PRC 5097.98 are to be followed as applicable.											
HYDROLOGY AND FLOODPLAINS											
HYD-1: Awareness Floodplain Boundary. During final design, the City of Moreno Valley shall process a grading permit with the County of Riverside (County) for the proposed engineered slopes within the limits of the Awareness Floodplain within unincorporated Riverside County. The chosen Build Alternative or design variation shall not be constructed until the grading permit is approved by the County.	Section 2.9 – Page 2.9-9	EIR/EA Subsection 2.9.4 Avoidance, Minimization, and/or Mitigation Measures	City of Moreno Valley Staff County of Riverside Staff	During final design							No
WATER QUALITY AND STORM WATER RUNOFF											
WQ-1: Construction General Permit. Construction of the project shall comply with the provisions of the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General	Section 2.10 – Page 2.10-13	EIR/EA Subsection 2.10.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer Construction Contractor	During PS&E and during construction							No

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							Date / Initials	Date / Initials	YES	NO	
Permit) Order No. 2009-0009-DWQ, as amended by 2010-0014-DWQ and Order 2012-0006-DWQ; NPDES No. CAS000002), or any other subsequent permit. The project shall comply with the Construction General Permit by preparing and implementing a Storm Water Pollution Prevention Plan (SWPPP) to address all construction-related activities, equipment, and materials that have the potential to impact water quality for the appropriate risk level. The SWPPP shall identify the sources of pollutants that may affect the quality of storm water and include Best Management Practices (BMPs) to control the pollutants (e.g., Sediment Control, Catch Basin Inlet Protection, Construction Materials Management, and Non-Storm Water BMPs). All work shall conform to the construction site BMP requirements specified in the latest edition of the California Department of Transportation (Caltrans) <i>Storm Water Quality Handbooks: Construction Site Best Management Practices Manual</i> to control and minimize the impacts of construction and construction-											

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related activities, materials, and pollutants on the watershed. These include, but are not limited to, temporary sediment control, temporary soil stabilization, concrete waste management, street sweeping and vacuuming, wind erosion control, and other non-storm water BMPs.											
WQ-2: Caltrans MS4 Permit. Design and operation of the project shall comply with the provisions of the NPDES Permit, Statewide Storm Water Permit, Waste Discharge Requirements (WDRs) for the State of California, Department of Transportation Order No. 2012-0011-DWQ, NPDES No. CAS000003 (Caltrans MS4 Permit) or any subsequent permit. This permit is applicable to the portions of the project area within and outside of Caltrans right-of-way. Caltrans-approved Treatment and Design Pollution Prevention BMPs shall be implemented within and outside of Caltrans right-of-way to the maximum extent practicable. As per the Statewide Trash Implementation Plan, trash capture devices will be implemented along	Section 2.10 – Page 2.10-13	EIR/EA Subsection 2.10.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer Construction Contractor	During PS&E, construction, and operation.							No

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the SR-60/WLC Pkwy mainline and ramps designated as "significant trash generating areas." Treatment BMPs shall be sized and designed to retain and infiltrate the water quality volume and would not result in an increase in velocity or volume of downstream flow. Treatment BMPs include infiltration basins and biofiltration swales. Design Pollution Prevention BMPs include preservation of existing vegetation, slope/surface protection systems (permanent soil stabilization and replanting of vegetation) concentrated flow conveyance systems, and low-impact design (LID) efforts.											
<u>GEOLOGY/SOILS/SEISMIC/TOPOGRAPHY</u>											
GEO-1: Geotechnical Design Report. During the Plans, Specifications, and Estimates (PS&E) phase, a detailed geotechnical investigation will be conducted by qualified geotechnical personnel to assess the geotechnical conditions in the project area. The geotechnical investigation will include exploration, testing, and evaluation	Section 2.11 – Page 2.11-9	EIR/EA Subsection 2.11.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer Resident Engineer Qualified Geotechnical Personnel	During PS&E and final design							No

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based on proposed grading and alignment schemes. This investigation shall also include slope stability evaluations, particularly for any proposed cuts and fills. Borings and double-ring infiltration tests will also be required at new storm water infiltration basins. Those soil samples will be tested to evaluate liquefaction potential, collapsibility potential, stability, and corrosion potential. The project-specific findings and recommendations of the geotechnical investigation will be submitted to the California Department of Transportation (Caltrans) for review and approval. Those findings and recommendations will be incorporated into the final design of the selected Build Alternative or Design Variation.											
GEO-2: Foundation Reports. During the PS&E phase, a detailed Foundation Report specific to the project will be prepared. Geotechnical investigations for bridges, retaining walls, sound walls, storm water conduits, and overhead signs will be required. The project-specific findings and	Section 2.11 – Page 2.11-9	EIR/EA Subsection 2.11.4 Environmental Consequences	Project Engineer Resident Engineer Qualified Geotechnical Personnel	During PS&E							No

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recommendations of these geotechnical investigations will be submitted to Caltrans for review and approval. Those findings and recommendations will be incorporated into the final design of the selected Build Alternative or Design Variation.											
GEO-3: Ground Surface Rupture and Deformation Potential Testing. During the PS&E phase, further geotechnical evaluation will be conducted. This evaluation will determine the potential for fault rupture within the bridge footprint as a result of the unnamed "splay" located outside the mapped Alquist-Priolo Fault Hazard Zone that projects toward the existing World Logistics Center Parkway (WLC Pkwy) Overcrossing.	Section 2.11 – Page 2.11-9	EIR/EA Subsection 2.11.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer Resident Engineer Qualified Geotechnical Personnel	During PS&E							No
GEO-4: Seismically Induced Settlements. During PS&E, seismically induced settlement will be evaluated based on new embankment fill thickness and geometry. If there is potential for seismically induced settlement, these findings will be incorporated into the final design of the selected	Section 2.11 – Page 2.11-9	EIR/EA Subsection 2.11.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer Resident Engineer Qualified Geotechnical Personnel	During PS&E							No

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Build Alternative or design variation.											
GEO-5: Corrosive Soil Testing. During PS&E, representative soil samples will be tested for pH, sulfate content, chloride, content, and minimum electrical resistivity as part of the final Foundation Report investigation for the project area pursuant to Caltrans Corrosion Guidelines. If corrosive soils are found, appropriate material recommendations will be incorporated into the final design of the selected Build Alternative or design variation.	Section 2.11 – Page 2.11-9	EIR/EA Subsection 2.11.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer Resident Engineer Qualified Geotechnical Personnel	During PS&E							No
PALEONTOLOGY											
PAL-1: Discovery of Unanticipated Paleontological Resources. If unanticipated paleontological resources are discovered, all work within 60 feet of the discovery must cease and the construction Resident Engineer must be notified. Work cannot continue near the discovery until authorized.	Section 2.12 – Page 2.12-8	EIR/EA Subsection 2.12.4 Avoidance, Minimization, and/or Mitigation Measures	Resident Engineer Construction Contractor	During Construction							No

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<p>PAL-2: Paleontological Mitigation Plan (PMP). The PMP shall be developed concurrently with the final design plans and shall follow the California Department of Transportation (Caltrans) guidelines in the Standard Environmental Reference (SER) Environmental Handbook, Volume 1, Chapter 8 (Caltrans, 2017), as well as guidelines from the Society of Vertebrate Paleontology. Following these guidelines, the PMP shall be prepared by a qualified paleontologist and shall include the following elements:</p> <ul style="list-style-type: none"> • Required 1-hour preconstruction paleontological sensitivity training for earthmoving personnel • A signed repository agreement • Field and laboratory methods proposed (must be consistent with repository requirements) • A required Paleontological Mitigation Report upon completion of project earthmoving 	Section 2.12 – Page 2.12-8	EIR/EA Subsection 2.12.4 Avoidance, Minimization, and/or Mitigation Measures	Resident Engineer Qualified Paleontologist Qualified Environmental Staff	Concurrently with final design plans							Yes

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HAZARDOUS WASTE/MATERIALS											
HAZ-1: Lead Compliance Plan. Prior to construction, construction contractors excavating, transporting, or stockpiling soil will prepare a Lead Compliance Plan in accordance with the California Department of Transportation (Caltrans) Code of Safety Practices, the California Code of Regulations, and California Occupational Safety and Health Administration (Cal/OSHA) standards. The Lead Compliance Plan will address the presence of aerially deposited lead (ADL) in the soils within the project area and the health and safety of construction workers.	Section 2.13 – Page 2.13-9	EIR/EA Subsection 2.13.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer Resident Engineer Construction Contractor	Prior to construction							No
HAZ-2: Striping and Pavement Markings. Striping paint on the paved roads associated with the project will be sampled and tested for lead chromate in accordance with the Caltrans' <i>Construction Manual</i> (2017) Chapter 7, Section 7-107, Hazardous Waste and Contamination, by trained and/or licensed professionals. The field and analytical data obtained during	Section 2.13 – Page 2.13-9	EIR/EA Subsection 2.13.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer Resident Engineer Trained or licensed Contractor Construction Contractor	During PS&E and construction							No

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this study will be used to provide a review of the sampling locations and descriptions, a summary of the analytical results, and recommendations for striping paint removal, containment, and off-site transportation and disposal, as appropriate.											
HAZ-3: Asbestos-Containing Materials and Lead-Based Paint. After property acquisition and prior to demolition, the World Logistics Center Parkway (WLC Pkwy) and structures that are proposed for demolition and/or modification within the study area will be assessed for the possible presence of asbestos-containing materials (ACMs) and lead-based paints (LBPs). These studies will be conducted by trained and/or licensed professionals and will comply with the EPA, the National Emission Standards for Hazardous Air Pollutants (NESHAPs), the Code of Federal Regulations (CFR) Title 40, South Coast Air Quality Management District (SCAQMD) Rule 1403, and the United States Department of Housing and Urban Development (HUD) and California Department of Public Health	Section 2.13 – Page 2.13-9	EIR/EA Subsection 2.13.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer Resident Engineer Trained or licensed Contractor	After property acquisition and prior to demolition							No

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(CDPH) guidelines. The results of these studies will provide a description of the ACM and LBP locations, estimated quantity, and recommendations for removal, containment, and off-site transportation and disposal.											
HAZ-4: Transformers. If transformer removal is required, Southern California Edison will be contacted prior to handling or removal of electrical transformers. If utility poles require removal, additional sampling and analysis will be conducted to determine the presence of creosote (often associated with the preservation of wooden electric poles) and appropriate disposal methods. Any hazardous transformers or poles that are disturbed/removed will be disposed of in accordance with the California Health and Safety Code.	Section 2.13 – Page 2.13-9	EIR/EA Subsection 2.13.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer Resident Engineer Appropriate Southern California Edison Staff	During construction but prior to handling or removal of electrical transformers							No
HAZ-5: SCAQMD Rule 1403. Notification and applicable fees will be submitted to the SCAQMD at least 10 days prior to proceeding with any demolition or renovation of a structure (refer to SCAQMD Rule 1403(d)(1)(B)). The construction contractor will adhere to the	Section 2.13 – Page 2.13-10	EIR/EA Subsection 2.13.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer Resident Engineer Construction Contractor	At least 10 days prior to proceeding with any demolition or renovation of a structure							No

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requirements of SCAQMD Rule 1403 during renovation and demolition activities.											
HAZ-6: Unknown Hazards. If hazardous materials contamination or sources are suspected or identified during project construction activities, an environmental professional shall evaluate the course of action required. This course of action shall follow the Unknown Hazards Procedures described in Chapter 7 of the Caltrans <i>Construction Manual</i> (2017).	Section 2.13 – Page 2.13-10	EIR/EA Subsection 2.13.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer Resident Engineer Qualified Environmental Staff Trained or licensed Contractor	During Construction							No
HAZ-7: Groundwater Well Abandonment. During final design, a detailed review of available well information of the existing inactive groundwater wells within the project right of way will be conducted. The abandonment procedure for the well will be conducted in accordance with California Department of Water Resources Standards (Bulletin 74-90), and the abandonment approvals by the agency with jurisdiction for the well will be documented.	Section 2.13 – Page 2.13-10	EIR/EA Subsection 2.13.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer Construction Contractor	During final design							No

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AIR QUALITY											
AQ-1: During clearing, grading, earthmoving, or excavation operations, excessive fugitive dust emissions will be controlled by regular watering or other dust preventive measures using the following procedures, as specified in South Coast Air Quality Management District (SCAQMD) Rule 403. All material excavated or graded will be sufficiently watered to prevent excessive amounts of dust. Watering will occur at least twice daily with complete coverage, preferably in the late morning and after work is done for the day. All material transported on site or off site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust. The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized to prevent excessive amounts of dust. These control techniques will be indicated in project specifications. Visible dust beyond the property line emanating	Section 2.14 – Page 2.14-23	EIR/EA Subsection 2.14.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer Construction Contractor	During clearing, grading, earthmoving, or excavation							No

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from the project will be prevented to the maximum extent feasible.											
AQ-2: Project specifications will include the duration of construction. Emissions from construction equipment vehicles will be controlled by maintaining equipment engines in good condition and in proper tune per manufacturers' specifications. Properly operating engines also help reduce greenhouse gas (GHG) emissions.	Section 2.14 – Page 2.14-23	EIR/EA Subsection 2.14.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer Construction Contractor	During final design and construction							No
AQ-3: All trucks that are to haul excavated or graded material on site will comply with State Vehicle Code Section 23114, with special attention to Sections 23114(b)(F), (e)(2), and (e)(4), as amended, regarding the prevention of such material spilling onto public streets and roads.	Section 2.14 – Page 2.14-23	EIR/EA Subsection 2.14.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer Construction Contractor	During construction							No
AQ-4: The contractor will adhere to California Department of Transportation (Caltrans) Standard Specifications for Construction, Sections 14.9-02 and 14-9.03 (e.g., comply with air-pollution-control rules, regulations, ordinances, and statutes that apply to work performed under the construction	Section 2.14 – Page 2.14-23	EIR/EA Subsection 2.14.4 Avoidance, Minimization, and/or Mitigation Measures	Construction Contractor	During construction							No

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contract, and do not dispose of material by burning).											
AQ-5: Should the project geologist determine that asbestos-containing materials (ACMs) are present at the project study area during final inspection prior to construction, the appropriate methods will be implemented to remove ACMs.	Section 2.14 – Page 2.14-24	EIR/EA Subsection 2.14.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer Resident Engineer Trained or licensed Contractor Project Geologist	During final inspection and prior to construction							No
AQ-6: All construction vehicles both on and off site shall be prohibited from idling in excess of 5 minutes.	Section 2.14 – Page 2.14-24	EIR/EA Subsection 2.14.4 Avoidance, Minimization, and/or Mitigation Measures	Construction Contractor	During construction							No
AQ-7: Locate construction equipment and staging zones away from residential areas and away from fresh air intakes to buildings and air conditioners.	Section 2.14 – Page 2.14-24	EIR/EA Subsection 2.14.4 Avoidance, Minimization, and/or Mitigation Measures	Construction Contractor	During construction							No

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GREENHOUSE GAS EMISSIONS											
GHG-1: Use energy and fuel efficient vehicles and equipment that are the right size equipment for the job.	Chapter 3 – Page 3-85	EIR/EA Subsection 3.4.7.3 Project-Level GHG Reduction Strategies	Construction Contractor	Prior to construction and during construction							Yes
GHG-2: Require contractors to assemble a comprehensive inventory list (i.e., make, model, engine year, horsepower, emission rates) of all heavy-duty off-road (portable and mobile) equipment (50 horsepower and greater) that could be used an aggregate of 40 or more hours for the construction project. Prepare a plan for approval by the applicable air district demonstrating achievement of the applicable percent reduction for a CARB-approved fleet.	Chapter 3 – Page 3-85	EIR/EA Subsection 3.4.7.3 Project-Level GHG Reduction Strategies	Construction Contractor	During construction							Yes
GHG-3: Maximize use of recycled materials (e.g., tire rubber) and use the minimum feasible amount of GHG-emitting construction materials.	Chapter 3 – Page 3-85	EIR/EA Subsection 3.4.7.3 Project-Level GHG Reduction Strategies	Construction Contractor	During construction							Yes

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GHG-4: Reduce need for electric lighting by using ultra-reflective sign materials that are illuminated by headlights.	Chapter 3 – Page 3-85	EIR/EA Subsection 3.4.7.3 Project-Level GHG Reduction Strategies	Construction Contractor	During construction							Yes
GHG-5: Develop a traffic plan to minimize traffic flow interference from construction activities. The plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. Schedule operations affecting traffic for off-peak hours. Minimize obstruction of through-traffic lanes. Provide a flag person to guide traffic properly and ensure safety at construction sites.	Chapter 3 – Page 3-85	EIR/EA Subsection 3.4.7.3 Project-Level GHG Reduction Strategies	Construction Contractor	During construction							Yes
GHG-6: Include landscaping components such as mulch and compost application to improve carbon sequestration rates in soils and reduce organic waste.	Chapter 3 – Page 3-86	EIR/EA Subsection 3.4.7.3 Project-Level GHG Reduction Strategies	Project Engineer Construction Contractor	During final design and construction							Yes
GHG-7: Design and install long-life pavement structures to minimize life-cycle costs.	Chapter 3 – Page 3-86	EIR/EA Subsection 3.4.7.3 Project-Level GHG Reduction Strategies	Project Engineer Construction Contractor	During final design and construction							Yes

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GHG-8: Design medians to comply with City landscape standards to increase water efficiency with efficient irrigation, grading that retains water run-off, and a drought tolerant plant palette.	Chapter 3 – Page 3-86	EIR/EA Subsection 3.4.7.3 Project-Level GHG Reduction Strategies	Project Engineer Construction Contractor	During final design and construction							Yes
GHG-9: Use rubberized asphalt concrete to the maximum extent practical within currently accepted practice.	Chapter 3 – Page 3-86	EIR/EA Subsection 3.4.7.3 Project-Level GHG Reduction Strategies	Project Engineer Construction Contractor	During final design and construction							Yes
GHG-10: Use lighting systems that are energy efficient, such as LED technology.	Chapter 3 – Page 3-86	EIR/EA Subsection 3.4.7.3 Project-Level GHG Reduction Strategies	Project Engineer Construction Contractor	During final design and construction							Yes
GHG-11: Incorporate bicycle and pedestrian facilities into project design.	Chapter 3 – Page 3-86	EIR/EA Subsection 3.4.7.3 Project-Level GHG Reduction Strategies	Project Engineer Construction Contractor	During final design and construction							Yes
NOISE											
N-1: Construction activities within City right-of-way will comply with the allowed construction hours specified by the City's Municipal Code (7:00 a.m. to 8:00 p.m. on	Section 2.15 – Page 2.15-93	EIR/EA Subsection 2.15.4 Avoidance, Minimization,	Project Engineer Resident Engineer	During construction							No

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weekdays and weekends) and the control of noise from construction activities within California Department of Transportation (Caltrans) right-of-way will conform to Caltrans Standard Specifications, Section 14-8.02, "Noise Control." The nighttime noise level from the Contractor's operations, between the hours of 9:00 p.m. and 6:00 a.m., will not exceed 86 maximum A-weighted decibels (dBA L _{max}) at a distance of 50 feet.		and/or Mitigation Measures	Construction Contractor								
N-2: Noise mitigation in the form of a noise barrier will be implemented to reduce significant noise impacts at Receptor R-28. During final design, the final height and length of the noise barrier will be determined. During construction, the construction contractor will construct the noise barrier as specified in the final design plans.	Chapter 3 – Page 3-48	EIR/EA Subsection 3.2.13.1 CEQA Significance Determinations for Noise	Project Engineer Resident Engineer Construction Contractor	During construction							Yes

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NATURAL COMMUNITIES											
NC-1: At the 60-inch culvert, 3-foot walls with an 18-inch lip will be constructed, which will direct wildlife toward the culvert.	Section 2.17 – Page 2.17-6	EIR/EA Subsection 2.17.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer Construction Contractor	During final design and construction							No
NC-2: Culvert access areas will be hydro-seeded with natural vegetation during the winter after construction activity adjacent to the culvert is complete. Natural objects, such as stumps, rocks, and other natural debris within the crossing facility will be utilized to create cover for wildlife and to encourage the use of the culvert by wildlife.	Section 2.17 – Page 2.17-6	EIR/EA Subsection 2.17.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer Construction Contractor	During final design and construction							No
WETLANDS AND OTHER WATERS											
WET-1: Streambed Alteration Agreement. Prior to construction, a Section 1602 Streambed Alteration Agreement will be obtained from the California Department of Fish and Wildlife (CDFW).	Section 2.18 – Page 2.18-13	EIR/EA Subsection 2.18.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer	Prior to construction							No

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WET-2: Water Quality Certification. Prior to construction, a certification of water quality from the Santa Ana Regional Water Quality Control Board (RWQCB), Region 8, will be obtained pursuant to Section 401 of the federal Clean Water Act (CWA).	Section 2.18 – Page 2.18-13	EIR/EA Subsection 2.18.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer	Prior to construction							No
WET-3: Compliance with the Nationwide Permit Program. During construction, the project will comply with the Nationwide Permit Program pursuant to Section 404 of the federal CWA.	Section 2.18 – Page 2.18-13	EIR/EA Subsection 2.18.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer	Prior to construction							No
WET-4: USACE Compensatory Mitigation. Compensatory mitigation is anticipated to be required to offset the loss of jurisdictional waters by the United States Army Corps of Engineers (USACE), CDFW, and RWQCB at a minimum 1:1 mitigation ratio. Mitigation for effects to any regulated USACE nonwetland waters or “waters of the United States and State” will be consistent with the USACE Compensatory Mitigation for Losses of Aquatic Resources, also known as the USACE Compensatory Mitigation	Section 2.18 – Page 2.18-13	EIR/EA Subsection 2.18.4 Avoidance, Minimization, and/or Mitigation Measures	Project Engineer	Prior to, during, or after construction							No

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Rule. The final determination of what is jurisdictional, what permits will be required, and whether mitigation will be required for such impacts is ultimately subject to the discretion of the agencies (i.e., USACE, CDFW, and RWQCB) during the federal and State regulatory processes.											
ANIMAL SPECIES											
AS-1: Burrowing Owl Survey Protocol. Consistent with the Western Riverside County Multiple Species Habitat Conservation Plan (WRCMSHCP) Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Plan Area, a preconstruction survey will be conducted by a qualified biologist within 30 days prior to project-related ground-disturbing activities to ensure that burrowing owls are not occupying potentially suitable ruderal fields. If owls are determined to be present, mitigation measures will be developed and authorized through consultation with the WRCMSHCP Regional Conservation Authority	Section 2.20 – Page 2.20-5	EIR/EA Subsection 2.20.4 Avoidance, Minimization, and/or Mitigation Measures	Resident Engineer Qualified Burrowing Owl Biologist Qualified Environmental Staff Construction Contractor	Prior to construction Within 30 days prior to Project-related ground-disturbing activities							No

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(RCA), California Department of Fish and Wildlife (CDFW), and United States Fish and Wildlife Service (USFWS), as described in WRCMSHCP Table 9.2 and WRCMSHCP Appendix E, Summary of WRCMSHCP Species Survey Requirements.											
<p>AS-2: Vegetation and Tree Removal. In compliance with the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code, vegetation clearing and preliminary ground-disturbing work will be completed outside the bird breeding season (typically set as February 15 through August 31) or a preconstruction nesting bird survey will be conducted.</p> <p>In addition, prior to clearing or construction, highly visible barriers (e.g., orange construction fencing) will be installed around the coastal sage scrub plant community adjacent to the project footprint to designate Environmentally Sensitive Areas (ESAs) to be avoided. No grading or fill activity of any type will be permitted within these ESAs. In addition, heavy equipment, including motor</p>	Section 2.20 – Page 2.20-5	EIR/EA Subsection 2.20.4 Avoidance, Minimization, and/or Mitigation Measures	Resident Engineer Qualified Biologist Qualified Environmental Staff Construction Contractor	Prior to and during construction						No	

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<p>vehicles, will not be allowed to operate within the ESAs. All construction equipment will be operated in such a manner as to prevent accidental damage to nearby preserved areas. No structure of any kind, or incidental storage of equipment or supplies, will be allowed within these protected zones. Silt fence barriers will be installed at the ESA boundary to prevent accidental deposition of fill material in areas where vegetation is immediately adjacent to planned grading activities.</p> <p>In the event that vegetation removal cannot be conducted outside the bird breeding season, focused surveys will be conducted by a qualified biologist prior to ground-disturbing activities. Should nesting birds be found, an exclusionary buffer will be established by a qualified biologist. The buffer may be up to 500 feet in diameter depending on the species of nesting bird found. This buffer will be clearly marked in the field by construction personnel under the guidance of a qualified biologist,</p>											

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<p>and construction or clearing will not be conducted within this zone until the qualified biologist determines that the young have fledged or the nest is no longer active.</p> <p>If construction of the World Logistics Center Parkway bridge structure cannot take place outside the nesting season, exclusionary devices and nest prevention methods designed to prevent birds from utilizing the bridge will be determined and implemented by a qualified biologist. Exclusionary devices must be installed prior to the initiation of nesting season (February 15) and before any bridge demolition and other bridge construction activities begin.</p> <p>Nesting bird habitat within the Biological Study Area (BSA) will be resurveyed during the bird breeding season if there is a lapse in construction activities longer than 7 days.</p>											
<p>AS-3: Roosting Bat Surveys. To ensure that no bats begin roosting in the World Logistics Center Parkway bridge structure or other bridge structures to be affected by</p>	Section 2.20 – Page 2.20-6	EIR/EA Subsection 2.20.4 Avoidance, Minimization,	Project Engineer Resident Engineer	During PS&E; prior to and during construction							No

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<p>the project prior to or during construction activities, a humane eviction/exclusion shall be conducted by a qualified bat biologist in the fall (September or October) preceding construction at the structure(s) to prevent potential direct impacts to bats.</p> <p>During installation of the humane eviction/exclusion devices, each potentially suitable roost crevice will be closely inspected using flashlights and/or a fiber-optic scope for the presence of day-roosting bats. At crevices where the absence of bats can be confirmed, the crevices may be immediately sealed with exclusionary material. At crevices where bats are visibly roosting or where their absence cannot be confirmed, humane eviction devices (i.e., one-way doors) that will allow the bats to exit the roosting crevice but prevent them from returning will be installed. All aspects of the humane eviction/exclusion of bats from structures shall be directly supervised and monitored by a qualified bat biologist approved by the CDFW. This qualified bat</p>		and/or Mitigation Measures	Qualified Bat Biologist Qualified Environmental Staff Construction Contractor								

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<p>biologist will determine the specific type of humane eviction devices and exclusionary material that will be used within the crevices. These devices shall remain in place for the duration of construction work at that structure.</p> <p>Prior to conducting a humane eviction/exclusion, nighttime preconstruction surveys should be conducted during the Plan, Specification, and Estimate (PS&E) stage, which would allow time to deal with any bat issues that may arise and could be dealt with prior to contract award. The surveys would include acoustic monitoring that may be conducted by a qualified bat biologist to verify the presence of bats and to determine what species, if any, inhabit the structure. These surveys shall include exit counts to ascertain the approximate number of bats utilizing the potential roost site. Nighttime surveys shall be performed between June 1 and August 15, when maternity colonies have formed but before they begin to disperse in order to confirm whether a maternity colony is</p>											

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<p>roosting at any of the structures in the project area. The nighttime survey shall also be conducted no later than the summer at least 1 year prior to construction to allow adequate time for coordination and planning between biologists and engineers should a maternity colony or other grouping of bats be discovered, and to implement any appropriate strategies necessary to minimize negative effects to roosting bats.</p> <p>Palm trees suitable for use by western yellow bats, which roost in the untrimmed fronds of palm trees, occur in the BSA. If palm tree removal or palm frond trimming is necessary for project construction, this activity shall be conducted outside the bat maternity season (April 1–August 31); this time period coincides with the clearing and grubbing restrictions typically associated with bird nesting season. If palm tree removal or trimming is conducted outside the bat maternity and bird nesting season as recommended, impacts to flightless young will be avoided.</p>											

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INVASIVE SPECIES											
INV-1: Prevention of the Spread of Invasive Species. In compliance with the Executive Order on Invasive Species, EO 13112, and guidance from the Federal Highway Administration (FHWA), the landscaping and erosion control included in the project will not use species listed as invasive. In areas of particular sensitivity, extra precautions will be taken if invasive species are found in or next to the construction areas. These extra precautions include the inspection and cleaning of construction equipment and eradication strategies to be implemented should invasive species be present. At a minimum, this program will include the following: <ul style="list-style-type: none"> ● During construction, the Construction Contractor shall inspect and clean construction equipment at the beginning of each day and prior to transporting equipment from one project location to another. 	Section 2.22 – Page 2.22-2	EIR/EA Subsection 2.22.4 Avoidance, Minimization, and/or Mitigation Measures	Construction Contractor Qualified Environmental Staff Qualified Biologist	During and after construction							No

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<ul style="list-style-type: none"> ● During construction, soil and vegetation disturbance will be minimized to the greatest extent feasible. ● During construction, the Construction Contractor shall ensure that all active portions of the construction site are watered a minimum of twice daily or more often when needed due to dry or windy conditions to prevent excessive amounts of dust. ● During construction, the Construction Contractor shall ensure that all stockpiled materials are sufficiently watered or covered to prevent excessive amounts of dust. ● During construction, soil, gravel, and rock will be obtained from weed-free sources. ● Only certified weed-free straw, mulch, and/or fiber rolls will be used for erosion control. ● After construction, affected areas adjacent to native vegetation will be revegetated 											

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Avoidance, Minimization, and/or Mitigation Measures	Page # in Env. Doc. Or Permit	Environmental Analysis Source (Technical Study, Environmental Document, and/or Technical Discipline)	Responsible for Development and/or Implementation of Measure	Timing/Phase	If applicable, corresponding construction provision: (standard, special, non-standard)	Action(s) Taken to Implement Measure/if checked No, add Explanation here	PS&E Task Completed	Construction Task Completed	Environmental Compliance		Mitigation for Significant Impacts under CEQA?
							Date / Initials	Date / Initials	YES	NO	
with plant species that are native to the vicinity as approved by the District Biologist. <ul style="list-style-type: none"> After construction, all revegetated areas will avoid the use of species listed on the California Invasive Plant Council's California Invasive Plant Inventory that have a High or Moderate rating. Erosion control and revegetation sites will be monitored for 2 to 3 years after construction to detect and control the introduction/ invasion of nonnative species. Eradication procedures (e.g., spraying and/or hand weeding) will be outlined should an infestation occur. The use of herbicides will be prohibited within and adjacent to native vegetation, except as specifically authorized and monitored by the District Biologist. All woody invasive species (e.g., tamarisk, tree tobacco) will be removed from the project site. 											

Appendix D – List of Acronyms and Abbreviations

°F	degrees Fahrenheit
23 USC 327	23 United States Code Section 327
AADT	annual average daily traffic
AASHTO	American Association of State Highway and Transportation Officials
AB	Assembly Bill
ac	acre/acres
ACHP	Advisory Council on Historic Preservation
ACM	asbestos-containing material
ACS	American Community Survey
ADA	Americans with Disabilities Act
ADL	aerially deposited lead
AFV	alternative fuel vehicle
AGR	Agricultural Supply
ALD	aerially deposited lead
amsl	above mean sea level
APD	Area of Project Disturbance
APE	Area of Potential Effects
APN	Assessor's Parcel Number
AQMP	Air Quality Management Plan
ASTM	American Society for Testing and Materials
Basin	South Coast Air Basin
BAU	business as usual
bgs	below ground surface
BLM	Bureau of Land Management
BMPs	Best Management Practices
BP	Business Park/Light Industrial
BRAC	Base Realignment and Closure
BSA	Biological Study Area
BTU	British thermal unit
C	Commercial
C ₂ F ₆	hexafluoroethane
CAA	Clean Air Act
CAFE	Corporate Average Fuel Economy
Cal/EPA	California Environmental Protection Agency
Cal/OSHA	California Occupational Safety and Health Administration

Appendix D – List of Acronyms and Abbreviations

Cal-IPC	California Invasive Plant Council
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CCAA	California Clean Air Act
CDFW	California Department of Fish and Wildlife
CDPH	California Department of Public Health
CEC	California Energy Commission
CEQ	Council on Environmental Quality
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
CERFA	Community Environmental Response Facilitation Act
CESA	California Endangered Species Act
CF ₄	tetrafluoromethane
CFR	Code of Federal Regulations
CH ₄	methane
CHP	California Highway Patrol
City	City of Moreno Valley
CMAQ	Congestion Mitigation and Air Quality
CMP	Congestion Management Program
CMS	changeable message sign
CNPS	California Native Plant Society
CO	carbon monoxide
CO Protocol	Caltrans Transportation Project-Level Carbon Monoxide Protocol
CO ₂	carbon dioxide
COA	Comprehensive Operational Analysis
Corridor Master Plan	Route 60 Corridor Master Plan for Aesthetics and Landscaping Moreno Valley City Limits
County	County of Riverside
COZEELP	Construction Zone Enhanced Enforcement Program
CRHR	California Register of Historical Resources
CTP 2040	California Transportation Plan 2040
CWA	Clean Water Act
cy	cubic yards
DAMP	Drainage Area Management Plan
dBA	A-weighted decibels
Desk Guide	Desk Guide – Environmental Justice in Transportation Planning and Investments

DHHS	Department of Health and Human Services
DIF	Development Impact Fees
DOC	Department of Conservation
DOE	United States Department of Energy
DOGGR	Department of Oil, Gas, and Geothermal Resources
DSA	Disturbed Soil Area
DTSC	Department of Toxic Substances Control
DU/ac	dwelling unit per acre
DWR	California Department of Water Resources
E85	Ethanol, 85 percent
ECSD	Edgemont Community Services District
EDD	Employment Development Department
EIA	Energy Information Administration
EIC	Eastern Information Center
EIR	Environmental Impact Report
EIR/EA	Environmental Impact Report/Environmental Assessment
EIS	Environmental Impact Statement
EMWD	Eastern Municipal Water District
EO	Executive Order
EPA	United States Environmental Protection Agency
ESA	Environmentally Sensitive Areas
F+I	Fatal plus Injury
FAR	floor-to-area ratio
FCAA	Federal Clean Air Act (regulatory language)
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FHWA	Federal Highway Administration
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
FIRM	Flood Insurance Rate Map
FPPA	Farmland Protection Policy Act
FR	Federal Register
ft	foot/feet
FTA	Federal Transit Administration
FTIP	Federal Transportation Improvement Program
GHG	greenhouse gas
GIS	geographic information systems
GSAs	groundwater sustainability agencies

Appendix D – List of Acronyms and Abbreviations

Guidance	Transportation Conformity Guidance for Quantitative Hot-Spot Analyses in PM _{2.5} and PM ₁₀ Nonattainment and Maintenance Areas
GWP	Global Warming Potentials
GWR	Groundwater Recharge
H ₂ S	hydrogen sulfide
HA	Hydrologic Area
HAZNET	Hazardous Waste Information System
HCM	Highway Capacity Manual
HCP	Habitat Conservation Plan
HIST CORTESE	Hazardous Waste and Substance Site List
HOV	high-occupancy vehicle
HSA	Hydrologic Subarea
HU	Hydrologic Unit
HUD	United States Department of Housing and Urban Development
HYD	hydrogen
I-10	Interstate 10
I-110	Interstate 110
I-215	Interstate 215
I-5	Interstate 5
I-605	Interstate 605
I-710	Interstate 710
IEPR	Integrated Energy Policy Report
in/sec	inches per second
IND	Industrial Supply
IPCC	Intergovernmental Panel on Climate Change
ITSP	Interregional Transportation Strategic Plan
kWh	kilowatt-hours
kV	kilovolts
LAPM	Los Angeles pocket mouse
LBP	lead-based paint
LCFS	low carbon fuel standard
LCRC	Lane Closures Review Committee
LEDPA	least environmentally damaging practicable alternative
L _{eq}	equivalent continuous sound level
L _{eq} (h)	1-hour equivalent continuous sound level
LID	Low Impact Development <i>or</i> low-impact design
LIP	Local Implementation Plan

L _{max}	maximum instantaneous noise level
LNG	liquefied natural gas
LOS	level of service
LPA	Locally Preferred Alternative
LPG	liquefied petroleum gas
LRFD	Load and Resistance Factor Design
LRTP	Long Range Transportation Plan
LUST	Leaking Underground Storage Tank
Ma	million years ago
MBTA	Migratory Bird Treaty Act
MEP	Maximum Extent Practicable
mg/kg	milligrams per kilogram
mg/L	milligrams per liter
MHSP	Moreno Highlands Specific Plan
mi	mile/miles
MLD	Most Likely Descendant
MMBtu	million British thermal units
mm/yr	millimeters per year
MMTCO _{2e}	million metric tons of carbon dioxide equivalent
Morongo	Morongo Band of Mission Indians
MOU	Memorandum of Understanding
mph	miles per hour
MPO	Metropolitan Planning Organization
MRP	Monitoring and Reporting Program
MRZ	Mineral Resource Zone
MS4	Municipal Separate Storm Sewer Systems
MS4 Permit	Municipal Separate Storm Sewer Systems Permit
MSAT	Mobile Source Air Toxics
MUN	Municipal and Domestic Supply
Mw	Moment Magnitude
MWD	Metropolitan Water District of Southern California
N ₂ O	nitrous oxide
NAAQS	national ambient air quality standards
NAC	Noise Abatement Criteria
NAHC	Native American Heritage Commission
NCCP	Natural Communities Conservation Plan
NEPA	National Environmental Policy Act

Appendix D – List of Acronyms and Abbreviations

NESHAPs	National Emission Standards for Hazardous Air Pollutants
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NHS	National Highway System
NHTSA	National Highway Traffic Safety Administration
NMFS	National Marine Fisheries Service
NO ₂	nitrogen dioxide
NOAA	National Oceanic and Atmospheric Administration
NOAA Fisheries Service	National Oceanic and Atmospheric Administration's National Marine Fisheries Service
NO _x	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
NRHC	National Register of Historic Places
NRHP	National Register of Historic Places
O	Office
O ₃	ozone
OC	Overcrossing
OCPs	organochlorine pesticides
OHWM	ordinary high water mark
OPR	Governor's Office of Planning and Research
OS	Open Space
OSHA	Occupational Safety and Health Act
OSTP	Office of Science and Technology Policy
PA	Programmatic Agreement
PA&ED	Project Approval and Environmental Documentation
PAC	Public Awareness Campaign
Pb	lead
pc/mi/ln	passenger cars per mile per lane
PCBs	polychlorinated biphenyls
PCE	passenger car equivalent
PDT	Project Development Team
Pechanga	Pechanga Band of Luiseño Indians
PF	Public Facilities
Pilot Program	Surface Transportation Project Delivery Pilot Program
PL	Public Law
PM	particulate matter <i>or</i> Post Mile

PM ₁₀	particulate matter less than 10 microns in size
PM _{2.5}	particulate matter less than 2.5 microns in size
PMP	Paleontological Mitigation Plan
POAQC	project of air quality concern
Porter-Cologne Act	Porter-Cologne Water Quality Control Act
ppb	parts per billion
ppm	parts per million
PPV	peak particle velocity
PRC	Public Resources Code
PROC	Industrial Process Supply
project	SR-60/World Logistics Center Parkway Interchange Project
PS&E	Plans, Specifications, and Estimates
PSR/PDS	Project Study Report/Project Development Support
R1	Residential 1
R2	Residential 2
R3	Residential 3
R5	Residential 5
RAP	Relocation Assistance Program
RCA	Regional Conservation Authority
RCDOEH	Riverside County Department of Environmental Health
RCFCWCD	Riverside County Flood Control and Water Conservation District
RCFD	Riverside County Fire Department
RCHCA	Riverside County Habitat Conservation Agency
RCRA	Resource Conservation and Recovery Act
RCTC	Riverside County Transportation Commission
REC	Recognized Environmental Condition
REC-1	Body-Contact Recreation
REC-2	Non-Body-Contact Recreation
RR	Rural Residential
RSA	resource study area
RSD	Riverside County Sheriff's Department
RSL	Regional Screening Level
RTA	Riverside Transit Agency
RTP	Regional Transportation Plan
RTP/SCS	Regional Transportation Plan/Sustainable Communities Strategy
RWQCB	Regional Water Quality Control Board

Appendix D – List of Acronyms and Abbreviations

SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users
SB	Senate Bill
SBCM	San Bernardino County Museum
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
SCS	Sustainable Communities Strategy
SDC	Seismic Design Criteria
SER	Standard Environmental Reference
sf	square foot/feet
SF ₆	sulfur hexafluoride
SGMA	Sustainable Groundwater Management Act
SHPO	State Historic Preservation Officer
SIP	State Implementation Plan
Skechers	Skechers Distribution Center and Factory Outlet
SLF	Sacred Lands File
SO ₂	sulfur dioxide
SoCalGas	Southern California Gas Company
sq mi	square mile/miles
SR-57	State Route 57
SR-60	State Route 60
SR-71	State Route 71
SR-79	State Route 79
STIP	State Transportation Improvement Program
SVP	Society of Vertebrate Paleontology
SWMP	Storm Water Management Plan
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	toxic air contaminants
TASAS	Traffic Accident Surveillance and Analysis System
TCE	temporary construction easement
TCR	Transportation Concept Report
TCWG	Transportation Conformity Working Group
TDM	Transportation Demand Management
TDS	total dissolved solids
THPO	Tribal Historic Preservation Officer

TIA	Traffic Impact Analysis
TMDLs	Total Maximum Daily Loads
TMP	Transportation Management Plan
TNM	Traffic Noise Model
TNW	traditionally navigable water
TPH	total petroleum hydrocarbons
TSCA	Toxic Substances Control Act
TSM	Transportation Systems Management
TSN	Transportation System Network
TUMF	Transportation Uniform Mitigation Fee
UCMP	University of California Museum of Paleontology
Uniform Act	Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970
USACE	United States Army Corps of Engineers
USC	United States Code
USDA	United States Department of Agriculture
USDOT	United states Department of Transportation
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UST	Underground Storage Tank
VAU	visual assessment unit
VMT	vehicle miles traveled
VOC	volatile organic compounds
vpiph	vehicles per lane per hour
WARM	Warm Freshwater Habitat
WATCH Manual	Work Area Traffic Control Handbook
waters of the U.S.	waters of the United States
WDR	Waste Discharge Requirement
WILD	Wildlife Habitat
WLC	World Logistics Center
WLC Pkwy	World Logistics Center Parkway
WMA	Watershed Management Area
WMWD	Metropolitan Water District of Southern California
WPCP	Water Pollution Control Program
WQMP	Water Quality Management Plan

Appendix D – List of Acronyms and Abbreviations

WRCMSHCP	Western Riverside County Multiple Species Habitat Conservation Plan
WRCOG	Western Riverside Council of Governments
ZE	zero emissions

Appendix E – Notice of Preparation

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Notice of Preparation

Notice of Preparation

To: Responsible and Trustee Agencies
(Address)

From: California Department of Transportation, District 8 Division of Environmental Planning
464 W 4th Street
San Bernardino, CA 92401
(Address)

Subject: Notice of Preparation of a Draft Environmental Impact Report

Caltrans District 8 will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study (is is not) attached.

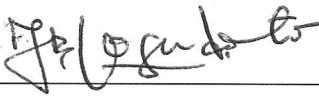
Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 39 days after receipt of this notice.

Please send your response to Boniface Udotor, Senior Environmental Planner, MS 830 at the address shown above. We will need the name for a contact person in your agency.

Project Title: SR-60/World Logistics Center Parkway Interchange

Project Applicant, if any: _____

Date November 14, 2019

Signature 

Title Senior Environmental Planner

Telephone (909) 888-2347

Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, 15375.

PROJECT DESCRIPTION

The California Department of Transportation (Caltrans) District 8, in cooperation with the City of Moreno Valley (City), proposes to reconstruct and improve the SR-60 (SR-60)/World Logistics Center Parkway (WLC Pkwy) interchange. Theodore Street has been renamed to WLC Pkwy between Hemlock Avenue and its southern terminus at Alessandro Boulevard. Therefore, the SR-60/Theodore Street Interchange Project will now be referred to as the SR-60/WLC Pkwy Interchange Project (project). The purpose of the project is to enhance safety by upgrading the geometry at the existing interchange, to provide standard vertical clearance for the WLC Pkwy overcrossing, to alleviate future traffic congestion at the SR-60/WLC Pkwy interchange ramps during peak hours, and to improve traffic flow along the freeway and through the interchange. The City has identified Alternative 6 as the locally preferred alternative.

Caltrans will be the lead agency for the proposed project under the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) as assigned by the Federal Highway Administration (FHWA).

The document for environmental analysis of this project under CEQA and NEPA was originally scoped as an Initial Study/Environmental Assessment (IS/EA) anticipated to result in a Mitigated Negative Declaration/Finding of No Significant Impact (MND/FONSI). Following completion of the environmental technical studies and the Screencheck Draft IS/EA, Caltrans, as the CEQA lead agency, determined that an Environmental Impact Report (EIR) would be the most appropriate level of environmental document under CEQA to address potentially significant impacts. Therefore, a joint EIR/EA is anticipated to be prepared in accordance with CEQA and NEPA.

LOCATION OF STUDY AREA

The majority of the project site is located in the City of Moreno Valley. The northeast quadrant of the site is located within unincorporated Riverside County, and within the City's Sphere of Influence. The total length of the project on SR-60 is 2 miles between SR-60 Post Mile (PM) 20.0 and PM 22.0. The attached figure shows the project location and project vicinity.

ALTERNATIVES

In addition to the No Build Alternative (Alternative 1), two Build Alternatives (Alternatives 2 and 6) and design variations (Design Variations 2a and 6a) are under consideration. Alternatives 1, 2, 6, and Design Variations 2a and 6a are described in further detail below.

Alternative 1 (No Build)

The No Build Alternative assumes that no improvements will be made to the freeway mainline or to the existing SR-60/WLC Pkwy interchange. Without the planned improvements proposed as part of the project (e.g. upgrading to current geometric design standards and improving the existing vertical clearance over SR-60), the desired safety benefits would not be realized. In addition, the traffic Level of Service at the on- and off-ramps and traffic operations at the interchange would continue to

worsen over time resulting in increased delays. For these reasons, Alternative 1 would not meet the project purpose and need.

Build Alternative 2 (Modified Partial Cloverleaf Interchange)

Alternative 2 proposes to reconstruct the SR-60/WLC Pkwy interchange in a modified partial cloverleaf configuration. Improvements under Alternative 2 include the construction of a new westbound direct on-ramp and a new westbound loop off-ramp in the northwest quadrant of the interchange, in a cloverleaf configuration. A new eastbound direct off-ramp, a new eastbound loop on-ramp, and a new eastbound direct on-ramp would be constructed in the southwest and southeast quadrants, in a partial cloverleaf configuration. The westbound on-ramp is widened from one to three 12-foot lanes and all other proposed ramps are widened from one to two 12-foot lanes.

Alternative 2 removes and replaces the existing two through lane (one lane in each direction) WLC Pkwy overcrossing with a new four through lane (two through lanes in each direction) overcrossing that is approximately 137 ft wide and 298 ft long. Included within the proposed overcrossing width are two 12-foot left-turn lanes in the northbound direction and one 17-foot right-turn lane in the southbound direction. In total, the proposed bridge accommodates seven (7) lanes of traffic (through lanes and turn lanes). The proposed minimum bridge vertical clearance over SR-60 is 18'-10".

Additional improvements as part of Alternative 2 include the installation of signals at both the proposed eastbound and westbound ramp intersections, as well as at the intersection of Eucalyptus Ave/WLC Pkwy. Bike lanes are provided on both sides of WLC Pkwy throughout the project limits. On WLC Pkwy north of the Eucalyptus Avenue intersection and on Eucalyptus Avenue, bike lanes are provided on both sides within the width of the proposed shoulders.

Design Variation 2a (Alternative 2 with Design Variation)

Design Variation 2a will have the same features as Alternative 2 with the exception of the location of the Eucalyptus Avenue/WLC Pkwy intersection. Design Variation 2a will consist of moving the current Eucalyptus Avenue/WLC Pkwy intersection approximately 900 ft south of its current location. The shift will cause a partial realignment of Eucalyptus Avenue from approximately 2,600 ft west of WLC Pkwy to connect with the west side of WLC Pkwy and align with the continuation of Eucalyptus Avenue east of WLC Pkwy. The design variation will be moved forward with the build alternatives to PS&E (as applicable) and studied until it is removed from consideration.

Alternative 6 (Modified Partial Cloverleaf with Roundabout Intersections)

Alternative 6 proposes to reconstruct the SR-60/WLC Pkwy interchange in a modified partial cloverleaf configuration. Improvements under Alternative 6 would include the construction of a new westbound direct on-ramp and a new westbound loop off-ramp in the northwest quadrant, in a partial cloverleaf configuration. New eastbound direct off- and on-ramps would be constructed in the southwest and southeast quadrants, respectively, in a partial cloverleaf configuration. The westbound on-ramp is widened from one to three 12-foot lanes and all other proposed ramps are widened from one to two 12-foot lanes.

Alternative 6 removes and replaces the existing two through lane (one lane in each direction) WLC Pkwy overcrossing with a new four through lane (two through lanes in each direction) overcrossing that is approximately 90 ft wide and 245 ft long. The proposed minimum bridge vertical clearance over SR-60 is 20'-3½". Roundabouts are proposed at the eastbound and westbound ramp intersections, as well as at Eucalyptus Avenue/WLC Pkwy. On WLC Pkwy north of the Eucalyptus Avenue intersection and on Eucalyptus Avenue, bike lanes are provided on both sides within the width of the proposed shoulders. Through the roundabouts, bicyclists have the option to either merge with vehicular traffic or cross the roundabout with pedestrian traffic. Lighting and signage will be determined during final design to provide pedestrian and trail user safety.

Design Variation 6a (Alternative 6 with Design Variation)

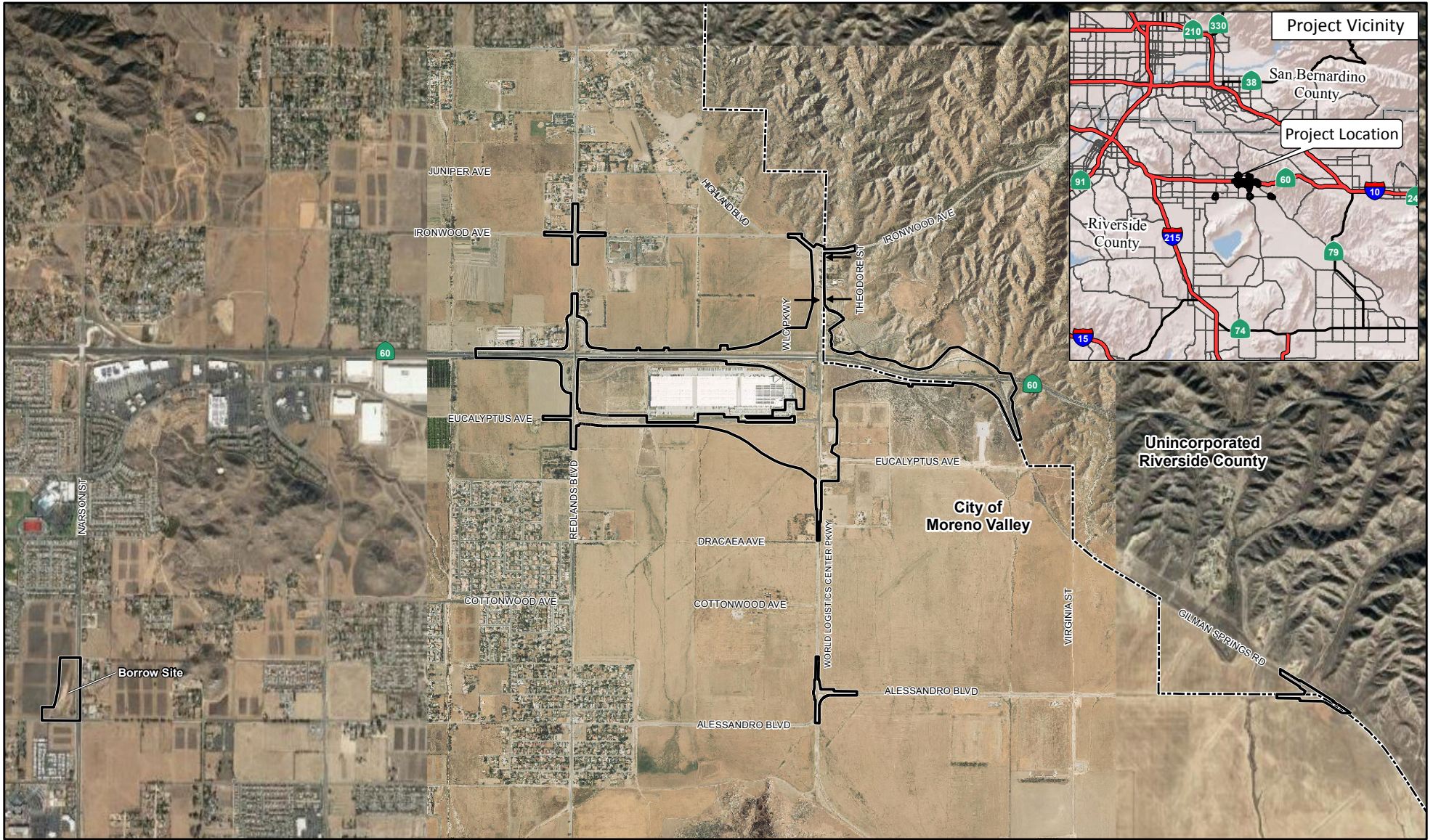
Design Variation 6a will have the same features as Alternative 6 with the exception of the alignment of Eucalyptus Avenue on the west side of WLC Pkwy and the location of the Eucalyptus Avenue/WLC Pkwy intersection. The design variation consists of moving the current Eucalyptus Avenue/WLC Pkwy intersection approximately 900 ft south from its current location, in order to align the roadway with the existing Eucalyptus Ave on the east side of WLC Pkwy. The shift would result in a partial realignment of Eucalyptus Avenue from approximately 2600 ft west of WLC Pkwy to connect to the west side of WLC Pkwy. Construction of the roundabout at WLC Pkwy and Eucalyptus Avenue east would result in one residential displacement in the southeast quadrant of WLC Pkwy and Eucalyptus Avenue east. The design variation will be moved forward with the build alternatives to final design (as applicable) and studied until it is either selected or removed from consideration.

POTENTIAL ENVIRONMENTAL EFFECTS



Various environmental and community resources are known to exist within the limits of the study area and the potential effects to these resources will be studied in the Environmental Impact Report/Environmental Assessment (EIR/EA). Environmental effects anticipated for study include, but are not limited to: Land Use, Farmlands, Growth, Community Impacts, Utilities and Emergency Services, Traffic and Transportation/Pedestrian and Bicycle Facilities, Visual/Aesthetics, Cultural Resources, Water Quality and Stormwater Runoff, Hydrology and Floodplains, Geology/Soils/Seismicity/Topography, Paleontology, Hazardous Waste/Materials, Air Quality/Greenhouse Gas Emissions/Climate Change, Noise, Mineral Resources, Wildfire, Energy, Biological Resources, and Cumulative Impacts. Of these environmental resources, further study may determine potentially significant impacts to climate change due to new State policy regarding Greenhouse Gases (GHG). It is anticipated that the project will have a less than significant impact on all other environmental resources.

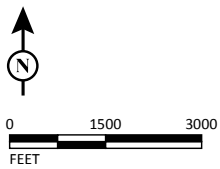
PUBLIC SCOPING MEETING

Caltrans will hold a public scoping meeting to provide an overview of the project, present a summary of the environmental process and issues addressed, and receive input regarding environmental issues and the suggested scope and content of the EIR/EA. The scoping meeting will be held on Monday, December 16, 2019 from 6:00pm to 8:00pm at the Moreno Valley Conference and Recreation Center: 14075 Frederick St., Moreno Valley, CA 92553, Room A&B.



LEGEND

-  Project Area
-  City Boundary



SOURCE: Google (2014, 2016); MBI (6/2018); ESRI (07/2012)

SR-60/World Logistics Center Parkway Interchange Project

Project Location and Vicinity

08-RIV-60 PM 20.0/22.0

EA No. 0M590

Project No. 0813000109

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Appendix F – List of Technical Studies

The technical studies listed below were used in the preparation of this Environmental Impact Report/Environmental Assessment (EIR/EA):

- *Aerially Deposited Lead Survey* (December 2018).
- *Air Quality Report* (January 2020).
- *Archaeological Survey Report* (June 2019).
- *Community Impact Assessment* (March 2019).
- *Draft Project Report* (February 2020).
- *Project Report* (November 2020).
- *Draft Relocation Impact Memorandum* (December 2018).
- *Drainage Assessment* (July 2018).
- *Historic Property Survey Report* (June 2019).
- *Historical Resources Evaluation Report* (June 2019).
- *Initial Site Assessment* (February 2019) and update to the *Initial Site Assessment* (October 2020).
- *Interchange Closure Study* (January 2019).
- *Jurisdictional Delineation Report* (December 2018).
- *Location Hydraulics Report and Summary Floodplain Encroachment Report* (October 2018).
- *Location Hydraulic Study Form* (October 2018).
- *Methodology and Traffic Volumes Report* (August 2018).
- *Natural Environment Study* (September 2019).
- *Noise Abatement Decision Report* (August 2019).
- *Noise Study Report* (April 2019).
- *Paleontological Identification and Evaluation Report* (January 2019).
- *Preliminary Geotechnical Design Report* (November 2018).

Appendix F – List of Technical Studies

- *Preliminary Site Investigation* (February 2019).
- *Ramp Closure Study* (December 2018).
- *Traffic Study Report* (January 2019).
- *Visual Impact Assessment* (June 2019).
- *Water Quality Assessment Report* (January 2019).

Appendix G – Required Consultation/Concurrence Documentation

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DEPARTMENT OF TRANSPORTATION

DIVISION OF ENVIRONMENTAL PLANNING

464 WEST FOURTH STREET, MS 822

SAN BERNARDINO, CA 92401-1400

MAIN (909) 383-4561

DIRECT (909) 388-1252

FAX (909) 383-6494

www.dot.ca.gov/dist8

*Making Conservation
a California Way of Life.*

February 20, 2020

Mrs. Wendy Campbell
California Department of Fish and Wildlife
3602 Inland Empire Boulevard, Suite C 220
Ontario, CA 91764

AND

Mr. John Taylor
United States Fish and Wildlife Service
777 E. Tahquitz Canyon Way, Suite 208
Palm Springs, CA 92262

Subject: Review for Western Riverside County Multiple Species Habitat Conservation Plan Consistency, DBESP Review and Request for Streamlined Biological Opinion for California Gnatcatcher and Stephen's Kangaroo Rat

Mrs. Campbell and Mr. Taylor,

The City of Moreno Valley (City) proposes to reconstruct the State Route 60 (SR-60)/World Logistics Parkway in Moreno Valley. The project site is in the *Sunnymead* United States Geological Survey (USGS) 7.5-minute topographic quadrangle, in the City of Moreno Valley, Riverside County, California. The project is within the Western Riverside County Multiple Species Habitat Conservation Plan (WRCMSHCP). Caltrans, as a permittee to the WRCMSHCP is required to consult with the corresponding regulatory wildlife agencies to ensure the project is consistent with the WRCMSHCP. The project limits are not within any criteria cells or special linkages and will not require species protocol surveys. Nor is the project within a specific Area Plan.

The City has prepared a Natural Environment Study (NES), a WRCMSHCP Consistency Assessment, and a Determination of Biologically Equivalent or Superior Preservation (DBESP) for the Project. These reports are to demonstrate that the project, including minimization measures and mitigation, would provide an equivalent or superior preservation of habitat functions.

Caltrans has made a determination of "May Affect, Likely to Adversely Affect" for: Stephen's Kangaroo Rat and Coastal California Gnatcatcher.

Based on the enclosed documents: Natural Environmental Study, Jurisdictional Delineation, WRCMSHCP Consistency Assessment and DBESP, Caltrans, under its federally delegated authority under the National Environmental Policy Act, and on behalf of the City, requests a streamlined *Biological Opinion*, *WRCMSHCP consistency determination*, and a *DBESP finding* through the State Permittee Review Process for the SR-60 WLC Parkway interchange improvement project.

If you have any questions, please contact the Project's biologist: Michael Grimes at 909-806-4727 or michael.grimes@dot.ca.gov.

Sincerely,

Craig Wentworth
Senior Environmental Planner (Natural Sciences)
(909) 388-1252
Biological Studies and Surveys Branch
District 8/Riverside and San Bernardino Counties

Attached:

- *Natural Environmental Study*
- *Demonstration of Biologically Equivalent or Superior Preservation*
- *Western Riverside County Multiple Species Habitat Conservation Plan Consistency Assessment*

From: Taylor, John <john_m_taylor@fws.gov>
Sent: Friday, June 12, 2020 4:46 PM
To: Wentworth, Craig S@DOT; Grimes, Michael V@DOT
Cc: Pert, Heather@Wildlife; Campbell, Wendy@Wildlife
Subject: SR-60/World Logistics Center Parkway IC (0M590) Conditional MSHCP consistency determination

EXTERNAL EMAIL. Links/attachments may not be safe.

In reply, refer to: FWS/CDFW-WRIV-20B0192-20CPA0155

Craig and Michael,

The U.S. Fish and Wildlife Service (Service) has reviewed the State Route (SR) 60/World Logistics Center (WLC) Parkway Interchange Project's (Project) Natural Environmental Study (NES) and Determination of Biologically Equivalent or Superior Preservation (DBESP) for consistency with the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP). We received your initial MSHCP consistency request via email February 20, 2020.

The Project as proposed is intended to (1) alleviate existing and future traffic congestion at the existing SR-60/WLC Parkway interchange ramps during peak hours, (2) improve traffic flow along the freeway and through the interchange, (3) improve safety by upgrading the geometry at the current interchange, and (4) provide standard vertical clearance for the WLC Parkway Overcrossing.

Currently, two Build Alternatives (Alternatives 2 and 6) and two Design Variations (Design Variations 2a and 6a) are under consideration. Based on the Project description, impacts to MSHCP riparian/riverine resources between these designs vary by less than 0.03 acres. At this time, the Service agrees to provide a conditional MSHCP consistency determination for the proposed Project with the following stipulations:

1. Once an alternative is selected, Caltrans will provide the Service and the California Department of Fish and Wildlife, hereinafter Wildlife Agencies, with a revised DBESP identifying the preferred alternative and identify impacts to relevant MSHCP riverine/riparian resources;
2. The Service requests Caltrans coordinate with the Wildlife Agencies to identify (1) which mitigation bank is utilized to offset impacts to riverine/riparian resources, and (2) the type of mitigation at the selected bank, thereby ensuring consistency with the MSHCP; and
3. The above two items will be addressed prior to the onset of ground disturbing activities.

Based upon the information provided in the Project's NES and DBESP, and should Caltrans concur with the conditions contained within this email, the Service finds the Project consistent with the Western Riverside MSHCP. Thank you for your coordination on this project and I look forward to ongoing Project related discussions. Should you have any further questions, please contact me at any time.

Sincerely,

John M. Taylor
U.S. Fish and Wildlife Service - Palm Springs
777 East Tahquitz Canyon Way, Suite 208

Palm Springs, CA 92262

760-322-2070 x418

john_m_taylor@fws.gov

<https://www.fws.gov/carlsbad/>

From: Wentworth, Craig S@DOT
Sent: Tuesday, June 30, 2020 11:04 AM
To: John Taylor (john_m_taylor@fws.gov)
Cc: Grimes, Michael V@DOT
Subject: FW: SR-60/World Logistics Center Parkway IC (0M590) Conditional MSHCP consistency determination
Attachments: 0m590 MSHCP Consistency Transmittal to CDFW.docx

Hi John

Thank you for the providing the conditional MSHCP consistency for this project. Caltrans also requested a streamlined BO (SBO) for a LAA for Stephen's kangaroo rat and CA gnatcatcher and an SBO was not received. The SBO is needed in order to achieve PA&ED. I've attached the draft request letter (due to telework I don't have access to the signed copy). Please check your records to verify if a SBO was requested by Caltrans. We would appreciate it if Caltrans can receive a SBO in the near future prior to PA&ED. Please advise. Thank you.

Craig

From: Taylor, John <john_m_taylor@fws.gov>
Sent: Friday, June 12, 2020 4:46 PM
To: Wentworth, Craig S@DOT <Craig.Wentworth@dot.ca.gov>; Grimes, Michael V@DOT <Michael.Grimes@dot.ca.gov>
Cc: Pert, Heather@Wildlife <Heather.Pert@wildlife.ca.gov>; Campbell, Wendy@Wildlife <Wendy.Campbell@wildlife.ca.gov>
Subject: SR-60/World Logistics Center Parkway IC (0M590) Conditional MSHCP consistency determination

EXTERNAL EMAIL. Links/attachments may not be safe.

In reply, refer to: FWS/CDFW-WRIV-20B0192-20CPA0155

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3. The above two items will be addressed prior to the onset of ground disturbing activities.

Based upon the information provided in the Project's NES and DBESP, and should Caltrans concur with the conditions contained within this email, the Service finds the Project consistent with the Western Riverside MSHCP. Thank you for your coordination on this project and I look forward to ongoing Project related discussions. Should you have any further questions, please contact me at any time.

Sincerely,

John M. Taylor

U.S. Fish and Wildlife Service - Palm Springs

777 East Tahquitz Canyon Way, Suite 208

Palm Springs, CA 92262

760-322-2070 x418

john_m_taylor@fws.gov

<https://www.fws.gov/carlsbad/>

From: Grimes, Michael V@DOT <Michael.Grimes@dot.ca.gov>
Sent: Tuesday, July 21, 2020 8:16 AM
To: Taylor, John
Cc: Wentworth, Craig S@DOT
Subject: RE: [EXTERNAL] FW: SR-60/World Logistics Center Parkway IC (0M590) Conditional MSHCP consistency determination

Hello, John.

I am following up to the SR-60/World Logistics Center Parkway IC project. The Project Team is requesting a status update to the Streamline B.O. review process. There is a project meeting today. If possible, can you provide an update that I can return to the project team?

One item to note is that the project proponents have selected Alternative 6 as the preferred Alternative. What would be the appropriate means of confirming the Preferred Alternative (#6) to the Service? I can draft an official letter to that effect.

Thank you, John.

Michael Grimes
Associate Environmental Planner (Natural Sciences)
Caltrans District 08
909-806-4727 Office

From: Taylor, John <john_m_taylor@fws.gov>
Sent: Tuesday, July 7, 2020 11:57 AM
To: Grimes, Michael V@DOT <Michael.Grimes@dot.ca.gov>
Cc: Wentworth, Craig S@DOT <Craig.Wentworth@dot.ca.gov>
Subject: Re: [EXTERNAL] FW: SR-60/World Logistics Center Parkway IC (0M590) Conditional MSHCP consistency determination

EXTERNAL EMAIL. Links/attachments may not be safe.

Thanks Michael. Will take a look at it and get back to the two of you.

John M. Taylor

U.S. Fish and Wildlife Service - Palm Springs

777 East Tahquitz Canyon Way, Suite 208

Palm Springs, CA 92262

760-322-2070 x418

john_m_taylor@fws.gov

<https://www.fws.gov/carlsbad/>

From: Grimes, Michael V@DOT <Michael.Grimes@dot.ca.gov>
Sent: Tuesday, July 7, 2020 11:30 AM
To: Taylor, John <john_m_taylor@fws.gov>
Cc: Wentworth, Craig S@DOT <Craig.Wentworth@dot.ca.gov>
Subject: RE: [EXTERNAL] FW: SR-60/World Logistics Center Parkway IC (0M590) Conditional MSHCP consistency determination

Hello John,

I have uploaded the project's NESMI to the FTP site. It is dated December of 2019.

Thank you, sir.

Best.

Michael Grimes
Associate Environmental Planner (Natural Sciences)
Caltrans District 08
909-806-4727 (Office)

From: Taylor, John <john_m_taylor@fws.gov>
Sent: Tuesday, July 7, 2020 11:01 AM
To: Wentworth, Craig S@DOT <Craig.Wentworth@dot.ca.gov>
Cc: Grimes, Michael V@DOT <Michael.Grimes@dot.ca.gov>
Subject: Re: [EXTERNAL] FW: SR-60/World Logistics Center Parkway IC (0M590) Conditional MSHCP consistency determination

EXTERNAL EMAIL. Links/attachments may not be safe.

Craig,

Thanks for providing the cover letter. While going thru my emails, the only digital document I had for the project was the DBESP. If you have a digital copy of the NES I'd request a copy be uploaded to the following FWS FileShare link:

<https://fileshare.fws.gov/?linkid=KZi4zr6VWWUAba7Jcs9uk7rJcTEYwEkw8YDODS6ncAGbVD1et3mWSg>

John M. Taylor

U.S. Fish and Wildlife Service - Palm Springs

777 East Tahquitz Canyon Way, Suite 208

Palm Springs, CA 92262

760-322-2070 x418

john_m_taylor@fws.gov

<https://www.fws.gov/carlsbad/>

From: Wentworth, Craig S@DOT <Craig.Wentworth@dot.ca.gov>

Sent: Tuesday, June 30, 2020 11:03 AM

To: Taylor, John <john_m_taylor@fws.gov>

Cc: Grimes, Michael V@DOT <Michael.Grimes@dot.ca.gov>

Subject: [EXTERNAL] FW: SR-60/World Logistics Center Parkway IC (0M590) Conditional MSHCP consistency determination

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Craig

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Sent: Friday, June 12, 2020 4:46 PM

To: Wentworth, Craig S@DOT <Craig.Wentworth@dot.ca.gov>; Grimes, Michael V@DOT <Michael.Grimes@dot.ca.gov>

Cc: Pert, Heather@Wildlife <Heather.Pert@wildlife.ca.gov>; Campbell, Wendy@Wildlife <Wendy.Campbell@wildlife.ca.gov>

Subject: SR-60/World Logistics Center Parkway IC (0M590) Conditional MSHCP consistency determination

EXTERNAL EMAIL. Links/attachments may not be safe.

In reply, refer to: FWS/CDFW-WRIV-20B0192-20CPA0155

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Sincerely,

John M. Taylor

U.S. Fish and Wildlife Service - Palm Springs

777 East Tahquitz Canyon Way, Suite 208

Palm Springs, CA 92262

760-322-2070 x418

john_m_taylor@fws.gov

<https://www.fws.gov/carlsbad/>

Memorandum

*Making Conservation
a California Way of Life.*

To: FILE

Date: August 12, 2020

File: EA-08-0M590

From: CRAIG WENTWORTH
SUPERVISING ENVIRONMENTAL PLANNER/BIOLOGIST
BIOLOGICAL STUDIES AND SURVEYS

Subject: SUPPLEMENTAL TECHNICAL UPDATE TO NATURAL ENVIRONMENT STUDY

This memorandum is to revise determinations pursuant to the Federal Endangered Species Act (FESA), contained in the December 2019 Natural Environment Study (NES) (approved December 16, 2019). The project NES contains a finding of "May affect, not likely to adversely affect" for the two federally-listed species, coastal California gnatcatcher and Stephen's kangaroo rat.

On February 20, 2020, Caltrans submitted the NES to the United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) pursuant to a Streamlined Biological Opinion (BO) and a consistency determination under the Western Riverside County Multiple Species Habitat Conservation Plan (WRMSHCP). The USFWS approved the project for consistency with the WRCMSHCP on June 15, 2020.

On July 29, 2020 I, along with Michael Grimes of my staff, held a follow-up phone conversation with Mr. John Taylor of USFWS to consult on this project regarding the Streamlined BO. During our phone conversation, Mr. Taylor noted that no protocol species surveys were conducted to confirm presence of either Coastal California gnatcatcher or Stephen's kangaroo rat. He also noted that habitat quality in the area is heavily degraded and therefore, only nominally suitable to support either listed species. In the absence of recent protocol surveys, given a prolonged lack of known species occurrences, combined with no recently reported sightings (within the last 5 years) in the commercially available literature search – these overlapping factors indicate the overall unsuitability for either coastal California gnatcatcher or Stephen's kangaroo rat to occur at the project site. It was also noted that pre-construction clearance surveys and other avoidance/protective measures would be implemented, in keeping with the WRCMSHCP. Based on these factors, potential project impacts do not rise to a level of a May affect, not likely to adversely affect. Therefore, pursuant to FESA, Caltrans is revising its determinations for Coastal California gnatcatcher and Stephen's kangaroo rat.

In view of the above considerations, pursuant to section 7(a)(2) of FESA, and the WRCMSHCP, Caltrans finds that the proposed improvements under EA-08-0M590 would result in *No Effect* to coastal California gnatcatcher and Stephen's kangaroo rat. Furthermore, on June 15, 2020, USFWS approved the project for consistency determination pursuant to the WRCMSHCP. Consequently, having demonstrated

consistency with the WRCMSCHP, and with *No Effect* determination for coastal California gnatcatcher or Stephen's kangaroo rat, these findings conclude the biological resource compliance requirements for this project.

Signed,

Craig WENTWORTH

8/12/2020

Craig Wentworth
Supervising Environmental Planner/Biologist



U.S. Department
of Transportation
**Federal Highway
Administration**

California Division

September 21, 2020

650 Capitol Mall, Suite 4-100
Sacramento, CA 95814
(916) 498-5001
(916) 498-5008 (FAX)

In Reply, Refer To:
HDA-CA

John Bulinski, Director
California Department of Transportation
District 8
464 W. 4th Street
San Bernardino, CA 92401

Attention, Christopher Gonzalez

SUBJECT: Project Level Conformity Determination for the SR-60/World Logistics Center Parkway Interchange Project (MPO ID RIV80904)

Dear Mr. Bulinski:

On August 19, 2020, the California Department of Transportation (Caltrans) submitted to the Federal Highway Administration (FHWA) a complete request for a project level conformity determination for the SR-60/World Logistics Center Parkway Interchange Project. The project is in an area that is designated Non-Attainment or Maintenance for Ozone, Carbon Monoxide (CO) and Particulate Matter (PM10, PM 2.5).

The project level conformity analysis submitted by Caltrans indicates that the project-level transportation conformity requirements of 40 CFR Part 93 have been met. The project is included in the Southern California Association of Governments' (SCAG) current Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP), as amended. The design concept and scope of the preferred alternative have not changed significantly from those assumed in the regional emissions analysis.

As required by 40 CFR 93.116 and 93.123, the localized PM2.5 and PM10 analyses are included in the documentation. The analyses demonstrate that the project will not create any new violations of the standards or increase the severity or number of existing violations.

Based on the information provided, FHWA finds that the SR-60/World Logistics Center Parkway Interchange Project conforms with the State Implementation Plan (SIP) in accordance with 40 CFR Part 93.

If you have any questions pertaining to this conformity finding, please contact Joseph Vaughn at (916) 498-5346 or by email at Joseph.Vaughn@dot.gov.

Sincerely,

Tashia J. Clemons
Director, Planning and Environment

Appendix H – Comment Letters and Responses

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H.1 SR-60/WLC PARKWAY RESPONSES TO COMMENTS

Common Response #1 Regarding Relationship of Interchange Project to the World Logistics Center (addresses portions of IP-1-7, IP-1-10, IP-1-15, IP-2-23, IP-2-25, IP-2-34, IP-3-1, IP-3-6, IP-3-8, IP-3-22, IP-3-31, IP-4-1, and IP-4-4)

Several commenters asserted that the State Route 60/World Logistics Center Parkway (SR-60/WLC Pkwy) Interchange Project is being proposed for the sole benefit of the World Logistics Center (WLC) Specific Plan. Because of this suggested connection between the two projects, the commenters stated that the Environmental Impact Report/Environmental Assessment (EIR/EA) for the SR-60/WLC Pkwy Interchange Project should address the indirect growth-related impacts to the 2,610 acres of land within the WLC Specific Plan area, particularly to habitat and species included within the reserve area and critical cells of the Western Riverside County Multiple Species Habitat Conservation Plan (WRCMSHCP).

The SR-60 interchange at WLC Pkwy (formerly Theodore Street) is an existing interchange that has been shown on the State Highway System and local circulation plans (Moreno Valley General Plan and County of Riverside General Plan) since years prior to the WLC Specific Plan. The interchange is shown on the Freeway Maintenance Agreement between the California Department of Transportation (Caltrans) and the City of Moreno Valley (City) dated 1988. In its 2006 General Plan Circulation Element, the City has identified Theodore Street as a six-lane Divided Major Arterial. Therefore, the prior planning of the SR-60/WLC Pkwy Interchange Project and designation of WLC Pkwy as a major arterial predates the WLC Specific Plan.

The City and Caltrans initiated the project development process for the SR-60/Theodore Street (now WLC Pkwy) Interchange Project in 2008 and the Project Study Report/Project Development Support (PSR/PDS) was approved in 2013. The SR-60/WLC Pkwy Interchange Project will widen the WLC Pkwy overcrossing of SR-60 and modify the ramp connections consistent with the WLC Pkwy's designation as a Divided Major Arterial. As stated in Section 1.2.1 of this Final EIR/EA, "The purpose of the proposed project is to: Improve existing vertical and horizontal interchange geometric deficiencies; provide increased interchange capacity, reduce congestion, and improve traffic operations to support the forecast travel demand for the 2045 design year; and accommodate a facility that is consistent with the City of Moreno Valley General Plan." Section 1.2.2, Project Need, acknowledges that planned transportation improvements should be consistent with the transportation goals as identified in the City's General Plan. Further, Section 1.2.2.4, Social Demand and Economic Development, indicates that major developments in the area are in various stages of development or completion, and that Moreno Valley and Riverside County are expected to experience continued growth requiring infrastructure to accommodate that growth. Therefore, the relationship between the project and current/future developments in the vicinity (including the WLC) is acknowledged. However, as stated in Section 1.2.1 of this Final EIR/EA, the accommodation of future developments within Moreno Valley is not the only purpose of the project.

The SR-60/WLC Pkwy Interchange Project and the WLC Specific Plan are independent projects. Although the WLC Specific Plan traffic analysis assumed the completion of the SR-60/WLC Pkwy Interchange Project, that does not mean the two

projects are dependent upon one another. The SR-60/WLC Pkwy Interchange Project is programmed in the 2016 Regional Transportation Plan (RTP) and the 2019 Federal Transportation Improvement Program (FTIP); therefore, it was reasonable for the SR-60/WLC Pkwy Interchange Project to be assumed as a completed project in the WLC Specific Plan traffic analysis. On June 16, 2020, the Moreno Valley City Council certified the Revised Final EIR for the WLC Specific Plan and also approved a Development Agreement between the City and the developers of the WLC Specific Plan.


As shown in Table 2.3.1 (Population, Household, and Employment Estimates) in Section 2.3 (Growth) of this Final EIR/EA, Moreno Valley and Riverside County have experienced rapid growth since 2012 and are forecast to continue to do so to keep pace with the future demand for housing and employment in the Southern California region. As stated in Section 2.3 of this Final EIR/EA, the project would potentially accelerate the rate of growth in the area by making it more accessible, but would not result in new unplanned growth since the surrounding area is already designated and zoned for future development in accordance with the City of Moreno Valley General Plan and City Council-approved Specific Plans.

Section 2.23 (Cumulative Impacts) in this Final EIR/EA addresses the cumulative impacts of the SR-60/WLC Pkwy Interchange Project and other reasonably foreseeable projects within the study area. As shown in Table 2.23.1 and Figure 2.23-1, the WLC Specific Plan was included in the cumulative impact analysis. As stated in Section 2.23.3.2 of this Final EIR/EA, “Of the projects listed in Table 2.23.1, the project that will result in the greatest change to land use within the RSA is the proposed World Logistics Center which will provide over 40 million square feet of warehouses and logistics facilities on 2,610 ac in the RSA. As with the proposed project, all of the planned projects listed in Table 2.23.1 are required to comply with the California Environmental Quality Act (CEQA) and all applicable land use plans and policies of the jurisdiction(s) in which they are located. Accordingly, a project that is not consistent with applicable land use plans cannot be approved unless amendments, variances, or exceptions are proposed and adopted as part of the project. Other reasonably foreseeable actions would be evaluated on a project-by-project basis to determine the potential for impacts on land use and the appropriate measures required to reduce impacts.” The impacts of all of the projects shown in Table 2.23.1 and Figure 2.23-1 (including the WLC Specific Plan) were evaluated in the cumulative impact analysis for the SR-60/WLC Pkwy Interchange Project.

Section 2.23 provides specific discussion of the SR-60/WLC Pkwy Interchange Project’s contributions to cumulative impacts to habitat and species included within the reserve area and critical cells of the WRCMSHCP. The purpose of the WRCMSHCP is to establish a 500,000-acre habitat reserve to protect, restore, and enhance habitats for the conservation of 146 species while expediting construction of needed infrastructure, particularly transportation, and providing certainty in the development process. Both Caltrans and the City are Permittees under the WRCMSHCP, and their responsibilities as Permittees for compliance with the WRCMSHCP are specified in Sections 13.8 and 13.2, respectively, in the WRCMSHCP Implementation Agreement (https://rctlma.org/Portals/0/mshcp/volume3/Implementing_Agree.pdf). By fulfilling their responsibilities under the WRCMSHCP, Caltrans and the City mitigate the cumulative effects of permitted

activities such as the SR-60/WLC Pkwy Interchange Project on habitat and species included within the reserve area and critical cells of the WRCMSHCP.

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Comment Letter F-1 and Responses	
 <p style="text-align: center;"> UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION IX 75 Hawthorne Street San Francisco, CA 94105-3901 </p> <p style="text-align: center;">June 8, 2020</p> <p> Antonia Toledo Senior Environmental Planner Caltrans District 8 464 West 4th Street, MS-820 San Bernardino, California 92401 </p> <p> Subject: Draft Environmental Assessment for the State Route 60/World Logistics Center Parkway Interchange Project, Riverside County, California </p> <p>Dear Ms. Toledo:</p> <p>The U.S. Environmental Protection Agency has reviewed the above-referenced document. Our review is pursuant to the National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act.</p> <p>The proposed project, which would span roughly two miles, would modify and expand the existing SR-60/World Logistics Center Parkway Interchange in order to address existing and future congestion in the project area. Alternative 2 would reconstruct the interchange in a modified partial cloverleaf configuration. Alternative 6, which is identified as the Locally Preferred Alternative, would add roundabout intersections. Major project components that are common among the action alternatives include: reconstructing and widening the westbound and eastbound on- and off-ramps, replacing and widening the existing World Logistics Center Parkway overcrossing, widening World Logistics Center Parkway, and providing auxiliary lanes. Two design variations were also considered. The EPA provides the following recommendations to assist the California Department of Transportation in determining whether a "Finding of No Significant Impact" can be concluded following the completion of the Environmental Assessment process.</p> <p><u>Air Quality</u></p> <p>The project area is designated as a federal nonattainment area for ozone (extreme) and PM_{2.5} (serious). It is also a designated maintenance area for PM₁₀ and CO. As noted in the Draft EA, the City of Moreno Valley is a burgeoning freight hub and is expected to experience considerable industrial development in the future. Existing freight facilities near the project include the Sketchers Warehouse. The ALDI Distribution Center also appears to be located immediately adjacent to the project area, but does not appear to be included in the project map or described in the Draft EA. Table 2.1.2 describes other planned projects in the study area, including the 2,610-acre World Logistics Center, which would develop 40,600,000 square feet of logistics facilities.</p> <p>The Draft EA states that the project would improve the flow of traffic in the project area without affecting traffic volumes. Tables 2.14.4 and 2.14.5 indicate that total average daily traffic and truck ADT would remain constant under the Build and No Build scenarios in both analysis years 2025 and 2045. Truck traffic is expected to increase irrespective of the project between 2025 and 2045 for four of</p>	<p style="text-align: center;">F-1</p> <p>F-1-1: The ALDI Distribution Center is an existing development; therefore, it has not been included in Table 2.1.2, which only shows planned or proposed projects within the project area. However, Section 2.1.1.1 has been revised to note that the ALDI Distribution Center is an existing land use within the project area.</p> <p style="text-align: center;">F-1-1</p>

Comment Letter F-1 and Responses	
<p>the five roadway segments analyzed. The most substantial increase would occur on the SR-60 - Redlands Boulevard to World Logistics Center Parkway. Truck ADT on this segment would increase from 15,490 in 2025 to 23,699 in 2045. The World Logistics Center Parkway - Eucalyptus Avenue to SR-60 Eastbound Ramp would experience the highest percentage of truck ADT in 2045 (39%). We understand that the project was reviewed by the Southern California Association of Governments Transportation Conformity Working Group and was determined not to be a Project of Air Quality Concern; however, given the existing poor air quality in the project area, and the further degradation of air quality that would be associated with the planned freight facilities, we encourage Caltrans to further document the process that was utilized to examine the project's impact on traffic volumes and take additional measures to ensure that the proposed project would not increase truck traffic in the project area.</p>	F-1-2
<p>Recommendations for the Final EA:</p>	
<ul style="list-style-type: none"> • Ensure that the Final EA discloses all freight facilities in and near the project area. • Provide a detailed discussion of the process that Caltrans undertook to determine that the project would not induce travel, particularly truck traffic. • Consider monitoring truck traffic after the project is implemented. If truck traffic volumes exceed the anticipated No Build estimates, we recommend that Caltrans explore mitigation measures to address air quality impacts from any increased truck activity (e.g., reducing exposure to project-related emissions at affected residences and other sensitive receptors). 	<p>F-1-3 F-1-4 F-1-5</p>
	<p>F-1-2: The comment appears to refer to the State Route 60/World Logistics Center Parkway (SR-60/WLC Pkwy) Interchange Project, which is on the supply side of the supply/demand balance for roadway capacity with a land development project, which is on the demand side. A major land development project like the World Logistics Center (WLC) would indeed increase traffic volumes. In contrast, an interchange improvement project like the SR-60/WLC Pkwy Interchange will only affect how traffic redistributes itself among alternate routes serving the same area. The Build Alternatives have less congestion and fewer stops than the No Build Alternative and would therefore reduce air quality degradation compared to the No Build Alternative. Impacts for traffic generated by the WLC are discussed in the Environmental Impact Report (EIR) for the development project and are outside the scope of the study of the SR-60/WLC Pkwy Interchange Project.</p>
	<p>F-1-3: The commenter requests that all freight facilities in and near the project area be disclosed. This Final Environmental Impact Report/Environmental Assessment (EIR/EA) discloses existing land uses in the project area in Section 2.1.1.1, and known planned projects in the area in Table 2.1.2. A discussion of future land use in the area is included in Section 2.1.1.2 of this Final EIR/EA. Further, reasonable future projects and developments are included in Table 2.23.1 of Section 2.23, Cumulative Impacts, of this Final EIR/EA. The preparers have made every effort to include all existing, known, and reasonably foreseeable future developments and projects in this document.</p>
	<p>F-1-4: An interchange improvement project like the WLC Parkway interchange will only affect how traffic redistributes itself among alternate routes serving the same area. Please also note that the project is a replacement of an existing, but functionally obsolete interchange. Therefore, the SR-60/WLC Pkwy Interchange Project would not induce travel, but will accommodate the forecast travel demand of the region. The forecast travel demand was shown in the January 2019 <i>Traffic Study Report</i>.</p>
	<p>F-1-5: The commenter requests that post-project truck traffic monitoring should be implemented and that any increases in projected No Build truck traffic volume estimates resulting in air quality impacts should be mitigated. It is important to note that the future No Build scenario includes planned and reasonably foreseeable future projects. However, the inclusion of other projects in the No Build model neither guarantees that these projects will be built nor are they representative of all potential future projects. For that reason, the comparison of actual truck traffic volumes to a previously projected No Build scenario may be misleading, particularly if the assumptions underpinning the No Build scenario had changed in the interim. Please also refer to Section 3.4.7.3, Project-Level GHG Reduction Strategies, of Chapter 3, CEQA Evaluation, in this Final EIR/EA for a list of energy-efficiency and climate action measures to which the City of Moreno Valley has committed itself, in addition to the project-specific suite of avoidance, minimization, and mitigation measures that will be enforced for the SR-60/WLC Pkwy Interchange Project.</p>

<p>Comment Letter F-1 and Responses</p>	
<ul style="list-style-type: none"> • Ensure that the environmental documents for any future capacity-enhancing projects in areas subject to high levels of freight activity include detailed analyses on the project's potential to induce travel, particularly truck traffic. <p><i>Construction Emissions</i> In addition to Project Features AQ-1 through AQ-6, we recommend the following mitigation measures for consideration.</p> <p><u>Recommendations for the Final EA:</u> <u>Mobile and Stationary Source Controls:</u></p> <ul style="list-style-type: none"> • Reduce unnecessary idling from heavy equipment. 	<p>F-1-6</p> <p>F-1-6: The commenter suggests that environmental documents for any future capacity-enhancing projects in areas subject to high freight activity include detailed analyses on the project's potential to induce travel. As part of the implementation of Senate Bill (SB) 743, the California Department of Transportation (Caltrans) has developed guidance documents to implement the vehicle miles traveled (VMT) metric as part of the California Environmental Quality Act (CEQA) analysis of transportation impacts in future capacity-enhancing projects. Quantification tools for VMT, including evaluation of induced travel, are part of those guidance documents. Per the Caltrans Policy on Transportation Impact Analysis and CEQA Significance Determinations for Projects on the State Highway System Memo (dated September 10, 2020), which includes the Policy Implementation Timing, "For projects initiated on or after December 28, 2018 which have reached or will reach Caltrans' Milestone 020 ("Begin Environmental") before September 15, 2020, the April 13, 2020 Implementation Timing Memorandum (VMT CEQA Significance Determinations for State Highway System Projects Implementation Timeline Memorandum) should be consulted." The project began environmental studies (i.e., Milestone 020) before December 28, 2018. Therefore, VMT-based transportation impact analysis per Section 15064.3 of the State CEQA Guidelines was not required for this EIR/EA. Additionally, the City of Moreno Valley is in the process of updating their General Plan, which would address impacts within Moreno Valley as a result of SB 743. Currently, the City's General Plan Update is scheduled to be completed in summer 2021. Also, see response to comment F-1-4 regarding how the project does not induce travel.</p> <p>F-1-7</p> <p>F-1-7: Section 2.14.3.1, Temporary Impacts, of this Final EIR/EA includes "Areas within 500 feet (ft) of CARB-defined sensitive land uses where material storage/transfer and equipment maintenance activities could occur would be labeled as no-idle areas." Additionally, measure AQ-6 specifies "All construction vehicles both on and off site shall be prohibited from idling in excess of 5 minutes." Measures are included in the Environmental Commitment Report (ECR) and are therefore enforceable commitments by Caltrans.</p>

<p>Comment Letter F-1 and Responses</p>		
<ul style="list-style-type: none"> • Lease or buy newer, cleaner equipment using the best available emissions control technologies. <ul style="list-style-type: none"> ○ Use lower-emitting engines and fuels, including electric, liquified gas, hydrogen fuel cells, and/or alternative diesel formulations, if feasible. ○ <i>On-Highway Vehicles</i> - On-highway vehicles should meet, or exceed, the U.S. EPA exhaust emissions standards for model year 2010 and newer heavy-duty on-highway compression-ignition engines (e.g., drayage trucks, long haul trucks, refuse haulers, shuttle buses, etc.).¹ ○ <i>Nonroad Vehicles & Equipment</i> - Nonroad vehicles and equipment should meet, or exceed, the U.S. EPA Tier 4 exhaust emissions standards for heavy-duty nonroad compression-ignition engines (e.g., nonroad trucks, construction equipment, cargo handlers, etc.).² 	<p>F-1-8</p>	<p>F-1-8: Measure AQ-2, in Section 2.14.4 of this Final EIR/EA, specifies "Project specifications will include the duration of construction. Emissions from construction equipment vehicles will be controlled by maintaining equipment engines in good condition and in proper tune per manufacturers' specifications. Properly operating engines also help reduce greenhouse gas (GHG) emissions." This measure was written in a manner that ensures it is both enforceable and consistent with Caltrans' contract bid requirements and procedures. Therefore, some flexibility was retained accordingly in the wording of the measure. It is important to note that some, but not all, Tier 4 equipment is commercially available at the present time, and it is currently unknown if and when all Tier 4 equipment necessary to construct the project may be available in the future. Additionally, Mitigation Measure GHG-2, in Section 3.4.7.3 of this Final EIR/EA, requires the project to "Require contractors to assemble a comprehensive inventory list (i.e., make, model, engine year, horsepower, emission rates) of all heavy-duty off-road (portable and mobile) equipment (50 horsepower and greater) that could be used an aggregate of 40 or more hours for the construction project. Prepare a plan for approval by the applicable air district demonstrating achievement of the applicable percent reduction for a California Air Resources Board (CARB) approved fleet." However, as construction equipment fleets continue to turn over as Tier 4 equipment becomes more widely available, this measure can be revisited during the environmental re-evaluations that are required pursuant to 23 CFR 771.129 under the National Environmental Policy Act (NEPA).</p> <p>F-1-9: The commenter requests that coordination with appropriate agencies take place to identify a construction schedule that minimizes cumulative impacts. This request is acknowledged and timing of construction activities, where feasible, may be scheduled to minimize cumulative impacts to air quality; however, it should be noted that construction schedules are driven by many different variables, including funding availability, applicable construction windows, and staging considerations, among others.</p> <p>F-1-10: Vehicle traffic will be detoured during construction of the interchange, as identified in Section 2.6.3.1. Per the detour plan, vehicle traffic will not be detoured near sensitive land uses, including those sensitive residential receptors identified in Table 2.15.3 and Figure 2.15-1. Construction traffic control plans, as described in measure TR-1 (see section 2.6.4 of this Final EIR/EA) will be completed during Final Design of the proposed project. The traffic control plans and related specifications will be developed in accordance with Section 5 of the Caltrans Traffic Manual, Caltrans Standard Plans, applicable City of Moreno Valley requirements, and the Work Area Traffic Control Handbook (also referred to as the WATCH Manual). The traffic control plan will identify construction truck traffic routes and avoid routing truck traffic near sensitive land uses to the extent feasible.</p>
<p><u>Administrative Controls:</u></p>		
<ul style="list-style-type: none"> • Coordinate with appropriate air quality agencies to identify a construction schedule that minimizes cumulative impacts from other planned projects in the region, if feasible. 	<p>F-1-9</p>	
<ul style="list-style-type: none"> • Avoid routing truck traffic near sensitive land uses to the fullest extent feasible. 	<p>F-1-10</p>	

Comment Letter F-1 and Responses									
<ul style="list-style-type: none"> • Use cement blended with the maximum feasible amount of industrial materials that can be reused that reduce GHG emissions from cement production. • Use lighter-colored pavement where feasible. • Recycle construction debris to the maximum extent feasible. • Prepare an inventory of all equipment prior to construction and identify the suitability of add-on emission controls for each piece of equipment before groundbreaking.³ 	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border-right: 1px solid black; padding-right: 5px;">F-1-11</td> <td style="padding-left: 5px;">F-1-11: As identified in Mitigation Measures GHG-3 and GHG-9 in Section 3.4.7.3 of the Final EIR/EA, the project will maximize the use of recycled materials (e.g., tire rubber), use the minimum feasible amount of GHG-emitting construction materials, and use rubberized asphalt concrete to the maximum extent practical within currently accepted practice.</td> </tr> <tr> <td style="border-right: 1px solid black; padding-right: 5px;">F-1-12</td> <td style="padding-left: 5px;">F-1-12: While a shade of pavement is not identified in the EIR/EA, Section 3.4.5, Construction Emissions, discusses the proposed construction emission reduction methods related to project pavement. With innovations such as longer pavement lives and changes in materials, the GHG emissions produced during construction of the proposed project can be offset to some degree by longer intervals between maintenance and rehabilitation activities. As specified in Mitigation Measure GHG-7, the proposed project will design and install long-life pavement structures to minimize life-cycle costs. Additionally, the City of Moreno Valley has committed to energy efficiency and climate action measures to reduce city-wide GHG emissions. These measures are provided in Section 3.4.7.3 in the Final EIR/EA. One such measure is "Design and install long-life pavement structures to minimize life-cycle costs. Consider future climate conditions in decisions (e.g., areas that are expected to experience increased temperatures and extreme heat days may have different pavement needs than areas expecting more frequent freezing temperatures)."</td> </tr> <tr> <td style="border-right: 1px solid black; padding-right: 5px;">F-1-13</td> <td style="padding-left: 5px;">F-1-13: As discussed in Section 2.16.4 of the Final EIR/EA, the City of Moreno Valley currently employs a variety of measures in municipal operations that reduce the amount of solid and green waste sent to a landfill. The following measures would be applicable to the project from the City of Moreno Valley Energy Efficiency and Climate Action Strategy (2012):</td> </tr> <tr> <td style="border-right: 1px solid black; padding-right: 5px;">F-1-14</td> <td style="padding-left: 5px;"> <ul style="list-style-type: none"> • A24 – Maintenance & Operations has a program to recycle asphalt concrete. Existing pavement is ground up and used as base for repaving. Unused material is stored for future use. • A29 – Cold in Place Recycling is used as appropriate for street rehabilitation projects. The process removes old pavement, combines it with emulsion, and places it back down as part of the new pavement. <p>F-1-14: The commenter's suggestion is addressed in Section 3.4.7.3, Project-Level GHG Reduction Strategies, of this Final EIR/EA in Mitigation Measure GHG-2. Mitigation Measure GHG-2 requires contractors to assemble a comprehensive inventory list (i.e., make, model, engine year, horsepower, emission rates) of all heavy-duty off-road (portable and mobile) equipment (50 horsepower and greater) that could be used an aggregate of 40 or more hours for the construction project. 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Comment Letter F-1 and Responses	
<ul style="list-style-type: none"> • Reduce construction-related trips of workers and equipment, including trucks. F-1-15 • Develop a construction traffic and parking management plan that minimizes traffic interference and maintains traffic flow. F-1-16 • Identify all commitments to reduce construction emissions and quantify air quality improvements that would result from adopting specific air quality measures. F-1-17 • Identify where implementation of mitigation measures is rejected based on economic infeasibility. F-1-18 	<p>F-1-15: As described in Mitigation Measure GHG-5, a Traffic Management Plan (TMP) will be developed prior to construction of the proposed project to minimize traffic flow interference from construction activities. The TMP may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. The TMP will include a provision to provide rideshare information in public information materials and construction signage. With regard to reducing truck trips during construction, providing a construction staging area of sufficient size will minimize deliveries of equipment and construction materials to the project site. There are certain construction activities that are repetitive in nature where trucks need to make multiple trips, such as entering and exiting the median multiple times a day to build a bridge column.</p>
<p><i>Sensitive Receptors</i> Section 2.14.2.3 generally describes sensitive land use types and states that sensitive land uses near the project area include rural residences (p. 2.14-5). No further information is provided about sensitive receptors near the project area. F-1-19</p>	<p>F-1-16: The commenter requests that a construction traffic and parking management plan be developed and included in this Final EIR/EA. Measure TR-1, Transportation Management Plan, included in Section 2.6.4 of this Final EIR/EA, provides for the preparation of such a plan during the Final Design phase of the project. The TMP will include various elements and strategies in order to minimize the potential impacts that construction activities may have on the traveling public and emergency services providers. For example, the project will have a construction field office and storage yard that can include a central location for parking and management of construction vehicles.</p>
<p><i>Recommendations for the Final EA:</i></p> <ul style="list-style-type: none"> • Describe the process that was used to identify nearby sensitive receptors. Consider including a map that illustrates where sensitive receptors are located in relation to the proposed project. • Describe any measures that would be taken to minimize impacts to sensitive receptors. For example, consider locating construction equipment and staging zones away from sensitive receptors and fresh air intakes to buildings and air conditioners. F-1-20 	<p>F-1-17: Section 2.14.4 (Temporary Impacts) in the Draft EIR/EA and this Final EIR/EA includes all enforceable commitments to reduce construction emissions in measures AQ-1 through AQ-7. Please also refer to Response to Comment F-1-20.</p> <p>F-1-18: There are no air quality-related mitigation measures considered for this project that were rejected on any basis.</p> <p>F-1-19: Sensitive receptors include residences, schools, hospitals, and similar uses that are sensitive to adverse air quality. The Draft EIR/EA includes Figure 2.15-1, which identifies all the sensitive receptors near the project area. Further details on sensitive receptors were also included in Section 3.3 of the Air Quality Report.</p> <p>F-1-20: Measures AQ-1 through AQ-6 in Section 2.14.4 of this Final EIR/EA are features that will minimize public exposure to fugitive dust and construction vehicle exhaust emissions. Additionally, measure AQ-7 in Section 2.14.4 was added in response to this comment to specify that construction equipment and staging zones would be located away from fresh air intakes to building and air conditioners and away from residential noise receptors. Measure N-1, in Section 2.15.4 of this Final EIR/EA, would also minimize the construction noise impacts and minimize the air quality impacts by restricting the time of day construction would be permitted.</p>

Comment Letter R-1 and Responses



SENT VIA E-MAIL:
OM590.Comments@dot.ca.gov

June 5, 2020

Antonia Toledo, Senior Environmental Planner
 California Department of Transportation, District 8
 Environmental Analysis Division
 464 4th Street, MS-820
 San Bernardino, CA 92401

Draft Environmental Impact Report/Environmental Assessment (Draft EIR/EA) for the Proposed State Route 60/World Logistics Center Parkway Interchange Project (SCH No.: 2019220505)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final EIR/EA.

South Coast AQMD Staff's Summary of Project Description

The Lead Agency proposes to construct two lanes along a two-mile segment of State Route 60 (SR-60) and improve the SR-60 and World Logistics Center (WLC) Parkway interchange between Post Mile (PM) 20 and PM 22.0 in order to improve existing interchange geometric deficiencies, provide increased interchange capacity, alleviate existing and future traffic congestion at the interchange ramps during peak hours, and improve traffic flow¹ (Proposed Project). Specifically, the Proposed Project includes reconstruction of westbound and eastbound SR-60 on- and off-ramps, addition of auxiliary lanes in each direction from the SR-60 and WLC Parkway interchange to the Redlands Boulevard (west) and Gilman Springs Road (east) interchange on- and off-ramps, and improvements to Theodore Street/WLC Parkway north to Ironwood Avenue and south to Eucalyptus Avenue and Dracaea Avenue². Construction of the Proposed Project is expected begin in early 2022 and last approximately 19 months³. Based on a review of Figure 1-1: *Project Location and Vicinity*, in the Draft EIR/EA⁴ and aerial photographs, South Coast AQMD staff found that sensitive receptors such as residential uses are located adjacent to the Proposed Project.

Summary of South Coast AQMD Staff's Comments on the Air Quality Analysis

In the Air Quality Analysis Section of the Draft EIR/EA, the Lead Agency quantified the Proposed Project's construction emissions and committed to six air quality minimization measures, including compliance with South Coast AQMD Rule 403, maintaining equipment per manufacturer specifications, adherence to air pollution control rules, and limiting construction vehicles idling to five minutes⁵. The Lead Agency found that the Proposed Project's air quality impacts from construction activities would be less than significant. The Lead Agency also conducted regional air quality conformity analysis and the project-level, hot-spot analyses for CO, PM_{2.5}, and PM₁₀. The Lead Agency concluded that the Proposed Project is in conformity with the State Implementation Plan; is not required to conduct a detailed quantitative CO hot-spot analysis; and is not a project of air quality concern for particulate matter⁶. However, the Lead Agency did not compare the Proposed Project's regional construction

¹ Draft EIR, Chapter 1: Proposed Project, Page 1-1.
² Draft EIR, Summary, Page S-2 to S-3.
³ Draft EIR, Chapter 1: Proposed Project, Page 1-19.
⁴ *Ibid*, Page 1-3.
⁵ Draft EIR, Chapter 2.14: Air Quality, Page 2.14-15.
⁶ Draft EIR, Chapter 2, Pages 2.14-15 to 23.

emissions to South Coast AQMD's regional air quality CEQA significance thresholds for construction to determine the level of significance, analyze the Proposed Project's localized construction air quality impacts or long-term air quality impacts from induced growth, or conduct a mobile source Health Risk Assessment (HRA). Therefore, there is not enough substantial evidence in the Draft EIR/EA to support the Lead Agency's findings that the Proposed Project's air quality impacts would be less than significant and would not expose sensitive receptors to substantial pollutant concentrations. Detailed comments are included in the attachment.

R-1-1: It is important to note that while the South Coast Air Quality Management District (SCAQMD) CEQA significance thresholds were referenced in Section 3.2.3.1 of Chapter 3 (CEQA Evaluation) of the Draft EIR/EA, Caltrans as a matter of practice does not utilize defined CEQA thresholds that have been adopted by other agencies, in determining the significance of an impact. Instead, the determination of significance is based upon the context of the CEQA Checklist questions. Because the significance of an effect may vary depending on the environmental setting and context, set rules for determining significance in every case have not been established. Because Caltrans has statewide jurisdiction and the setting for projects varies so extensively throughout the State, Caltrans has not adopted thresholds for significance for CEQA. The determination of significance is left to the Project Development Team (PDT), which includes environmental staff and technical specialists. In addition, the comment also states that Caltrans did not conduct a mobile source Health Risk Assessment (HRA). Section 2.14.3.2 of the Draft EIR/EA included a Mobile Source Air Toxics (MSAT) analysis that considers all the toxic air contaminants that would be included in a Mobile Source HRA.

Because this is an introduction to the more detailed discussions in Response to Comments R-1-2 through R-1-5, see the responses to those comments.

R-1-1

R-1-1

Comment Letter R-1 and Responses	
<p><u>Conclusion</u></p> <p>Pursuant to California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(b), South Coast AQMD staff requests that the Lead Agency provide South Coast AQMD staff with written responses to all comments contained herein prior to the certification of the Final EIR/EA. In addition, issues raised in the comments should be addressed in detail giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice (CEQA Guidelines Section 15088(c)). Conclusory statements do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful, informative, or useful to decision makers and to the public who are interested in the Proposed Project.</p> <p>South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Margaret Isied, Assistant Air Quality Specialist, at misied@aqmd.gov or (909) 396-2543, should you have any questions.</p> <p>Sincerely, <i>Lijin Sun</i> Lijin Sun, J.D. Program Supervisor, CEQA IGR Planning, Rule Development & Area Sources</p> <p>Attachment LS.MI RVC200501-04 Control Number</p>	

Comment Letter R-1 and Responses

ATTACHMENT

1. Air Quality CEQA Thresholds of Significance

CEQA thresholds of significance assist a Lead Agency in determining whether a project may cause significant environmental impacts. While CEQA permits a Lead Agency to apply appropriate thresholds to determine the level of significance, the Lead Agency may not apply thresholds in a manner that precludes consideration of substantial evidence demonstrating that there may be a significant effect on the environment. Evaluation of air quality impacts, unlike some other impact areas, easily lends itself to quantification. Not only does quantification make it easier for the public and decision-makers to understand the breadth and depth of the potential air quality impacts, but it also facilitates the identification of mitigation measures required to reduce any significant adverse air quality impacts. Lead agencies can develop and publish their own significance thresholds or use significance thresholds recommended by other public agencies or experts (CEQA Guidelines Sections 15064 and 15064.7(c)). South Coast AQMD's CEQA thresholds of significance for air quality provide a clear quantitative benchmark to determine the significance of a project's air quality impacts. Therefore, for most projects within the South Coast Air Basin, South Coast AQMD's air quality CEQA thresholds of significance for construction and operation⁷ are used to determine the level of significance for a project's air quality impacts.

The Lead Agency quantified the maximum construction emissions for the Proposed Project's in pounds per day⁸ but did not compare those emissions to South Coast AQMD's regional air quality CEQA significance thresholds to determine the level of significance for the Proposed Project's construction air quality impacts⁹. Additionally, the Lead Agency did not develop environmental standards that it used to evaluate and determine the significance level of the Proposed Project's air quality impacts in the Draft EIR/EA. Using South Coast AQMD's CEQA significance thresholds would clearly identify whether the Proposed Project would result in significant air quality impacts under CEQA, disclose the magnitude of the impacts, facilitate the identification of feasible mitigation measures and alternatives, and evaluate the level of impacts before and after mitigation measures. Therefore, South Coast AQMD staff recommends that the Lead Agency compare the emissions to South Coast AQMD's regional air quality CEQA significance thresholds in the Final EIR/EA to determine the level of significance for the Proposed Project's air quality impacts.

2. Localized Construction Air Quality Impact Analysis

Based on a review of Figure 1-1: *Project Location and Vicinity*, in the Draft EIR/EA¹⁰, and aerial photographs, South Coast AQMD staff found that existing residential uses are located in close proximity to the eastern side of the Proposed Project. However, the Lead Agency did not analyze the Proposed Project's localized air quality impacts in the Draft EIR/EA. Localized air quality impacts from construction activities can cause direct physical changes to the environment by resulting in incremental increases in emissions in and around the Proposed Project's construction zones, which should be considered in evaluating the significance of the environmental effects of a project (CEQA Guidelines Section 15064). Therefore, South Coast AQMD staff recommends that the Lead Agency quantify the Proposed Project's localized emissions from construction activities and disclose them in the Final EIR/EA to serve as substantial evidence that any nearby sensitive receptors are not adversely affected by emissions from construction activities that are occurring in close proximity.

⁷ South Coast AQMD, March 2015. *South Coast AQMD Air Quality Significance Thresholds*. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>

⁸ Draft EIR, Air Quality Report, Table 4-1: Maximum Project Construction Emissions.

⁹ *Ibid*.

¹⁰ *Ibid*, Page 1-3.

South Coast AQMD's guidance for performing a localized air quality impact analysis is available on South Coast AQMD website¹¹.

R-1-2: The Draft EIR/EA includes a quantification of the project construction emissions in Table 2.14.3 of Section 2.14.3.1. While Caltrans has not adopted the SCAQMD thresholds for construction, as a reference point Section 3.2.3.1 of the Draft EIR/EA compared the Proposed Project's regional construction emissions to SCAQMD's regional air quality CEQA significance thresholds for construction. That discussion included the conclusion "maximum construction emissions are below SCAQMD thresholds for construction. Therefore, the proposed project would not conflict with the Air Quality Management Plan (AQMP), violate any air quality standard, or result in a net increase of any criteria pollutant. Impacts would be less than significant."


R-1-3: It is acknowledged that existing residential uses are located in close proximity to the eastern side of the proposed project. As described in the response to Comment R-1-1, Caltrans bases the determination of significance upon the context of the CEQA Checklist questions. In Section 3.2.3.1.c, the question "Would the project expose sensitive receptors to substantial pollutant concentrations?" was addressed, saying that "...maximum construction emissions would be below SCAQMD significance thresholds. Compliance with SCAQMD Rules and Regulations in addition to measures AQ-1 through AQ-7 would minimize potential short-term adverse project-related impacts to sensitive receptors. Impacts would be less than significant." Please also refer to Section 2.14.3 of this Final EIR/EA for a more detailed discussion of the temporary and permanent air quality impacts of the project.

R-1-2

R-1-3

R-1-3

<p>Comment Letter R-1 and Responses</p>	
<p>3. <u>Operational Air Quality Impacts</u> In the Air Quality Report of the Draft EIR/EA, the Lead Agency concluded operational impacts would not result in long term regional air quality impacts¹². However, in the Traffic Study Report of the Draft EIR/EA, Exhibit 13: <i>Existing and Future Mainline Volumes on SR-60</i>, the Lead Agency anticipated truck traffic demand at the Proposed Project would increase between 123% and 151% from year 2025 to year 2045 in both the eastbound and westbound directions¹³. In general, a transportation project that adds lanes can increase freeway capacity and generate or attract new or additional vehicular trips, which leads to increases in criteria pollutants and air toxics emissions. It can also lead to more dispersed land use development, which in turn leads to additional vehicle miles traveled and increases in criteria pollutants and air toxics emissions. Since the Proposed Project includes construction of two highway lanes to increase interchange capacity and traffic volume, particularly truck traffic¹⁴, it is reasonably foreseeable that the Proposed Project may cause an indirect physical change in the environment later in time or farther removed in distance (CEQA Guidelines Section 15358). South Coast AQMD staff recommends that the Lead Agency use a good faith effort to quantify and disclose any potential adverse air quality impacts from additional vehicles and trucks traveling on the Proposed Project as substantial evidence to support a finding that the Proposed Project’s air quality impacts from an indirect physical change in the environment would be less than significant in the Final EIR/EA (CEQA Guidelines Section 15064).</p> <p>4. <u>Mobile Source HRA</u> As stated above, sensitive receptors are located in close proximity to the Proposed Project. Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptors include schools, daycare centers, nursing homes, elderly care facilities, hospitals, and residential dwelling units. The Draft EIR/EA states that “the WLC Parkway/SR-60 interchange is an access point for a number of future logistics facilities. The interchange is expected to experience an increase in truck volumes due to increased shipping traffic through the area”¹⁵. It is reasonably foreseeable that the Proposed Project would result in incremental increases in emissions concentrations at the Proposed Project. Sensitive receptors living near the Proposed Project could be exposed to increased diesel particulate matter (DPM) emissions from additional diesel fueled, heavy-duty trucks traveling on the Proposed Project. The California Air Resources Board (CARB) has identified DPM as a toxic air contaminant based on its carcinogenic effects. Therefore, South Coast AQMD staff recommends that the Lead Agency conduct a mobile source HRA¹⁶ in the Final EIR/EA to disclose the potential health risks to residents from vehicles including DPM-emitting diesel-fueled vehicles that will use the Proposed Project; otherwise, there is not enough substantial evidence to support the Lead Agency’s finding that the Proposed Project would not expose sensitive receptors to substantial pollutant concentrations.</p>	<p>R-1-4</p> <p>R-1-4: The Traffic Study shows that in the opening year (2025) and the horizon year (2045), the No Build and Build scenarios have identical traffic volumes. This is because the land use assumptions in the Traffic Study for the 2045 horizon year are the same for the No Build and Build scenarios. Please also note that the project is the replacement of an existing facility. Therefore, it is the future land uses that increase traffic volumes from 2025 to 2045, not the SR-60/WLC Pkwy Interchange Project. Therefore, the referenced conclusion regarding long-term operational impacts to air quality is accurate.</p> <p>R-1-5: Based on the published Federal Highway Administration (FHWA) guidance for addressing MSATs, which is discussed in Section 2.14.3.2 of the Draft EIR/EA, the project is considered to have a low potential for MSAT effects because it does not add substantial capacity to the highway system. Therefore, a qualitative MSAT analysis was performed consistent with the FHWA guidance, which concluded that because the SR-60/WLC Pkwy Interchange Project does not increase traffic volumes (i.e., future traffic as projections are the same for the No Build and Build scenarios), there would be no appreciable difference in overall MSAT emissions between the No Build Alternative and the Build Alternatives, including Design Variations 2a and 6a. The pollutants considered in the MSAT analysis are the same as those that would be considered in an HRA.</p> <p>Please refer to Response to Comment R-1-4 for information regarding the increase in truck traffic resulting from future land uses, not the project itself.</p> <p>R-1-5</p>
<p>¹² South Coast AQMD. <i>Localized Significance Thresholds</i>. Accessed at: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ceqa-localized-significance-thresholds.</p> <p>¹³ Draft EIR, Chapter 2.14: Air Quality, Page 42.</p> <p>¹⁴ Draft EIR, Traffic Study Report, Appendix B, Page 2.</p> <p>¹⁵ Draft EIR, Chapter 1: Proposed Project, Page 1-15.</p> <p>¹⁶ Draft EIR, Chapter 2.23: Cumulative Impacts, Page 2.23-3.</p> <p>¹⁷ South Coast AQMD. <i>Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis</i>. Accessed at: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis.</p>	

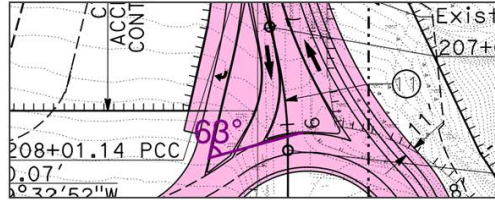
<p>Comment Letter P-1 and Responses</p>	
<p>DocuSign Envelope ID: A33CF2CE-126F-43AB-8126-6C4FC7E03E9B</p> <p style="text-align: right;">P-1</p> <div style="display: flex; justify-content: space-between; align-items: center;">  <div data-bbox="787 409 932 472" style="font-size: small;"> <p>Highland Fairview 14225 Corporate Way Moreno Valley, CA 92553 Tel: 951.867.5300</p> </div> </div> <p>June 5, 2020</p> <p>Per EMAIL: 0M590.Comments@dot.ca.gov Antonia Toledo, Senior Environmental Planner Caltrans District 8, Division of Environmental Analysis 464 4th Street, MS-820 San Bernardino, CA 92401</p> <p>Re: State Route 60 / World Logistics Center Parkway Interchange Draft Environmental Impact Report / Environmental Assessment (EIR/EA)</p> <p>Ms. Toledo,</p> <p>Thank you for the opportunity to respond to the above reference project. It is our understanding that the City of Moreno Valley (City), in cooperation with the California Department of Transportation (Caltrans) proposes to reconstruct and improve the State Route 60/World Logistics Center Parkway (SR-60/WMLC Pkwy) interchange.</p> <p>Highland Fairview is the developer of the proposed World Logistics Center project, a world-class business park for Moreno Valley that is specifically designed to attract American and international companies who demand high-tech logistics facilities.</p> <p>The \$3 billion World Logistics Center project will not only be a tremendous boost to our local economy, it will also generate millions in city fees, money that can help improve our public safety, build schools, streets, fire stations and other much needed public facilities. The project will encompass 40.6 million square feet of buildings and will be constructed over a period of 15 years, generating thousands of construction jobs.</p> <p>We reviewed the posted Draft EIR/EA and associated Technical Studies posted for public review and comment on the City's webpages on April 24, 2020 with emphasis on the safety and functionality of the future facility and the impacts to the proposed World Logistic Center Development.</p> <p>Please find following an outline of potential areas of improvement:</p> <p>ROADWAY</p> <p>Most of the roadway sections require fill and except for the south side of the east bound off-ramp featuring 2:1 slopes, all slopes are 4:1 or flatter. While 4:1 slopes are Caltrans design standard for all new construction, design exceptions for 2:1 slopes are not uncommon and would significantly reduce the right-of-way footprint.</p> <p>The right-of-way footprint could be further reduced by lowering the vertical profile as discussed in the following section "BRIDGES". Additional benefit would be the reduction of the required borrow. It should be mentioned that the source for the borrow is outlined in the project report as one of the project risks.</p> <div style="display: flex; justify-content: space-between; align-items: center; margin-top: 20px;"> <div style="width: 40%;"></div> <div style="width: 10%; text-align: center; font-size: small;"> <p>P-1-1</p> <p>P-1-2</p> </div> </div>	<p>P-1-1: Standard 4:1 side slopes will be maintained during Project Approval/ Environmental Documentation (PA/ED) to environmentally clear the Caltrans standard side slope footprint and the worst case project footprint. Because the design and geometrics are refined in Final Design, the PDT may evaluate alternate methods to reduce R/W acquisitions. If the outcome of the evaluations results in 2:1 slopes, a nonstandard design feature would be introduced to the project and would be documented in a Design Standard Decision Document.</p> <p>P-1-2: The current roadway profile meets Caltrans requirements and allows for flexibility in bridge types. The current profile will be maintained during PA/ED to environmentally clear a project footprint that would accommodate a variety of bridge types to be evaluated in Final Design. A Value Analysis will be conducted during Final Design in which cost and risk reduction methods will be evaluated. This may include re-evaluating the profile, alternate bridge construction methods (cast-high-and-lower), different slope grades, etc.</p>

Comment Letter P-1 and Responses	
<p>The proposed vertical profiles don't accommodate the cross-slope requirements through the multiple roundabout locations. The current design would result in negative cross-slope at the downhill half of the roundabouts ranging from -4% to -6% creating a severe truck overturning risk.</p> <p>In addition, the roundabout designs have a series of horizontal design deficiencies:</p> <ol style="list-style-type: none"> 1. Roundabout is oversized at 260' ICD. I suggest roundabout ICD no larger than 200' 2. Unbalanced speeds: Due to roundabout size, single lane entries, and other design choices, speeds are inconsistent. 	<p>P-1-3: The centerline serves as a horizontal reference line and approximate indication of the general roadway vertical alignment trends. During Final Design, the circulatory roadway will be defined. When Final Design commences, the PDT will have the opportunity to flexibly locate the roundabout vertically and adapt the roadway approach transitions to meet and remain within target specifications.</p> <p>P-1-4: Per National Cooperative Highway Research Program (NCHRP) guidance, the inscribed circle diameter (ICD) of multilane roundabouts (2 to 3 lanes) varies from approximately 150 to 300 ft. Roundabouts are performance-driven, and there is no "one size fits all", which is why the NCHRP provides a range. The performance is driven by three primary elements: ICD size, location, and approach geometry. Multilane configurations require special consideration for entry design and ramps typically do not intersect at 90-degree angles. Skew decreases the effective size of a roundabout, meaning accounting for the skew alone can sometimes increase the ICD. This ICD was customized based on the cross road and ramp alignments.</p> <p>P-1-5: The entry speeds meet the performance guidelines for single and multilane entry per NCHRP Fastest Path Performance check guidelines. Theoretical entry design speeds for single-lane and multilane roundabouts range from 25 to 30 miles per hour (mph). The roundabout ICD size itself does not contribute to speed issues because approach geometry and roundabout location are critical factors in attaining performance goals. Speeds will be checked continually as the design is advanced and refined during and leading to 100% design plans.</p>

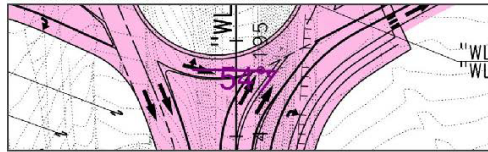
Comment Letter P-1 and Responses

3. Angle of Intersection: Both right turn bypass lanes and northbound No. 2 lanes have a poor angle of intersection. Drivers of vehicles at the yield line will have difficulty looking over their left shoulder for oncoming vehicles. This is equivalent to an intersection skew angle of less than 75 degrees. This problem alone requires a significant change to all 3 roundabout designs.

This is most concerning at the SB right turn lane to the WB on-ramp.



At the NB No. 2 lane at the EB ramp terminals.



At the SB RT lane and at the No. 2 EB and WB lanes of the Sly RAB



P-1-6



P-1-6

P-1-6: The comment refers to “angle of intersection”; however, based on the context of the comment, the comment is likely referring to “Angles of Visibility”. Per NCHRP Section 6.7.4, Angles of Visibility, the intersection angle may be measured as the angle between a vehicle’s alignment at the entrance line and the sight line required according to intersection sight distance guidelines. There are two exhibits/figures in NCHRP Section 6.7.4 that indicate the correct lines to use when calculating the Angles of Visibility. The current design meets the “Angle of Visibility” requirements.

The term “angle of intersection” is from Exhibit 6-61 in NCHRP and measures the intersection angle. The angle is determined by setting up the intersection sight distance and then measuring the angle of visibility. The proposed design is closer to 90 degrees and is not less than 75 degrees.

Comment Letter P-1 and Responses		
<p>4. Design does not fully comply with what appears to be Case 2 accommodation of trucks. No. 1 lanes should accommodate trucks the same as No. 2 lanes.</p>	<p> P-1-7</p>	<p>P-1-7: The roundabout concepts were designed to allow two (2) trucks (Surface Transportation Assistant Act [STAA] trucks) to simultaneously enter and maneuver the roundabout side-by-side. Both lanes of the roundabouts accommodate trucks. Truck-turning templates were utilized and will continue to be checked as the design progresses to 100% design plans.</p> <p>P-1-8: There is no exit path overlap. Per NCHRP path overlap guidelines, the current design meets the path overlap design requirements for multilane roundabouts. This will be continuously checked as the design progresses.</p> <p>P-1-9: The concept geometry will help slow speeds as appropriate for the roundabouts. Ultra-long tangents are not beneficial. Lane discipline is affected by speeds and lane widths. Per NCHRP Section 6.8.5.4 (Approach Curve), two-lane entries are designed to achieve reduction in speeds and reduce crashes at roundabouts.</p> <p>P-1-10: Two geometric focus meetings were held with Caltrans with respect to the roundabout alternative. The first was on February 11, 2015 (attended by Traffic Operations, Design, and Headquarters Project Delivery from Caltrans), and the second was on January 10, 2019 after the PAVED phase was reinitiated. Several key elements related to roundabouts were discussed at both focus meetings, including fastest path, truck turning, lane configurations, and pedestrian connectivity. To be specific, truck turning was analyzed for two (2) trucks (STAA trucks) to simultaneously maneuver the roundabout side-by-side. It was determined that the proposed design was acceptable and will continue to be refined during future phases or project development. Trucks with trailers were accounted for in the traffic analysis using Passenger Car Equivalent (PCE) factors, which relate the vehicle performance and physical size of large trucks to an equivalent number of passenger cars. Additionally, the prime design consultant followed common agency quality control procedures that included drafting the geometrics, having the geometrics checked by the person who drafted the geometrics, then having a peer review performed on the geometrics by someone who did not prepare the geometrics. In addition to the common quality control procedures previously outlined, a consultant roundabout expert who was unfamiliar with the project provided an independent review on the roundabout design prior to the January 10, 2019 focus meeting. Within the quality control process, the City of Moreno Valley also was provided the opportunity to review the geometrics. City comments were incorporated prior to and also during Caltrans reviews.</p> <p>The concepts in the Draft Project Report are provided to environmentally clear the project, and the roundabout configurations meet the needs at this level of evaluation. Future phases of project development include Final Design, during which a Geometric Approval Drawing (GAD) that represents 35% design level detail will be prepared and approved by Caltrans. Additionally, 65%, 95%, and 100% designs will be prepared and approved by Caltrans subsequent to approval of the 35% design. Performance checks will continue throughout the design process.</p>
<p>5. There is exit path overlap exiting roundabout at WB on-ramp and at NB exit of EB ramp terminal roundabout.</p>	<p> P-1-8</p>	
<p>6. Two lane entries are designed with closely spaced reversing approach curves. The design will lead to poor lane discipline and should be avoided for new construction.</p>	<p> P-1-9</p>	
<p>7. It does not appear that the full complement of design checks has been completed for the roundabouts. These include design vehicle swept path, fastest path, angle of intersection, and path overlap.</p>	<p> P-1-10</p>	

Comment Letter P-1 and Responses

8. Consideration should be given to constructing the roundabout for a 10-year service life, not the build out design. A roundabout of this size will have high speeds and higher likelihood of collisions and poor lane discipline. P-1-11

BRIDGES

1. The same profile was used for both Alternatives 2 and 6. It appears that this profile was developed for Alternative 2 and recycled for Alternative 6. There is an opportunity to lower the profile for Alternative 6 which would result in less impact to the surrounding right-of-way. P-1-12

2. For both Alternative 2 and 6 the designer has assumed the use of a 2-Span Cast-in-Place Prestress Box Girder, conventionally constructed with falsework, with a minimum temporary construction clearance of 15 feet. This method of construction is pushing your final vertical clearance up. Alternative 2 shows 18'-10", and Alternative 6 shows over 20' of vertical clearance. For Alternative 6 this could be reduced by refining the profile on World Logistics Center Parkway (See Comment 1 above). P-1-13

Different methods of construction could be used to lower the profile as well.

- "Build High and Lower" which builds the superstructure high on falsework and then lowers it onto the sub-structure to achieve a lower final vertical clearance has been used successfully on two span structures. While this may be slightly more expensive to build it would reduce the cost of the fill in the approach roadways and result in less impacts to the right-of-way. P-1-13

- Using precast girders for the construction of the superstructure. Precast girders can be used to eliminate the need for falsework. This would allow for the soffit to be set at the minimum required vertical clearance and will shorten the spans too.

Alternative 2 currently has a 160-foot span which is at the limit for transport of precast girders, due to weight restrictions, so coordination with pre-casters in the area is recommended to verify transportation viability. However, these girders would be coming from the Lake Perris precast yards, so transportation viability should not be a problem.

Both construction methods listed above would allow the minimum final vertical clearance, saving money on the approach roadway and reducing the impact to right-of-way.

P-1-11: The project is planned to be environmentally cleared for the ultimate configuration/design. State projects are required to be built for a 20-year service life. Phasing the roundabout based on traffic volumes may be evaluated in Final Design at the Value Analysis, which aims to evaluate the project on its cost and schedule savings. Collision reduction can also be identified as a Value Analysis goal.

P-1-12: A Value Analysis will be conducted during Final Design in which cost and risk reduction methods will be evaluated. This may include re-evaluating the profile, alternate bridge construction methods (cast-high-and-lower), different slope grades, etc.

P-1-13: A Value Analysis will be conducted during Final Design in which cost and risk reduction methods will be evaluated. This may include re-evaluating the profile, alternate bridge construction methods (cast-high-and-lower), different slope grades, etc. Additionally, Type Selection for the bridge is typically completed during Final Design. Type Selection is when the PDT determines the type of bridge that will be constructed.

Comment Letter P-1 and Responses	
<p>RETAINING WALLS</p> <ol style="list-style-type: none"> 1. The Preliminary Geotechnical Report (PGR) identified that Standard Plan Caltrans walls are not acceptable to be used at this location due to the high Peak Ground Acceleration (PGA) exceeding 0.6g. Specially designed walls can be designed to accommodate the site PGA of 0.86g. P-1-14 2. With the improvements generally in fill for the roadway, it is expected that the following wall types may be considered acceptable but concurrence with the project geotechnical engineer would be required: P-1-15 <ul style="list-style-type: none"> • Cast in Place concrete cantilever retaining walls • Mechanically Stabilized Earth (MSE) walls 3. Use of retaining walls can reduce the impact on right-of-way but would likely have a negative impact on the visual aspects of the project. A revised Visual Impact Assessment (VIA) that addresses the use of walls on the project may be required. P-1-16 4. Shallow foundations may be used on reinforced concrete cantilevered walls up to approximately 16 feet. Beyond that deep foundations should be expected to be necessary. P-1-17 <p>ROADWAY</p> <p>Mitigation Measure MM-1 deals with architectural treatments for the proposed structures. Based on the VIA Section X "Avoidance, Minimization, and or Mitigation Measures":</p> <p style="padding-left: 20px;">MM-1 : All Architectural Treatments proposed shall be developed during the Plans, Specifications, and Estimates Phase in consultation with the City of Moreno Valley and the Caltrans District Landscape Architect and shall be consistent with the guidelines presented in the Route 60 Corridor Master Plan for Aesthetics and Landscaping Moreno Valley City Limits (Corridor Master Plan), prepared by California Department of Transportation (Caltrans) District 8, dated August 2010, as well as the Gateway Monument policy identified in Chapter</p> <p style="padding-left: 20px;">29 of the Project Development Procedure Manual, prepared by Caltrans, dated May 2016. All proposed architectural treatments shall be reviewed and approved by Caltrans prior to final design and implementation. P-1-18</p> <p>The City designated the SR-60/WLC Pkwy interchange as a gateway interchange on May 21, 2019.</p> <p>Accordingly, the Route 60 Corridor Master Plan for Aesthetics and Landscaping, dated August 2010, must be modified to reflect the new gateway location. It is my understanding that the City is supportive of updating the aesthetic concept for the new gateway. P-1-18</p>	<p>P-1-14: The comment is correct. Standard walls are not applicable. If walls become necessary during Final Design, they will be specially designed.</p> <p>P-1-15: The comment is noted and included in the project record. Standard 4:1 side slopes will be maintained during PAVED to environmentally clear the Caltrans standard side slope footprint and the worst case project footprint. The grading is currently based on existing conditions and proposed land uses and will be continually evaluated during project development, specifically in Final Design.</p> <p>P-1-16: The comment is correct. Walls may be considered. Should walls be proposed during future phases of project development, an environmental revalidation may be needed, which may include a revised Visual Impact Assessment (VIA). If additional retaining walls are required during Final Design, the VIA may be updated to accommodate the changes. The VIA would likely note that most of the walls would not be visible from SR-60 or WLC Parkway; therefore, minimal visual impact is predicted.</p> <p>P-1-17: The comment regarding foundations has been acknowledged and included in the project record. Structural Foundation Reports will be prepared during Final Design to determine the foundation types needed for the project. The document will evaluate a variety of walls and their type based on benefit and cost.</p> <p>P-1-18: The comment is correct. The gateway interchange was changed to SR-60/WLC Pkwy interchange by City Council on May 21, 2019. Aesthetics for the SR-60/WLC Pkwy Interchange Project are therefore required to be consistent with the gateway aesthetics identified in the Route 60 Corridor Master Plan for Aesthetics and Landscaping. The change in gateway is documented within the City of Moreno Valley's City Council decision.</p>

Comment Letter P-1 and Responses

Highland Fairview feels very strongly that the gateway to a state-of-the-art logistics business park, attracting the world's leading companies, must reflect the mission and character of the future surroundings.

Please find attached to this letter renderings developed by our team representing our vision for the future aesthetics. Please enter the renderings into the project record.

Thank you again for the opportunity to provide comments on the State Route 60 / World Logistics Center Parkway Interchange Draft Environmental Impact Report / Environmental Assessment (EIR/EA).

Sincerely,

DocuSigned by:
Patrick Revere
Patrick Revere
Director of Land Development

P-1-19

P-1-19: The commenter's opinion regarding the aesthetics of the gateway is acknowledged, and the attached renderings have been included as part of the project's administrative record. As discussed in Section 2.7.2.7 of this Final EIR/EA, the project area is within the State Route 60 Corridor Master Plan area. The Corridor Master Plan is a design guideline for all highway projects within Moreno Valley city limits, creating a unified and cohesive corridor. Further, measure VIS-1 provides for the development of architectural treatments for the project during the Plans, Specifications, and Estimates phase of the project and would be made consistent with the guidelines present in the Corridor Master Plan.



Comment Letter TR-1 and Responses	
<p style="text-align: right;">TR-1</p> <p>From: Juan Ochoa To: DHS90 Comments@DOT Cc: Andrea Fernandez; Ebru Ozdil; Tina Thompson; Mendocay; Michelle Fahley Subject: Pechanga Tribe Comments on the Draft Environmental Impact Report for the State Route 60 (SR-60)/World Logistics Center Parkway (WLC Pkwy) Interchange Project Date: Monday, June 8, 2020 4:17:44 PM Importance: High</p> <hr/> <p style="background-color: yellow;">EXTERNAL EMAIL. Links/attachments may not be safe.</p> <p style="text-align: center;">June 8, 2020</p> <p><u>VIA E-MAIL and USPS</u></p> <p>Ms. Antonia Toledo Senior Environmental Planner Caltrans District 8 Division of Environmental Analysis 464 W 4th Street, San Bernardino, CA 92401</p> <p>Re: Pechanga Tribe Comments on the Draft Environmental Impact Report for the State Route 60 (SR-60)/World Logistics Center Parkway (WLC Pkwy) Interchange Project</p> <p>Dear Ms. Toledo:</p> <p>This comment letter is written on behalf of the Pechanga Band of Luiseño Indians (hereinafter, “the Tribe”), a federally recognized Indian tribe and sovereign government. The Tribe formally requests, pursuant to Public Resources Code §21092.2, to be notified and involved in the entire CEQA environmental review process for the duration of the above referenced project (the “Project”). The Tribe requests to be directly notified of all public hearings and scheduled approvals concerning this Project. Please also incorporate these comments into the record of approval for this Project.</p> <p>The Tribe submits these comments concerning the Project’s proposed impacts to cultural resources in conjunction with the environmental review of the Project and to assist the State of California, Department of Transportation (Caltrans) in developing appropriate avoidance and preservation standards for the Luiseño cultural resources that the Project will be impacting. The Tribe is very concerned that the proposed mitigation measures do not adequately provide for protection of the cultural resources that could be impacted during proposed improvements.</p>	<p>TR-1-1: The commenter’s request is acknowledged and will be added to the distribution list for the Notice of Determination (NOD) regarding the Final EIR/EA.</p> <p>TR-1-2: The comments provided by the commenter have been included and responded to in this Final EIR/EA, and as such have also been included in the Administrative Record for the project.</p> <p>TR-1-3: The Tribe has been consulted under Section 106 since 2013 and under Assembly Bill (AB) 52 since 2015. Pechanga Cultural Analyst Anna Hoover was contacted in 2013 for Section 106, and Pechanga Cultural Staff Ebru Ozdil was sent an AB52 initiation letter on July 29, 2015. Further, Pechanga Cultural Analyst Molly Earp Escobar reviewed and approved the final cultural study with no cultural resources identified and no request for monitoring on June 11, 2019. There are no prehistoric resources present within the Area of Potential Effects (APE), and no mitigation measures are required. As discussed in Cultural Resources Section 2.8, there is always a potential for previously undocumented cultural materials or human remains to be unearthed during site preparation, grading, or excavation for the Build Alternatives. Those potential effects would be avoided or minimized through measures CR-1 and CR-2 identified in Section 2.8.4 of this Final EIR/EA.</p>

<p>Comment Letter TR-1 and Responses</p>	
<p>The Tribe submitted an archaeological scoping comment letter for this Project on November 22, 2013, requested Section 106 consultation on January 13, 2016, and further commented on the archaeological survey report for EA0M590 on June 11, 2019; however, despite our continued involvement, the Tribe was not consulted on the proposed mitigation measures, the Tribal Cultural Resources section, or the Cultural Resources section of the DEIR. Further, the consultation history summary in the DEIR does not accurately summarize the Pechanga Tribe's involvement for this Project. As previously noted, the Tribe is highly concern that sensitive and significant resources may be impacted by the proposed Project; therefore the Tribe requests that mitigation measures requiring archaeological and tribal</p> <p>monitors to be present for all ground disturbing activities be implemented for this project.</p> <p><u>CALTRANS MUST INCLUDE INVOLVEMENT OF AND CONSULTATION WITH THE PECHANGA TRIBE IN ITS ENVIRONMENTAL REVIEW PROCESS</u></p> <p>It has been the intent of the Federal Government^[1] and the State of California^[2] that Indian tribes be consulted with regard to issues which impact cultural and spiritual resources, as well as other governmental concerns. The responsibility to consult with Indian tribes stems from the unique government-to-government relationship between the United States and Indian tribes. This arises when tribal interests are affected by the actions of governmental agencies and departments. In this case, it is undisputed that the project lies within the Pechanga Tribe's traditional territory. Therefore, in order to comply with CEQA and other applicable Federal and California law, it is imperative that the Caltrans consult with the Tribe in order to guarantee an adequate knowledge base for an appropriate evaluation of the Project effects, as well as generating adequate mitigation measures.</p>	<p>TR-1-4: An expanded summary of Native American consultation for this project has been added to the Cultural Resources section of this Final EIR/EA. Pechanga Cultural Analyst Anna Hoover was contacted in 2013 for Section 106, and Pechanga Cultural Staff Ebru Ozdil was sent an AB52 initiation letter on July 29, 2015. Further, Pechanga Cultural Analyst Molly Earp Escobar reviewed and approved the final cultural study with no cultural resources identified and no request for monitoring on June 11, 2019.</p> <p>TR-1-5: No prehistoric resources were identified during background research, during pedestrian survey, or by any tribe during Native American consultation under Section 106 or AB 52. Pechanga Cultural Analyst Anna Hoover was contacted in 2013 for Section 106, and Pechanga Cultural Staff Ebru Ozdil was sent an AB52 initiation letter on July 29, 2015. Further, Pechanga Cultural Analyst Molly Earp Escobar reviewed and approved the final cultural study with no cultural resources identified and no request for monitoring on June 11, 2019.</p> <p>TR-1-6: As included in the expanded summary of Native American consultation in the Cultural Resources section of this Final EIR/EA, the Tribe was consulted under Section 106 in October and November 2013 and January 2016, and was consulted under AB 52 beginning in July 2015. Pechanga Cultural Analyst Anna Hoover was contacted in 2013 for Section 106, and Pechanga Cultural Staff Ebru Ozdil was sent an AB52 initiation letter on July 29, 2015. Further, Pechanga Cultural Analyst Molly Earp Escobar reviewed and approved the final cultural study with no cultural resources identified and no request for monitoring on June 11, 2019.</p>
	<p>TR-1-4</p> <p>TR-1-5</p> <p>TR-1-5</p> <p>TR-1-6</p>

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<p style="text-align: center;"><u>PROJECT IMPACTS TO CULTURAL RESOURCES AND RECOMMENDED MITIGATION MEASURES</u></p> <p>The proposed Project is located in a highly sensitive region of Luiseño territory and the Tribe believes that the possibility for recovering subsurface resources during ground-disturbing activities is high. The Tribe has over thirty-five (35) years of experience in working with various types of construction projects throughout its territory. The combination of this knowledge and experience, along with the knowledge of the culturally-sensitive areas and oral tradition, is what the Tribe relies on to make fairly accurate predictions regarding the likelihood of subsurface resources in a particular location. The Pechanga Band is not opposed to this Project; however, we are opposed to any direct, indirect and cumulative impacts this Project may have to tribal cultural resources. The Tribe's primary concerns stem from the Project's proposed impacts on Native American cultural resources. The Tribe is concerned about both the protection of unique and irreplaceable cultural resources, such as Luiseño village sites, sacred sites and cultural items which would be displaced by ground disturbing work on the Project, and on the proper and lawful treatment of cultural items, Native American human remains and sacred items likely to be discovered in the course of the work.</p> <p>The Tribe has multiple concerns with the DEIR as prepared. As indicated above, the Tribe submitted a Section 106 consultation letter in January 2016, as well as commented on the cultural resources report in June 2019; however, the DEIR is silent regarding the Tribe's participation. The Tribe requests that the Final EIR be updated to include an accurate summary of the Pechanga Tribe's continued involvement in this Project.</p> <p>Further, it is not clear from the record whether AB 52 consultation was conducted for this Project. If the Project is subject to AB 52, then the Tribal Cultural Resources (TCR) section was prepared in flagrant violation of the law. AB 52 requires consultation with tribes to gather information concerning the tribal values ascribed to the tribal cultural resources, which information must be reflected in the record. The TCR section was prepared using solely archaeological data and reports and contains no summary of the tribal values as described by the experts in these values – the tribes. If the project is subject to AB 52, Caltrans must initiate proper consultation with tribes and revise the EIR to incorporate tribal information prior to publishing the Final EIR. Further, and even more problematic, is that if the Project is subject to AB 52, the mitigation measures were not agreed to by Pechanga. AB 52 requires either</p> <p>agreed upon mitigation measures be included in the DEIR, or a record reflecting that after good faith and reasonable efforts, mutual agreement could not be reached. If the project is not subject to AB 52, the DEIR must be revised to accurately reflect the legal framework applicable to this Project and describe how Caltrans complied with the law. In either event, the DEIR as drafted is flawed with respect to its TCR analysis.</p> <p>The Tribe believes that the proposed mitigation measures as drafted are insufficient given the sensitivity of the area to reduce the Project's potential impacts to cultural and tribal cultural resources to below a level of significance. Further, these measures fail to provide for the long-term protection and preservation of resources once development activities have been completed. The lack of specificity in the mitigation measures will result in difficulties implementing these measures at best, and destruction of cultural resources at worst. Further, the absence of mandated archaeological and tribal monitors will not bring the Project into compliance with CEQA nor will they reduce the impacts to a level below significant. Therefore, the Tribe submits the revised mitigation measures for inclusion into the final EIR. Please contact the Tribe to discuss these mitigation measures and to review any proposed language changes (strikeouts are deletions; underlines are additions.)</p>	<p>TR-1-7: No prehistoric resources were identified during background research, during pedestrian survey, or by any tribe during Native American consultation under Section 106 or AB 52. Pechanga Cultural Analyst Anna Hoover was contacted in 2013 for Section 106, and Pechanga Cultural Staff Ebru Ozdil was sent an AB52 initiation letter on July 29, 2015. Further, Pechanga Cultural Analyst Molly Earp Escobar reviewed and approved the final cultural study with no cultural resources identified and no request for monitoring on June 11, 2019.</p> <p>TR-1-8: Standard environmental commitment measures CR-1 (discovery of prehistoric artifacts) and CR-2 (discovery of human remains) are in effect for this and all Caltrans projects.</p> <p>TR-1-9: Refer to response to comment TR-1-4. An expanded summary of Native American consultation for this project has been added to the Cultural Resources section of this Final EIR/EA.</p> <p>TR-1-10: Pechanga Cultural Staff Ebru Ozdil was sent an AB52 initiation letter on July 29, 2015.. Please refer to response to comment TR-1-4. An expanded summary of Native American consultation for this project has been added to the Cultural Resources section of this Final EIR/EA.</p> <p>TR-1-11: The Tribe did not identify any tribal cultural resources during AB 52 consultation for this project. Further, Pechanga Cultural Analyst Molly Earp Escobar reviewed and approved the final cultural study with no cultural resources identified and no request for monitoring on June 11, 2019.</p> <p>TR-1-12: There are no cultural resources identified that require any mitigation measures for this project. As discussed in Cultural Resources Section 2.8, there is always a potential for previously undocumented cultural materials or human remains to be unearthed during site preparation, grading, or excavation for the Build Alternatives. Those potential effects would be avoided or minimized through measures CR-1 and CR-2 identified in Section 2.8.4 of this Final EIR/EA. As discussed in response to comment TR-1-3, Pechanga Cultural Analyst Anna Hoover was contacted in 2013 for Section 106, and Pechanga Cultural Staff Ebru Ozdil was sent an AB52 initiation letter on July 29, 2015. Further, Pechanga Cultural Analyst Molly Earp Escobar reviewed and approved the final cultural study with no cultural resources identified and no request for monitoring on June 11, 2019.</p>

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<p>PF-CR-1 Cultural Materials. If cultural materials are discovered during construction, it is Caltrans policy that all construction activities within 60 feet of the discovery shall stop until a qualified archeologist can assess the nature and significance of the find, in consultation with Consulting Tribe(s).</p>	TR-1-13
<p>PF-CR-2 Archaeological Monitor: Prior to the issuance of a grading permit, the Caltrans shall retain a qualified archaeologist (defined as a cultural resources professional who meets the Secretary of the Interior's Professional Qualifications Standards for archaeology to evaluate archaeological resources if they are found during grading or construction activities within the onsite and offsite areas of the project. The selected qualified archaeologist will be required to be approved by the City of Moreno Valley for activities within the City's jurisdiction.</p>	TR-1-14
<p>PF-CR-3 Tribal monitor(s) shall be required on-site during all ground-disturbing activities, including grading, stockpiling of materials, engineered fill, rock crushing, etc. The land divider/permit holder shall retain a qualified tribal monitor(s) from Consulting Tribe(s). The Tribal Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground-disturbance activities to allow recovery of cultural resources, in coordination with the Project Archaeologist.</p>	TR-1-15
<p>PF-CR-4 In the event that Native American cultural resources are discovered during the course of grading (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries: <u>One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the Caltrans and City of Moreno Valley Planning Department for discoveries within the City of Moreno Valley jurisdiction:</u></p>	TR-1-16
<p>a. Preservation-in-Place of cultural resources, if feasible. Preservation in place means avoiding the resources and leaving them in the place where they found with not development affecting the integrity of the resources, in perpetuity.</p>	↓
<p>b. Reburial of the resources on the Project property. The measures for reburial shall include, at minimum, the following: Measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. Any reburial process shall be culturally appropriate. Listing of contents and location of the reburial shall be included in the confidential monitoring report and DPR forms shall be updated. The monitoring report shall be filed with the Caltrans under a confidential cover and not subject to Public Records Request.</p>	↑
<p>c. If preservation in place or reburial is not feasible then the resources shall be curated in a culturally appropriate manner at a Riverside County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources ensuring access and use pursuant to the Guidelines. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. There shall be no destructive or invasive testing on sacred items, burial goods, and Native American human remains. Results concerning finds of any inadvertent discoveries shall be included in the monitoring report.</p>	TR-1-16
<p>TR-1-13: The language of measure CR-1 in this Final EIR/EA has been vetted through the Caltrans Legal department and does not require change. However, it is standard practice to consult with local tribes in the event of a discovery.</p>	
<p>TR-1-14: No monitors are required for this project because no prehistoric resources were identified within the project footprint.</p>	
<p>TR-1-15: No monitors are required for this project because no prehistoric resources were identified within the project footprint.</p>	
<p>TR-1-16: Any discoveries of prehistoric artifacts will be addressed using standard practices based on applicable federal and State laws and Caltrans policies.</p>	

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<p>PF-CR-2 Human Remains. If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities shall stop in any area or nearby area suspected to overlie remains, and the County of Riverside Coroner shall be contacted. Pursuant to California Public Resources Code (PRC) Section 5097.98, if the remains are thought to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC), which will then notify the Most Likely Descendant (MLD). At this time, the person who discovered the remains will contact the California Department of Transportation (Caltrans) District 8 Environmental Branch Chief so that he or she may work with the MLD on the respectful treatment and disposition of the remains. Further provisions of PRC 5097.98 are to be followed as applicable.</p> <p>The Tribe reserves the right to fully participate in the environmental review process, as well as to provide further comment on the Project's impacts to tribal cultural resources and potential mitigation for such impacts.</p> <p>The Pechanga Tribe looks forward to working together with the Caltrans in protecting the invaluable Pechanga cultural resources found in the Project area. Please contact me at 951-770-6313 or at cozdil@pechanga-nsn.gov once you have had a chance to review these comments so that we may discuss the proposed mitigation measure language. Thank you.</p> <p style="text-align: center;">Sincerely, Tuba Ebru Ozdil Cultural Analyst</p> <p>Cc Pechanga Office of the General Counsel</p> <p>Juan Ochoa, MLIS Assistant Tribal Historic Preservation Officer Pechanga Cultural Resources Department P.O. Box 2183 Temecula, CA 92593</p> <p>Office:(951)-770-6308 jochoa@pechanga-nsn.gov</p> <p>CONFIDENTIALITY NOTE: "This message and any documents or files attached to it contains confidential information and may be legally privileged. Recipients should not file copies of this message and/or attachments with publicly accessible records. If you are not the intended recipient or authorized agent for the intended recipient, you have received this message and attachments in error, and any review, dissemination, or reproduction is strictly prohibited. If you are not the intended recipient, please immediately notify us by reply email or by telephone at 951-770-6308, and destroy the original transmission and its attachments without reading them or saving them."</p> <p>^[1] See e.g., Executive Memorandum of April 29, 1994 on Government-to-Government Relations with Native American Tribal Governments, Executive Order of November 6, 2000 on Consultation and Coordination with Indian Tribal Governments, Executive Memorandum of September 23, 2004 on Government-to-Government Relationships with Tribal Governments, and Executive Memorandum of November 5, 2009 on Tribal Consultation.</p> <p>^[2] See California Public Resource Code §5097.9 et seq.; California Government Code §§65351, 65352.3 and 65352.4</p>	<p>TR-1-17: In the event of the discovery of human remains, both State and federal laws are invoked, which are referenced in measure CR-2 in this Final EIR/EA.</p> <p>TR-1-18: See responses to TR-1-12 through TR-1-17.</p>

<p>Comment Letter IP-1 and Responses</p>	
<p style="text-align: right;">IP-1</p> <p style="text-align: center;"> Friends of the Northern San Jacinto Valley 1610 Sams Canyon Beaumont, California 92223 </p> <p>June 8, 2020</p> <p>Antonia Toledo, Senior Environmental Planner Caltrans District 8 Division of Environmental Analysis – MS-820 464 West 4th Street San Bernardino, CA 92401 Via e-mail to: QM590.Comments@dot.ca.gov</p> <p>Re: CEQA Draft Environmental Impact Report (EIR) / NEPA Environmental Assessment (EA) – State Route 60/World Logistics Center Parkway Interchange Project.</p> <p>The California Department of Transportation (Caltrans) District 8, in coordination with the City of Moreno Valley (City) is seeking to reconstruct the SR-60/World Logistics Center Parkway interchange. The existing Theodore Street interchange was renamed to World Logistics Center Parkway after the Moreno Valley City Council approved the 40.6 million-square-foot World Logistics Center warehouse facility in August 2015. If build, as proposed, the 40.6 million-square-foot World Logistics Center facility will be the largest industrial complex ever developed in North America. In June 2018 the Riverside County Superior Court set aside the approval of the CEQA Environmental Impact Report (EIR) for the proposed World Logistic Center. The subject Caltrans/City CEQA PROJECT DESCRIPTION reports: <i>“The purpose of the project is to enhance safety by upgrading the geometry at the existing interchange, to provide standard vertical clearance for the WLC Pkwy overcrossing, to alleviate future traffic congestion at the SR-60/WLC Pkwy interchange ramps during peak hours, and to improve traffic flow along the freeway and through the interchange.”</i> The actual purpose of the interchange project is to accommodate the foreseeable voluminous truck traffic into and out of the proposed massive World Logistics Center warehouse complex. The omission in the project description allows the City of Moreno Valley and Caltrans to ignore the analysis of significant impacts [direct, indirect and cumulative impacts] to Biological Resources.</p> <p style="text-align: center;">1</p> <p style="text-align: right;">IP-1-1</p>	<p>IP-1-1: The commenter cites text from the project description regarding the purpose of the project. However, it should be clarified that the actual project purpose, as stated in Section 1.2.1 of this Final EIR/EA, reads as follows: “The purpose of the proposed project is to: Improve existing vertical and horizontal interchange geometric deficiencies; provide increased interchange capacity, reduce congestion, and improve traffic operations to support the forecast travel demand for the 2045 design year; and accommodate a facility that is consistent with the City of Moreno Valley General Plan.” Section 1.2.2, Project Need, acknowledges that planned transportation improvements should be consistent with the transportation goals as identified in the City’s General Plan. Further, Section 1.2.2.4, Social Demand and Economic Development, indicates that major developments in the area are in various stages of development or completion, and that the City and County are expected to experience continued growth as logistics hubs for the region, thereby requiring infrastructure to accommodate that growth. Therefore, the relationship between the project and current/future developments in the vicinity (including the WLC) is acknowledged. However, it should be noted that the accommodation of future development is not the only purpose of the project.</p> <p>A comprehensive discussion of the impacts of the SR-60/WLC Pkwy Interchange Project to biological resources was included in the Draft EIR/EA in Sections 2.17 (Natural Communities), 2.18 (Wetlands), 2.19 (Plant Species), 2.20 (Animal Species), 2.21 (Threatened and Endangered Species), and 2.22 (Invasive Species) of Chapter 2 (Affected Environment, Environmental Consequences, and Avoidance, Minimization, and/or Mitigation Measures) and Section 3.2.4 (Biological Resources) of Chapter 3 (CEQA Evaluation). The project would have a less than significant impact to biological resources under CEQA.</p>

<p>Comment Letter IP-1 and Responses</p>	
<p>With regard to the inadequate project description CEQA Guideline section 15125 provides: (a) <i>“An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which the lead agency determines whether an impact is significant. The description of the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives.”</i> (c) <i>“Knowledge of the regional setting is critical to the assessment of environmental impacts. Special emphasis should be placed on environmental resources that are rare or unique to that region and would be affected by the project. The EIR must demonstrate that the significant environmental impacts of the proposed project were adequately investigated and discussed and it must permit the significant effects of the project to be considered in the full environmental context.”</i> (emphasis added). The City of Moreno Valley and Caltrans, acting as the CEQA lead agency, failed to properly describe the project environmental setting [baseline physical conditions] by not recognizing the 2610-acre WLC Specific Plan project site shares a two mile southern boundary with the California Department of Fish and Wildlife, San Jacinto Wildlife Area (SJWA).</p>	<p>IP-1-2</p>
<p>SJWA provides habitat for numerous endangered species and the lands and wildlife occurring on these public lands are public trust resources (Fish and Game Code § 711.7). The City of Moreno Valley is a signatory to the 1995 Stephen’s Kangaroo Rat Habitat Conservation Plan (SKRHCP) and the 2004 Multiple Species Habitat Conservation Plan (MSHCP). The SJWA, immediately adjacent to the World Logistics Center Project site and is the principal designated Conservation Area/Reserve for both the SKRHCP and MSHCP “incidental take” permits. The statewide and regional significance of the SJWA lies in the realization the MSHCP permits the “take” of 146 species of plants and animals [hunt, pursue, catch, capture, or kill] throughout western Riverside County in exchange for the establishment and management of designated Conservation Area/Reserves the principal conservation site being the SJWA. It is also important for Caltrans and the City of Moreno Valley to recognize that under state law the SKRHCP and the MSHCP “take” permits are authorized pursuant to the Natural Communities</p>	<p>IP-1-3</p>
<p>Conservation Act (NCCP Act – Fish and Game Code §§ 2800-2835). Section 2826 of the NCCP Act provides: <i>“Nothing in this chapter exempts a project proposed in a natural community planning area from Division 13 (commencing with section 21000) [CEQA] or otherwise alters the applicability of that division.”</i></p>	<p>IP-1-3</p>
<p>IP-1-2: The commenter provides language from the CEQA Guidelines and indicates that the CEQA baseline did not take into account the San Jacinto Wildlife Area. The San Jacinto Wildlife Area is approximately 4 miles south of the SR-60/WLC Pkwy Interchange Project site, and the southerly limits of the Biological Study Area (BSA) defined for the project is roughly 1,500 ft north of the limits of the San Jacinto Wildlife Area. However, the existence and proximity of the wildlife area is acknowledged in Sections 2.7.2.1, 2.9.2.1, 2.10.2.2, 2.18.2.1, 2.23.4.3, and 2.23.4.5 of this Final EIR/EA. It should be noted that the WLC Specific Plan project is separate and distinct from the project that is evaluated in this Final EIR/EA.</p> <p>IP-1-3: The relationship between the Western Riverside County Multiple Species Habitat Conservation Plan (WRCMSHCP), the Federal Endangered Species Act (FESA), and the Natural Communities Conservation Plan (NCCP) is described in Section 2.17.2.2 of this Final EIR/EA. Refer to Section 2.21.3.2 (Federal Endangered Species Act Consultation Summary) for further detail regarding FESA Section 7 coordinated actions by Caltrans and the City of Moreno Valley for potential effects to coastal California gnatcatcher and Stephens’ kangaroo rat. Refer to Section 2.21.3.2 (California Endangered Species Act Consultation Summary) for further detail regarding potential project effects within the Stephens’ kangaroo rat Habitat Conservation Plan (HCP).</p>	

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<p>In enacting the California Environmental Quality Act (CEQA) the legislature declared it is the policy of the state to: <i>“prevent the elimination of fish and wildlife species due to man’s activities, insure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generations representatives of all plant and animal communities...”</i> (Public Resources Code § 21001(c)) <i>“Public agencies should not approve projects if there are feasible alternatives or feasible mitigation measures, which would substantially lessen significant environmental effects of such projects, and that the procedures required by this division are intended to assist public agencies in systematically identifying both the significant effects of proposed project and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.”</i> (Public Resources Code § 21002) <i>“The purpose of an Environmental Impact Report (EIR) is to identify the Significant effects [impacts] on the environment, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided. It is incumbent upon Caltrans to know and effectuate: <i>“... the policy of the state that noncompliance with the information disclosure provisions of this division [CEQA] which precludes relevant information from being presented to the public agency, or noncompliance with substantive requirements of this division, may constitute a prejudicial abuse of discretion...”</i> (Public Resources Code § 21005(a)).</i></p>	<p style="text-align: center;">IP-1-4</p> <p>IP-1-4: This comment cites various sections of the State Public Resources Code (PRC) and states that it is incumbent upon Caltrans to know and effectuate its provisions. For all of its projects, Caltrans complies with all requirements of CEQA, including the information disclosure provisions of CEQA. With regard to the text regarding consideration of alternatives with less impacts on the environment, as discussed in Section 1.4 of the Draft EIR/EA and in this Final EIR/EA, Alternatives 3, 4, 5, and 7 were considered but eliminated from further discussion prior to preparation of the environmental document. Build Alternatives 2 and 6 (Preferred Alternative) and Design Variations 2a and 6a were the only two alternatives and design variations that were determined to meet the purpose and need of the project; therefore, there are no other feasible alternatives for the proposed project. Where potentially significant effects to the environment would result from the project, feasible mitigation measures to avoid or lessen the potential effects were identified in the Draft EIR/EA. These mitigation measures for Build Alternatives 2 and 6 (Preferred Alternative) and Design Variations 2a and 6a were considered in the Draft EIR/EA and were developed and approved in coordination with the PDT based on comprehensive technical studies. As specified in the "Project Impacts" section of the Summary, significant impacts under CEQA were identified for Paleontological Resources, Greenhouse Gas Emissions, and Noise. With implementation of Mitigation Measure PAL-2, impacts to Paleontological Resources would be less than significant. However, despite the implementation of project-level GHG reduction strategies as identified in Section 3.4.7.3, Greenhouse Gas Emissions, would be a significant unavoidable impact because future GHG emissions with the Build Alternatives would be greater than existing GHG emissions. Additionally, despite implementation of Mitigation Measure N-2, noise would be a significant unavoidable impact for Alternatives 2 and 6 (Preferred Alternative) and Design Variation 2a at Receptor R-25 because the property owner for the property located behind Noise Barrier No. 2 (Receptor 25) indicated they are not in favor of the proposed noise barrier. Refer to Section 3.2.8, Greenhouse Gas Emissions, and Section 3.2.13, Noise, for further discussion regarding these impacts.</p>

<p>Comment Letter IP-1 and Responses</p>	
<p>In evaluating the significance of the environmental effect of the World Logistic Center Interchange project Caltrans must/shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project. “An indirect physical change in the environment is a physical change in the environment which is not immediately related to the project, but which is caused indirectly by the project. If a direct physical change in the environment [e.g. construction of the World Logistic Center Interchange] in turn causes another change in the environment, then the other change is an indirect physical change in the environment.” (CEQA Guideline § 15064(d)(2)). The indirect impacts of the WLC Parkway Interchange project include the “take” of multiple MSHCP Covered species on the 2610-acre WLC Specific Plan site. The indirect impacts of the WLC Interchange project will also impact the adjoining SJWA/MSHCP Conservation Reserve. It is necessary for Caltrans to recognize the WLC Parkway Interchange will deliver voluminous truck traffic, air pollution, noise, light, etc. eliminating wildlife and habitat values on the 2610-acre WLC development site. Equally important these wildlife habitat disruptors will impact the immediately adjacent SJWA/MSHCP Conservation Reserve public lands. Caltrans has yet to address these indirect impacts of the WLC Parkway Interchange project.</p>	<p>IP-1-5: As identified in Section 2.17.2.1 of the Draft EIR/EA, the BSA for the project represents the area of potential direct and indirect project impacts to biological resources. Impacts to the BSA were thoroughly evaluated within the Biological Environment portion of the Draft EIR/EA (Sections 2.17 through 2.22). Furthermore, avoidance, minimization, and/or mitigation measures were developed for the project to reduce direct/indirect impacts to the BSA and were developed in consideration of provisions of the WRCMSHCP. The BSA was created in accordance with Caltrans' Natural Environment Study Template to include all areas that could potentially be impacted by the project plus a buffer to accommodate any changes to project limits and project design that may occur during project development. Based on this definition and as stated in the project's Natural Environment Study (September 2019), the BSA was developed to encompass the project's footprint, including Alternatives 2 and 6 and Design Variations 2a and 6a, and adjacent habitats within 50 ft of the project footprint. As also stated in response to comment IP-1-2, the San Jacinto Wildlife Area is approximately 4 miles south of the SR-60/WLC Pkwy Interchange Project site, and the southerly limits of the BSA defined for the project is roughly 1,500 ft north of the limits of the San Jacinto Wildlife Area. The San Jacinto Wildlife Area is therefore outside the BSA, and the project would not have any direct impacts to the San Jacinto Wildlife Area. With regard to indirect impacts, the project will not impact wildlife movement to/from the San Jacinto Wildlife Area. As stated in Section 2.17.2 of the EIR/EA, because the majority of the BSA is not within WRCMSHCP-designated Cores or Linkages, the BSA does not function as a wildlife movement corridor today. At the project site, an existing 60-inch drainage culvert that is located northwest of the SR-60/Gilman Springs Road interchange and within the project limits may be usable as a localized wildlife crossing, and the project includes measures NC-1 and NC-2 to improve its functionality as a wildlife crossing.</p>

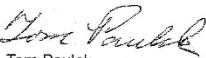
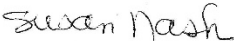
<p>Comment Letter IP-1 and Responses</p>	
<p>Caltrans in performing the analysis of the World Logistics Center Parkway Interchange Project impacts on Biological Resources must not disregard/ignore the law as it relates to CEQA Mandatory Findings of Significance (CEQA Guidelines § 15065(a)(1) [<i>“The project has the potential to: substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; substantially reduce the numbers or restrict the range of an endangered, rare or threatened species...”</i>]). The failure of Caltrans to identify the “take” of MSHCP/NCCP Covered species as a Mandatory Significant Impact during the initial/preliminary review of the World Logistic Center Parkway Interchange Project corrupts the entire subsequent CEQA review of the project. It allows Caltrans to avoid/circumvent the necessary examination/analysis of the direct, indirect and cumulative impacts of the “take” of MSHCP/NCCP covered species on the project site and the adjoining SJWA. It allows Caltrans to avoid/circumvent the required examination/analysis of Alternatives and mitigation measures for the “take” of MSHCP/NCCP covered species. Ultimately it allows Caltrans to avoid making the required Finding under CEQA Guideline § 15091: <i>“No Public agency shall approve or carry out a project for which an EIR has been certified which identified one or more significant environmental effects [direct, indirect and cumulative impacts] of the project unless the public agency makes one or more written findings for each of the significant effects.”</i> These CEQA procedural errors are clearly prejudicial and require correction by Caltrans.</p>	<p>IP-1-6</p> <p>IP-1-7</p> <p>IP-1-8</p> <p>IP-1-9</p>
<p>The subject Draft EIR fails to consider the cumulative impacts of the “take” of MSHCP Covered species. In the consideration of cumulative impacts on Biological Resources it is important to consider and discuss whether any environmental</p>	<p>IP-1-10</p>
<p>insignificant “take” may be cumulatively significant, taking into account all relevant past, present, and probable future projects. Both the SKRHCP and the MSHCP authorizes the incidental “take” of endangered and special status plants and animals throughout western Riverside County [including the City of Moreno Valley] thereby eliminating habitats and populations of already declining species in exchange for the establishment in perpetuity of designated wildlife Conservation Areas/Reserves such as the SJWA. Absent an adequate CEQA cumulative analysis it is not possible for the public or the state and federal Wildlife Agencies to know whether these plant and animal populations are dropping below self-sustaining levels [in jeopardy of extinction] both in the area of “take” and on the designated Conservation Reserves such as the SJWA. (CEQA Guideline § 15065(a)(3) – Mandatory Findings of Significance). Caltrans has yet to provide the necessary cumulative analysis.</p>	<p>IP-1-10</p>
<p>IP-1-6: Section 3.2.4.1(a) of this Final EIR/EA has been revised to clarify that impacts to Stephens’ kangaroo rat and coastal California gnatcatcher habitat would be covered by the Stephens’ kangaroo rat Habitat Conservation Plan (HCP) and through the project’s participation in the WRCMSHCP for each species, respectively, as specified in Section 2.21. However, the take of WRCMSHCP/NCCP-covered species does not necessarily constitute a significant impact under CEQA. Because the proposed project would comply with applicable measures identified in the WRCMSHCP and would result in a “No Effect” determination for both the Stephens’ kangaroo rat and coastal California gnatcatcher, impacts to Stephens’ kangaroo rat and coastal California gnatcatcher would remain less than significant. Therefore, the proposed project does not have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or substantially reduce the numbers or restrict the range of an endangered, rare or threatened species. No change was made to Mandatory Findings of Significance, Section 3.2.21.1(a). Please refer to Response to Comment IP-1-18 for further discussion regarding the process of adoption of mandatory findings of significance. Please also refer to Appendix G, Required Consultation/Concurrence Documentation for documentation and support of the “No Effect” determination for the Stephens’ kangaroo rat and coastal California gnatcatcher.</p> <p>IP-1-7: Refer to Response to Comments IP-1-5 and IP-1-6 and Common Response #1.</p> <p>IP-1-8: Refer to Response to Comment IP-1-4.</p> <p>IP-1-9: The commenter cites CEQA Guidelines Section 15091 related to project approval and findings. It is true that if an EIR concludes that a project has significant environmental impacts that cannot be mitigated to a level below significance, the approving agency must adopt findings prior to the approval of a project. As discussed in the Response to Comments IP-1-6, IP-1-7, and IP-1-8, the impacts to WRCMSHCP/NCCP-covered species are less than significant under CEQA, and no findings with regards to that resource would be necessary. However, Caltrans will be adopting findings prior to approval of the project related to noise and GHG emissions.</p> <p>IP-1-10: Please also refer to Appendix G, Required Consultation/Concurrence Documentation for documentation and support of the “No Effect” determination for the Stephens’ kangaroo rat and coastal California gnatcatcher. Additionally, as discussed in Section 2.23.4.13 of this Final EIR/EA, project effects to coastal California gnatcatcher and Stephens’ kangaroo rat habitat would be covered by the Stephens’ kangaroo rat HCP and through the project’s participation in the WRCMSHCP for each species, respectively. Additionally, as stated in Common Response #1, by fulfilling their responsibilities under the WRCMSHCP, Caltrans and the City mitigate the cumulative effects of permitted activities such as the SR-60/WLC Pkwy Interchange Project on habitat and species included within the reserve area and criterial cells of the WRCMSHCP.</p>	

<p>Comment Letter IP-1 and Responses</p>	
<p>We are incorporating our January 9, 2020 Notice of Preparation (NOP)/Scoping response letter in its entirety (Attachment #1) into this CEQA/NEPA comment letter requesting Caltrans response to the extensive issues and concerns raised in that NOP/Scoping document. Instead of printing the January 9, 2020 response letter in its entirety it was improperly dissected and sequestered away in Table 4.1 NOP Comments Summary/Draft EIR/EA pages 4-7 to 4-9 and received no response from Caltrans. We are therefore once again submitting the letter in its entirety (See Attachment) for response by Caltrans and for inclusion in the Final EIR and Administrative Record.</p> <p>Please ensure we receive timely notice of the availability of the Final EIR and the scheduling of any public hearing by Caltrans concerning this project. Thank you for your courtesy.</p> <p><i>Tom Paulek</i> Tom Paulek, CWB®. FNSJV Conservation Chair.</p> <p><i>Susan Nash</i> Susan Nash FNSJV, President</p> <p>Attachment #1: Friends of the Northern San Jacinto Valley, January 9, 2020 Letter of Response Notice of Preparation (NOP) of a CEQA Draft Environmental Impact Report (EIR) / NEPA Environmental Assessment (EA) for the SR-60/World Logistics Center Parkway Interchange Project.</p> <p style="text-align: center;">ATTACHMENT #1</p> <p>Attachment #1: Friends of the Northern San Jacinto Valley, January 9, 2020 Letter of Response Notice of Preparation (NOP) of a CEQA Draft Environmental Impact Report (EIR) / NEPA Environmental Assessment (EA) for the SR-60/World Logistics Center Parkway Interchange Project.</p>	<p>IP-1-11: There is no requirement in the CEQA statute or guidelines that require a lead agency to provide written responses to comments on a Notice of Preparation (NOP). The scoping efforts undertaken by the City and Caltrans in November 2019 were done to help identify the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in the EIR. However, responses to the NOP comment letter attachment cited in this comment can be found in Response to Comments IP-1-13 through IP-1-20.</p> <p>IP-1-12: During public circulation of the Draft EIR/EA, a virtual public hearing was held on May 13, 2020. The Notice of Public Hearing was published in both the <i>Riverside Press-Enterprise</i> and <i>La Prensa</i> on April 24, 2020 and May 1, 2020, and a letter notifying recipients of the public circulation period availability of the Draft EIR/EA and public hearing information were mailed to those listed in Chapter 6 of the Draft EIR/EA. Friends of the Northern San Jacinto Valley (Tom Paulek, Conservation Chair) was listed in Section 6.9, Interested Parties, of the Draft EIR/EA. The Friends of the Northern San Jacinto Valley will also receive the Notice of Determination (NOD) for the Final EIR/EA, as requested.</p>

<p>Comment Letter IP-1 and Responses</p>	
<p style="text-align: center;"> Friends of the Northern San Jacinto Valley Post Office Box 4036 Idyllwild, California 9254 </p> <p>January 9, 2020</p> <p>Via: Email: boniface.udotor@dot.ca.gov U.S. Postal Service</p> <p>Mr. Boniface Udotor Senior Environmental Planner, MS 830 California Department of Transportation District 8, Division of Environmental Planning 464 W 4th Street San Bernardino, CA 92401</p> <p>SUBJECT: Notice of Preparation (NOP) of a CEQA Draft Environmental Impact Report (EIR) / NEPA Environmental Assessment (EA) for the SR-60/World Logistics Center Parkway Interchange Project.</p> <p>Dear Mr. Udotor:</p> <p>We have reviewed the Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) and attended the December 16, 2019 Public Scoping Meeting in the City of Moreno Valley [Project Proponent/Advocate] for the SR-60/World Logistics Center (WLC) Parkway Interchange Project [Total project cost is estimated at \$70 million - \$81million]. Caltrans will be the lead agency for the proposed project under the California Environmental Quality Act 411(CEQA) and the Federal National Environmental Policy Act (NEPA) as “assigned” by the Federal Highway Administration (FHWA). The following comments are provided for consideration by Caltrans.</p> <p>We are both discouraged and dismayed by Caltrans, District 8's poor implementation of its obligations under CEQA and its assigned federal NEPA environmental review for the SR-60/WLC Interchange Project. We do not know whether these deficiencies are limited to Caltrans, District 8 or are representative of Caltrans statewide execution of these important and necessary state and federal environmental review laws.</p> <p style="text-align: center;">1</p>	<p>IP-1-13: The commenter indicates that Caltrans has not properly implemented its obligations under CEQA and NEPA. It should be clarified that this comment was made in response to the NOP and at a point in project development wherein no environmental document had yet been prepared or circulated for public review. The comment does not specifically state how Caltrans had not fulfilled its obligations under CEQA and NEPA at the time the NOP was issued. It should also be noted that Caltrans maintains a resource called the Standard Environmental Reference (available at http://www.dot.ca.gov/ser), which provides guidance, templates, and information for the preparation and processing of environmental documentation for transportation projects in a manner that is consistent statewide by all Caltrans Districts.</p> <p style="text-align: right;">IP-1-13</p>

Comment Letter IP-1 and Responses		
<p>The SR-60 WLC Parkway Interchange Project is intended to provide the primary access for the City of Moreno Valley project known as the World Logistics Center (WLC). The massive WLC project [40 million square feet of warehouses] remains in litigation (Appellate Court review) after the February 2018 Riverside County Superior Court Judgement found the WLC Environmental Impact Report (EIR) was deficient with respect to its treatment of Biological Resources, Energy, Noise, Agriculture and Cumulative Impacts (Case No: RIC 1510967 MF). The City of Moreno Valley prior WLC EIR deficiencies must not be replicated by Caltrans and must be viewed as significant indirect impacts of the Caltrans construction of the SR-60 WLC Parkway Interchange Project (CEQA Guidelines 15064 (d)(2)).</p>	<p>IP-1-14</p>	<p>IP-1-14: The commenter states that the purpose of the project is to provide access to the WLC project. Although one of the purposes of the project is to accommodate a facility that is consistent with the City of Moreno Valley General Plan, it is not the only purpose of the project. Please refer to Section 1.2 of this Final EIR/EA for further details regarding the purpose and need for the project.</p>
<p>We are particularly concerned regarding the indirect and cumulative impacts to Biological Resources including Endangered Species, MSHCP/NCCP Covered Species, and San Jacinto Wildlife Area, the primary MSHCP/NCCP Conservation Area located directly on the southern boundary of the proposed WLC Specific Plan site. The federal Endangered Species Act (ESA) prohibits the "take" (kill, capture or habitat destruction) of listed endangered or threatened species. In a like manner, the California Endangered Species Act (CESA) prohibits the "take" of endangered or threatened species listed by the California Fish and Game Commission. Under the 2004 Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) / Natural Communities Conservation Plan (NCCP Act) the "take" of 146 plant and animal species is permitted for 75 years throughout western Riverside County, in exchange for the assembly and management of coordinated MSHCP/NCCP Conservation Areas. The most prominent is the California Department of Fish and Wildlife (CDFW) San Jacinto Wildlife Area located on the southern boundary of the proposed World Logistics Center (WLC).</p>	<p>IP-1-15</p>	<p>IP-1-15: It is important to note that the WLC development project and the SR-60/ WLC Pkwy Interchange Project are separate projects with different scopes, and as such have different project elements, effects, and impacts. Section 15064(d)(2) of the CEQA Guidelines does discuss indirect project impacts as follows: "An indirect physical change in the environment is a physical change in the environment which is not immediately related to the project, but which is caused indirectly by the project. If a direct physical change in the environment in turn causes another change in the environment, then the other change is an indirect physical change in the environment. For example, the construction of a new sewage treatment plant may facilitate population growth in the service area due to the increase in sewage treatment capacity and may lead to an increase in air pollution [emphasis added]." Any impacts resulting from the WLC development project, therefore, should not be treated as indirect impacts of the SR-60/WLC Pkwy Interchange Project under CEQA. Construction of the SR-60/WLC Pkwy Interchange Project will cause a direct physical change to the environment, and the direct and indirect impacts of those changes were analyzed in detail in the Draft EIR/EA and related technical studies. Construction of the WLC development project would also cause a direct physical change to the environment, and the direct and indirect impacts of those changes will be addressed in any revised environmental documentation for that land development project.</p>
<p>Both the federal and state endangered species statutes provide for exceptions to their "take" prohibitions. The federal exception requires applicants to submit a Habitat Conservation Plan (HCP). If approved by the U.S. Fish and Wildlife Service the applicant will be issued an incidental "take" permit (MSHCP). The California "take" exception is authorized pursuant to the Natural Community Conservation Planning Act (NCCP Act - Fish and Game Code §§ 2800-2835). After approval of a NCCP Act Conservation Plan, the CDFW permits the "take" of covered species whose conservation and management is provided for in the NCCP approved by CDFW. The NCCP Act section 2826 provides: "<i>Nothing in this chapter exempts a project proposed in a natural community planning area from Division 13 (commencing with section 21000) of the Public Resources Code [CEQA - California Environmental Quality Act] or otherwise alters the applicability of that division.</i>" <i>The California Supreme Court has bolstered this legislative intent. [CESA can be harmonized with CEQA] (Mountain Lion Foundation v. Fish and Game Commission (1997) 16 Cal. 4th 105, 111)</i></p> <p>In enacting the California Environmental Quality Act (CEQA) the legislature declared it is the policy of the state to "<i>Prevent the elimination of fish and wildlife species due to man's activities, insure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generation representative of all plant and</i></p>	<p>IP-1-16</p>	<p>Refer also to Common Response #1.</p> <p>IP-1-16: The commenter's concern for indirect and cumulative impacts to biological resources has been noted. See Response to Comment IP-1-5 regarding the project's indirect impacts to biological resources within the BSA. Refer to Response to Comment IP-1-10 regarding the project's cumulative biological resources analysis.</p>

<p>Comment Letter IP-1 and Responses</p>	
<p><i>animal communities.” (Public Resources Code § 21001(c)). “Public agencies should not approve projects if there are feasible alternative or feasible mitigation measures available, which would substantially lessen significant environmental effects (Public Resources Code § 21002). “The purpose of an Environmental Impact Report (EIR) is to identify the the Significant effects on the environment, to identify alternatives to the project, and to indicate the manner in which those Significant effects can be mitigated or avoided (Public Resources Code § 21001.1(a)).</i></p> <p>The Public Notice for the Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR)/ Environmental Assessment (EA) for the State Route 60/World Logistics Center Parkway Interchange Project indicates: “An Initial Study (IS) was drafted for the project; Caltrans determined through the IS process that an EIR/EA was recommended and would be prepared.” After receiving the Public Notice, we asked Caltrans, District 8 for a copy of the Initial Study (IS) to assist in the preparation of our NOP response letter [the Initial Study functions as an evidentiary document containing information which supports Caltrans District 8 conclusions the project will or will not have a significant environmental impact]. Caltrans District 8 responded to our request for the IS as follows: “An administrated draft Initial Study was in preparation for the project. It was not approved/finalized for public disclosure.”</p> <p>We believe Caltrans District 8 sought to circumvent/avoid the Mandatory Findings of Significance under CEQA Guidelines 15065. CEQA requires [the law requires] an agency contemplating an action having the potential “to...reduce the number or restrict the range of an endangered species” must find that the project “may have a significant effect on the environment.” The initial failure of Caltrans District 8 to identify the “take” of MSHCP/NCCP Covered species as a Significant Impact corrupts the entire subsequent CEQA review [examination of alternatives and mitigation measures for the “take” of MSHCP/NCCP covered species]. It ultimately allows Caltrans District 8 to avoid making the required Findings under CEQA Guideline § 15091: “No Public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects [direct, indirect and cumulative effects] of the project unless the public agency makes one or more written findings for each of the significant effects..”. These CEQA procedural errors require correction.</p>	<p>IP-1-17: Section 15060(d) of the CEQA Guidelines clearly states that “if the lead agency can determine that an EIR will be clearly required for a project, the agency may skip further initial review of the project and begin work directly on the EIR process...In the absence of an initial study, the lead agency shall still focus the EIR on the significant effects of the project and indicate briefly its reasons for determining that other effects would not be significant or potentially significant.” Caltrans began preparation of an Initial Study but, during the course of analysis, potentially significant effects in the area of noise and GHG emissions were determined that resulted in the need to prepare an EIR. The draft Initial Study was never completed or published. Caltrans is under no obligation to prepare an Initial Study if the agency determines the correct level of environmental document under CEQA is an EIR, and Caltrans is similarly under no obligation to release internal working draft materials.</p> <p>IP-1-18: The commenter indicates that Caltrans has made CEQA procedural errors and avoided making a mandatory finding of significance. It is unclear if the commenter is stating that a mandatory finding of significance should have already occurred. The mandatory findings of significance are adopted at the same time as the CEQA certification and the statement of overriding considerations, as applicable. These adoptions and approvals cannot happen before a Final EIR is approved. The Final EIR for the project includes responses to public comments received during the circulation period and the identification of the Preferred Alternative (Alternative 6). Further, based on the conclusions in this Final EIR/EA, Caltrans will be adopting findings prior to approval of the project related to noise and GHG emissions. Also refer to Response to Comment IP-1-6.</p> <p>The commenter also indicates that any take of a WRCMSHCP/NCCP-covered species should be considered a significant impact under CEQA. It should be clarified that no significance findings were made at the time of the issuance of the NOP, since a Draft EIR had not yet been prepared. Section 2.21, Threatened and Endangered Species, of the Draft EIR/EA contained a detailed discussion of impacts to Stephens’ kangaroo rat and coastal California gnatcatcher. Section 2.21 of this Final EIR/EA contains further information regarding Section 7 consultation under FESA. Please also refer to Appendix G, Required Consultation/Concurrence Documentation for documentation and support of the “No Effect” determination for the Stephens’ kangaroo rat and coastal California gnatcatcher. Chapter 3, CEQA Evaluation, of the Draft EIR/EA provided analysis of impacts under CEQA, which is distinct from the WRCMSHCP consistency review as required by the State permittee review process. The CEQA evaluation of impacts to these species was presented in Section 3.2.4.1 of the Draft EIR/EA. Caltrans does not utilize statewide CEQA thresholds, so significance under CEQA is evaluated on a project-by-project basis. As updated in Section 3.2.4.1 of this Final EIR/EA, with the implementation of the applicable measures identified in the WRCMSHCP, impacts to these species would be less than significant under CEQA, and no mitigation is required.</p>

<p>Comment Letter IP-1 and Responses</p>	
<p>We also question Caltrans District 8 use of the NEPA Environmental Assessment (EA) rather than a NEPA Environmental Impact Statement (EIS) the equivalent to the proposed CEQA Environmental Impact Report (EIR). We believe Caltrans District 8 is seeking to circumvent/avoid the FHWA Section 4(f) requirements to preserve and protect the state managed San Jacinto Wildlife Area (SJWA) - MSHCP/NCCP Conservation Area immediately adjacent to the proposed World Logistics Center (WLC) site the SR-60/WLC Parkway Interchange Project is intended to service. The necessary 4(f) evaluation of "Constructive Use" of the SJWA - MSHCP/NCCP Conservation Area requires evaluation in a more thorough NEPA Environmental Impact Statement (EIS) rather than a cursory Environmental Assessment (EA) - Findings of No Significant Impact (FONSI).</p> <p>We are requesting the Caltrans District 8 CEQA/NEPA procedural errors identified above be corrected prior to the release of any draft environmental document for public review. Thank you for your consideration of our NOP comments on the SR-60/World Logistics Center Parkway Interchange Project. Please ensure we receive notice of the availability of the Draft Environmental Document and all public hearings for this important project.</p> <div style="display: flex; justify-content: space-between;"> <div style="text-align: center;">  Tom Paulek FNSJV, Conservation Chair </div> <div style="text-align: center;">  Susan Nash FNSJV, President </div> </div> <p>Cc. Michael Beauchamp, District 8 Director</p> <p>Rhonda L. Craft, Inspector General Caltrans Independent Office of Audits and Investigations</p>	<p>IP-1-19: The commenter states that an Environmental Impact Statement (EIS), rather than an Environmental Assessment (EA), is the proper level of National Environmental Policy Act (NEPA) documentation for the project, and further states that use of an EA circumvents the requirements for analysis under Section 4(f). If a project has the potential to use properties protected under Section 4(f), the requirements of Section 4(f) apply regardless of the level of NEPA document being prepared. In Caltrans documents, the Section 4(f) analysis is contained within an appendix to the environmental document. A park, recreation area, or refuge qualifying for protection under Section 4(f) must meet all of the following criteria, according to the FHWA Environmental Review Toolkit:¹ the property must be publicly owned; the property must be open to the public (except in certain cases for refuges); the property's major purpose must be for park, recreation, or refuge activities; and the property must be significant as a park, recreation area, or refuge. It is acknowledged that the San Jacinto Wildlife Area would qualify as a property eligible for protection under Section 4(f); however, no use to the wildlife area would occur as a result of the project. The finding of "constructive use" as it relates to Section 4(f) properties involves an indirect impact to the property "of such magnitude as to effectively act as a permanent incorporation... Constructive use may include impacts such as noise, access restrictions, vibration, ecological intrusions, and visual impacts". Because the San Jacinto Wildlife Area is not located within the Area of Potential Effects (APE), no direct or indirect impacts to the features, activities, or attributes of the property that would be so intense as to substantially impair the resource would occur. More detailed information on noise and visual impacts that would occur as a result of the project can be found in Section 2.15, Noise, and Section 2.7, Visual/Aesthetics, respectively, of this Final EIR/EA.</p> <p>IP-1-20: The commenter is requesting that the aforementioned procedural errors be corrected prior to release of a draft environmental document for public review. Please refer to Response to Comments IP-1-13 through IP-1-19 for detailed responses related to Caltrans' responsibilities under CEQA and NEPA. In addition, the commenter was included on the distribution list for the Draft EIR/EA and was sent a Notice of Availability (NOA) of the Draft EIR/EA during the public review period. The NOA included information regarding the virtual public hearing held on May 13, 2020. Refer to the attachments to Chapter 4, Comments and Coordination, for the NOA.</p>

¹ U.S. Department of Transportation, Federal Highway Administration. "Section 4(f) Properties: Parks, Recreation Areas, and Refuges." Website: https://www.environment.fhwa.dot.gov/env_topics/4f_tutorial/properties_parks.aspx (accessed June 23, 2020).

<p>Comment Letter IP-2 and Responses</p>	
<p><u>Residents for a Livable Moreno Valley - PO Box 6195 - Moreno Valley, CA 29556</u></p> <p>June 8, 2020</p> <p>Antonia Toledo, Senior Environmental Planner, MS-820, Caltrans District 8, Division of Environmental Analysis, 464 W 4th Street San Bernardino, CA 92401</p> <p>Via e-mail to: 0M590.Comments@dot.ca.gov.</p> <p>Regarding: Comments to the Draft Environmental Impact Report for the SR-60/World Logistics Center Parkway Interchange</p> <p>Mr. Toledo,</p> <p>Caltrans was provided with comments from the public and other interested parties during the prescribed comment period of the Notice of Preparation. A summary of those comments can be found in Table 4.1 NOP Comments Summary with noted comment categories but no response to comments has been provided. Quite a number of the comments merit direct evaluation and a response to those issues raised or requiring inclusion in the interchange DEIR were not found. Therefore, the following are comments on the Draft EIR and many of those comments initial provided with the NOP in January 2020. Since CEQA requires a response to comments to an EIR we expect to see document revisions where necessary and information about what is changed or why issues went unaddressed.</p> <ol style="list-style-type: none"> 1. Multi-purpose trail must remain a part of the project. The finish of the crossing over the highway must include a suitable walking surface and protective barrier for equestrian use. This is a designated multi-purpose trail linkage. 2. The SR-60/World Logistics Center Parkway Interchange Pa/Ed Traffic Study Report, EA 0M590 (Traffic Study) appears to have been prepared sometime in 2018 well before the release of the Notice of Preparation of the Draft Environmental Impact Report. Thus it does not answer or include the evaluation of concerns raised by the public during the comment period. 3. The Traffic Study fails to include or evaluate all proposed development and land use changes in process that will contribute traffic impacts within the project area that must be collectively assessed. The EIR includes Table 2.23.1 "Planned Projects in the Land Use Study Area and the SR-60 Corridor" but no such table of projects appears in the Traffic Study nor is there an evaluation on how those projects may impact the studied intersections. 	<p>IP-2-1: Please note there is no requirement in the CEQA statute or CEQA Guidelines that require a lead agency to provide written responses to comments on an NOP. The scoping efforts undertaken by the City and Caltrans in November–December 2019 were done to help identify the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in the EIR. However, detailed responses to comments on the Draft EIR/EA received during public circulation are included in this Final EIR/EA.</p> <p>IP-2-2: As stated in Section 2.1 of the Draft EIR/EA and this Final EIR/EA, the proposed project includes a multi-use trail on the east side of World Logistics Center Parkway/Theodore Street between Ironwood Avenue and Eucalyptus Avenue. The design of the multipurpose trail will be developed during the Project Specifications and Estimates (PS&E) phase of the project. The commenter's suggestion to include a suitable walking surface on the finish of the crossing over the highway and a protective barrier for equestrian use will be considered during Final Design.</p> <p>IP-2-3: The proposed project was originally identified as an Initial Study/ Environmental Assessment (IS/EA). However, significant GHG and noise impacts were identified during development of the IS/EA in 2019; therefore, an EIR/EA was developed instead. As stated in Section 15125 of the CEQA Guidelines, the lead agency generally describes physical environmental conditions as they exist at the time the NOP is published or, if no NOP is published, at the time the environmental analysis is commenced. Although the Traffic Study is dated January 2019 and the Draft EIR/EA is dated February 2020, there have been no substantial changes in the project's environmental setting between the time the traffic study was developed and when the Draft EIR/EA was circulated for public review. Furthermore, the Traffic Study was developed at the time the environmental analysis commenced for the IS/EA. Lastly, the concerns brought forth during public review of the Draft EIR/EA regarding the Traffic Study have been comprehensively evaluated and addressed within this Appendix as part of the Final EIR/EA.</p> <p>IP-2-4: The SR-60/WLC Pkwy Interchange Traffic Study used the same assumed projects as the recirculated EIR for the WLC development. This includes all projects listed in Table 2.23.1 of the EIR. Traffic effects of these projects were accounted for in the traffic analysis presented in the Traffic Study for the SR-60/WLC Pkwy Interchange Project.</p>

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<p>4. Please explain why this interchange get state priority over the Redland Blvd interchange, with the same configuration as WLC, which currently has higher traffic volumes that will</p> <p style="text-align: right;">↓ IP-2-5</p> <p style="text-align: center;">↑</p> <p style="text-align: right;">IP-2-5</p> <p>only increase with the homes currently being built in the area and warehouse traffic coming from Eucalyptus Avenue?</p> <p>5. Provide justification in the noise study for not caring out MM N-1. This mitigation measure needs to be carried out regardless of the current property owner’s objection. Installation of the noise barrier must occur to assure the property value and stave off the potential impacts to future owners. Why aren’t the barriers being placed on the highway r-o-w?</p> <p style="text-align: right;">IP-2-6</p> <p>6. Intersections such as those with the roundabouts are evaluated for turning movements and impact assessment, however their inclusion for construction with the interchange does not appear to be discussed. If these are not part of the interchange improvements and are not going to be made by Caltrans then the Traffic Study evaluations are flawed and it cannot be assumed this configuration will be installed, thus altering air quality and greenhouse gas findings.</p> <p style="text-align: right;">IP-2-7</p>	<p>IP-2-5: The commenter requests clarification of the priority of projects, specifically the SR-60/Redlands Boulevard interchange. A Project Study Report-Project Development Support (PSR-PDS) was completed in 2016 for the SR-60/Redlands Boulevard Interchange Project. Both the SR-60/Redlands Boulevard and SR-60/WLC Pkwy Interchange Projects are subject to future funding and priority designated by the City Council and set forth in the City’s Capital Improvement Plan. As noted in Table 2.23.1, target dates have been defined for planning purposes only. The dates are subject to change, pending availability of funding and establishment of City priority. Additionally, this location has been struck twice in the past 5 years and has sustained damages resulting in detours and costly repairs. The 60/Redlands interchange has had no incidences in the same timeframe. The 60/WLC Parkway project as proposed increases the vertical clearance pursuant to current standards.</p> <p>IP-2-6: Mitigation Measure N-2 in the Draft EIR/EA would implement Noise Barrier Nos. 2 and 3 to reduce noise impacts at Receptors R-25 and R-28, respectively. This was discussed in Chapter 3 (CEQA Evaluation), which determined that both noise barriers (Noise Barrier Nos. 2 and 3) are required under CEQA to mitigate significant noise impacts. During public review of the Draft EIR/EA, noise barrier survey letters were delivered to the two property owners for the respective properties located behind Noise Barrier Nos. 2 and 3 to obtain their viewpoints on Mitigation Measure N-2. On June 30, 2020, the property owner for the property located behind Noise Barrier No. 2 (Receptor R-25) responded to the noise barrier survey letter and indicated they are not in favor of the proposed noise barrier. Therefore, the permanent noise levels at Receptor R-25 would result in a significant and unavoidable impact under CEQA for Alternatives 2 and 6 (Preferred Alternative) and Design Variation 2a, as the property owner (Receptor R-25) does not desire or accept Mitigation Measure N-2. However, these noise barriers are not required under NEPA because the technical Noise Study Report (NSR) and Noise Abatement Decision Report (NADR) and Section 2.15 (Noise) of the EIR/EA determined Noise Barrier Nos. 2 and 3 to be not reasonable (not cost effective) under the provisions of the Caltrans Traffic Noise Analysis Protocol, which was developed to comply with FHWA NEPA requirements. Therefore, these two noise barriers were no longer considered for the project under NEPA. Both Noise Barrier Nos. 2 and 3 are placed on both the right-of-way and the private property line to achieve the necessary noise level reduction.</p> <p>IP-2-7: The commenter indicates that it is unclear if the roundabouts will be installed as part of the project. The roundabouts included as elements of the Preferred Alternative (Alternative 6) would be required for the function of the redesigned SR-60/WLC Pkwy interchange and therefore would be implemented as part of the project. As such, the roundabouts were evaluated as part of the project in the Traffic Study for the project.</p>

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<p>7. It appears that it is the responsibility of Caltrans for installation of the roundabouts based on the chosen configuration is the project area. Shouldn't this be provided by the developer and/or the city? Where are the non-interchange improvements found in the project description and the project schedule?</p>	IP-2-8
<p>8. The Traffic Study includes Exhibit 5 from the Riverside County's 2016 RTP. To be an effective document for use in the analysis it needs updating to indicate when these improvements are warranted and who will be responsible for their installation. Level of Service or traffic counts must be include milestones that require these improvement be installed to make the evaluation consistent with the study's assumptions or the study needs to be reevaluated with the assumption that they will not or cannot be installed and how traffic impact can be mitigated. A prime example is RIV080902 requiring SR-60 be widened from 2 to 6 thru lanes. This improvement will be difficult considering existing geometrics, jurisdictional responsibility, and availability of funding sources from the county and the state.</p>	IP-2-9
<p>9. In the Traffic Study Exhibits 13 and 14 with No-Build 2025 and 2045 respectively show even lower impacts to the Redlands Blvd ramps than existing conditions which is flawed due to no improvements being made to Redlands and with the heavy traffic impact from the WLC and the warehouses west of Redlands Boulevard on Eucalyptus. The "No Improvement" analysis fails to recognize that traffic will avoid WLC during peak congestions and move to Redlands. Recalculate and adjust for real world conditions.</p>	IP-2-10
<p>10. The traffic analysis, in general, does not appear to account for the heavy volume of employees utilizing the Redlands Blvd ramps at peak AM and PM times. Control of traffic taking access to the WLC site cannot be made mandatory to WLC Pkwy. Therefore those seeking access to the site will take their preferred route. The Traffic Study needs to better account for this condition.</p>	IP-2-11
<p>IP-2-8: The commenter is referencing roundabouts, which are included as elements of the Preferred Alternative (Alternative 6). Because the roundabouts would be required for the function of the redesigned SR-60/WLC Pkwy interchange, they would be implemented and funded as part of the project.</p> <p>IP-2-9: CEQA requires that all reasonably foreseeable projects be accounted for in the analysis. RIV080902 describes widening SR-60 from 2 to 3 through lanes in each direction between Redlands Blvd. and Gilman Springs Road. This project is subject to priority designation by City Council. RIV080902 is part of the officially adopted Regional Transportation Plan (RTP), is thus reasonably foreseeable, and thus was included in the background assumptions. CEQA does not require the Lead Agency consider the possible issues that might block or delay every single project, nor would the City be in a position to do so.</p> <p>Note that the RTP does identify responsible agencies and includes tentative dates for implementation, and is periodically updated, which is what the comment suggests should be done. In relying on the RTP, the study was compliant with CEQA's requirements. Note also that the background assumptions were the same for the Build and No Build scenarios, so the assumptions used for Redlands Blvd do not distort the comparison of the Build and No Build alternatives.</p> <p>IP-2-10: Impacts at the SR-60/Redlands Boulevard interchange are lower than existing conditions because the Redlands Boulevard Interchange improvements were assumed to occur before construction of the SR-60/WLC Parkway interchange improvements. This assumption is consistent with the project opening year of 2025 assumed for the SR-60/Redlands Boulevard interchange in the 2016 RTP. The 2016 RTP was the adopted RTP in effect at the time the Notice of Preparation was issued for the Draft EIR for the SR-60/WLC Parkway interchange improvements; therefore, it was appropriate to use the 2016 RTP assumptions in the traffic study prepared for the SR-60/WLC Parkway interchange project.</p> <p>IP-2-11: Impacts for traffic generated by the WLC, a separate project, were addressed in the WLC EIR. Commute patterns to and from the WLC were forecast using the WRCOG regional RIVTAM model, which is considered best practice in the WRCOG region. This methodology is consistent with and is compliant with CEQA requirements for assumptions and methodology.</p> <p>The preferred route is based on the travel times. The model forecasts that most WLC workers will use the SR-60/WLC Parkway interchange rather than the Redlands Blvd interchange because it would be the faster path.</p>	

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<p>11. The use of 2018 Alternatives are too outdated and should be updated or the dates changed in the document to reflect a more realistic timeline.</p>	<p>IP-2-12</p>
<p>12. The Ramp Closure and Traffic Study do not consider that the current connection of Eucalyptus Avenue to Redlands Boulevard is a single west bound right-turn only lane, it is not two-lanes as the report implies. The analysis also assumes that improvements will not be made prior to ramp closure, therefore how will detoured traffic take access to Eucalyptus when east bound WLC Parkway is closed? For that matter, how with other project area intersections function during the times of ramp closures.</p>	<p>IP-2-13</p> <p>IP-2-12: The commenter's opinion is that the 2018 Alternatives are out of date and need to be updated. It is not clear what the commenter means that the alternatives should "reflect a more realistic timeline", but based on comment IP-2-10, the commenter appears to have concerns about the timing of the SR-60/WLC Pkwy interchange project relative to the timing of other projects assumed in the traffic analysis. The alternatives developed in 2018 and analyzed in the EIR/EA are appropriate because they address the project purpose as stated in Section 1.2.1 of the EIR/EA which is to:</p> <ul style="list-style-type: none"> • Improve existing vertical and horizontal interchange geometric deficiencies; • Provide increased interchange capacity, reduce congestion, and improve traffic operations to support the forecast travel demand for the 2045 design year; and • Accommodate a facility that is consistent with the City of Moreno Valley General Plan. <p>The alternatives evaluated in the EIR/EA address this project purpose irrespective of the timing of other projects assumed in the traffic analysis; therefore, there is no reason to update the alternatives. The alternatives evaluated in the EIR/EA are consistent with Section 15126.6(a) of the CEQA Guidelines which requires that an EIR consider a reasonable range of alternatives, not every conceivable alternative. Consistent with Section 15126.6(c) of the CEQA Guidelines, Section 1.4 of the EIR/EA discusses alternatives considered but rejected earlier in the project scoping process.</p> <p>IP-2-13: It is expected that Eucalyptus Avenue will be improved east of Redlands Boulevard providing full access the Redlands Blvd/Eucalyptus Ave intersection as part of a separate project by the time the SR-60/WLC Parkway interchange is constructed. As of October 2020, construction on these improvements is underway. Note that this route was used as a detour in January 2015 after the SR-60/WLC Pkwy bridge was struck and when the existing WLC Parkway bridge had a complete closure for emergency repairs.</p>

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<p>13. East bound off-ramp at Redlands, in its current configuration with a single left/right turn lane, is not built to permit efficient traffic flow that would avoid back-up congestion onto the state highway. A right-turn lane has long been proposed but never installed. This is a City and Caltrans project, so why has it not been completed when it appears that it will be critical to avoid traffic flow congestion in connection to the WLC Parkway interchange construction and on-going development in the area. Believe it was a required mitigation measure when Prologis' FEIR was adopted.</p>	IP-2-14
<p>14. Traffic Study does not appear to take into consideration that there are four million square feet of warehouses (Prologis & Aldi) along Eucalyptus Avenue between Redlands Boulevard and Moreno Beach that are required to use Redlands Boulevard only for all truck traffic to and from those warehouses. This must be included in the Traffic Study and the report adjusted accordingly. Current traffic count and turning movement counts would not appear to be consistent with the traffic studies prepared for Aldi and Prologis requiring ingress/egress from Redlands Blvd.</p>	IP-2-15
<p>15. The traffic study also fails to consider the active application for a 1.3 million sq. ft. warehouse currently proposed on the s/w/c of Eucalyptus and Redlands.</p>	IP-2-16
<p>16. Multi-purpose trail over the highway and a connection to Eucalyptus must be installed with the project. The finish of the crossing over the highway must include a suitable walking surface and protective barrier for equestrian/pedestrian use. This is a designated multi-purpose trail linkage.</p>	IP-2-17
<p>17. Please make sure the City addresses the installation of the multi-purpose trail along the north side of Eucalyptus Avenue fronting the existing Sketchers facility. This linkage was required and necessary for connectivity to the existing trail west of Redlands Boulevard and for connection to Theodore Avenue.</p>	IP-2-18
<p>18. It would appear that the cloverleaf loops may be a burdening design for large truck. The radius turn will require trucks to travel at slower speeds thus congesting the interchange. Requesting that these designs be evaluated by trucking firms and their drivers to best evaluate a more desirable design.</p>	IP-2-19
<p>IP-2-14: The commenter's opinion is that the eastbound off-ramp at Redlands interchange is inadequate to handle projected traffic. The traffic study for the SR-60/WLC Pkwy Interchange Project assumes that the Redlands Boulevard interchange improvements will happen as a separate project before the WLC Parkway interchange improvements, which is consistent with the best available information at the time of the study (Federal Transportation Improvement Program [FTIP] ID RIV080902). Timing is subject to change based on City Council priorities and available funding. The commenter states that development of the Prologis warehouse is required to implement mitigation improvements to the SR-60 eastbound off-ramp at Redlands Boulevard and the widening of Redlands Boulevard south to Eucalyptus Avenue. Based on the Final EIR for the Prologis Eucalyptus Industrial Park, Measure 4.11.6.4A specifies that the project shall construct traffic improvements consisting of traffic signal installation and addition of turn lanes at specified locations. Measures 4.11.6.4B through 4.11.6.4E also specify the project shall submit payment of fair share fees under the Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) that would be used towards several different traffic improvement projects, as specified in the measures.</p> <p>IP-2-15: The traffic study for the SR-60/WLC Pkwy Interchange Project included all known land use projects at the time of the traffic study (January 2019). Please note that the SR-60/Redlands Boulevard interchange project, which is the one that would be affected by traffic from Aldi and Prologis, is a separate project from the SR-60/WLC Pkwy Interchange Project that is the subject of this EIR/EA.</p> <p>IP-2-16: Refer to Response to Comment IP-2-15.</p> <p>IP-2-17: Refer to Response to Comment IP-2-2.</p> <p>IP-2-18: The multi-use trail on the north side of Eucalyptus Avenue is a condition of approval of future phases of the WLC development. As stated in Section 2.1, a multi-use trail is not precluded on the north side of Eucalyptus Avenue between WLC Parkway and Redlands Boulevard with the proposed SR-60/WLC Parkway interchange improvements. However, the commenter's request to include the multipurpose trail along the north side of Eucalyptus Avenue will be considered during Final Design.</p> <p>IP-2-19: The concept design in the Draft Project Report follows Caltrans' design guidelines for large trucks. The trucks with trailers were accounted for using the STAA truck design vehicle. Future phases of project development include Final Design, in which a GAD will be prepared and approved by Caltrans that represents 35% design level detail. There will be 65%, 95%, and 100% designs prepared and approved by Caltrans subsequent to approval of the 35% design. Performance checks will continue throughout the design process.</p>	

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<p>19. Please address why an Urban Interchange is not proposed. Heard that there would be off-ramp conflicts with Gilman Springs and Theodore, however the on and off ramps currently exist in a configuration that would be similar to that of an urban interchange off-ramp. There is also the possibility of running the westbound Gilman Springs traffic through to Theodore thus avoiding the on/off conflict. This design would be similar to the westbound ramp configurations on I-10 between Tennessee and Alabama.</p>	<p>IP-2-20</p>	<p>IP-2-20: Six alternatives were considered in the 2015 Traffic study for the SR-60/WLC Pkwy Interchange Project, including a collector-distributor configuration similar to that on I-10 between Tennessee Street and Alabama Street. This alternative did not perform as well as the Preferred Alternative (Alternative 6) and so it was not advanced for study in the updated Traffic Study.</p>
<p>20. The analysis for project traffic impacts must go at least 15 miles west and east of the project area to incorporate impacts to the 215/60 and the 60/91/215 interchanges and the I-10/SR-60 merge, otherwise your analysis will be inadequate to assess through traffic conditions.</p>	<p>IP-2-21</p>	<p>IP-2-21: The comment appears to confuse the SR-60/WLC Pkwy Interchange Project, which is on the supply side of the supply/demand balance for roadway capacity, with a land development project, which is on the demand side. A major land development project like the WLC would indeed increase traffic volumes. In contrast, an interchange improvement project like the WLC Parkway interchange will only affect how traffic redistributes itself among alternate routes serving the same area. That is why there was no need to extend the analysis beyond the SR-60 interchanges and surface streets serving the eastern end of Moreno Valley. Impacts for traffic generated by the WLC were addressed in the EIR for the development project and are outside the scope of this study of the SR-60/WLC Pkwy Interchange Project. Per Caltrans standard practice, a safety and operations concern for a new access on the State highways should include the first interchange on upstream and downstream, and along local roadway should extend at least to the first adjacent signal intersection in either direction or to the first major intersection. There is no need to study within 15 miles for the proposed a new interchange.</p>

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<p>21. If this interchange is built it will enhance the viability of the World Logistics Center (WLC) thus fostering or inducing the growth of warehousing and their associated traffic. It will also increase the need for freeway expansion and roadway expansions to handle the excessive traffic. How do you plan to address the growth inducing aspect of this project?</p> <p>22. Address the current roadway capacity of SR-60 through Moreno Valley beginning at the 60/215 interchange and at what traffic volume will it necessitate the installation of additional highway lanes. If the WLC traffic initiated this project, at what warehouse construct square foot capacity would there be a mandate for extra lanes and other highway improvements? How will Caltrans provide them or mandate that construction cease until until improvements can be made?</p> <p>23. Will all the off-ramps include long cueing lanes and acceleration lanes outside of the through traffic lanes on the highway? How long will they be? Will all ramps at Redlands and Gilman Springs be improved in a timely fashion to handle the WLC traffic volumns?</p>	<p>IP-2-22: This comment states that the proposed project would enhance the viability of the WLC, inducing growth and associated traffic and the need for transportation infrastructure. Growth-inducing impacts of the proposed project are detailed in Section 2.3, Growth, of this Final EIR/EA. As discussed in Section 2.3, the improvements identified under the two Build Alternatives and their respective design variations for the SR-60/WLC Pkwy interchange are unlikely to attract additional industrial development beyond what is currently approved and new population into the Moreno Valley planning area despite the area currently being largely vacant, because build out of the areas surrounding the interchange is already anticipated and projected to occur by the City and the Southern California Association of Governments (SCAG), which is the designated Metropolitan Planning Organization responsible for ensuring that transportation and land use decisions in the six-county Southern California region that includes Riverside County are made in harmony. This is because the proposed World Logistics Center Specific Plan, as planned, envisions the full build out of the majority of the area south of SR-60 with industrial/business park uses, and these proposed land uses are what were used in the area growth trends developed by SCAG. This project would not exceed project-specific demand. As specified in Section 1.2 Purpose and Need of this Final EIR/EA, a purpose of this project is to increase the minimum vertical clearance for the overcrossing because current Caltrans standards require 16 ft 6 inches of minimum vertical clearance and the existing vertical bridge clearance is 15 ft 2 inches. In addition, the overpass bridge was hit by an excavator hauled on a flatbed trailer in January 2015 and was hit by an unknown vehicle in June 2019. Other purposes of the project are to increase capacity at the interchange, reduce traffic congestion, and improve traffic operations at the existing freeway interchange.</p> <p>IP-2-23: See Response to Comment IP-2-22 and Common Response #1.</p> <p>IP-2-24: This project would add 1 auxiliary lane in each direction between WLC Parkway and both Redlands Boulevard and Gilman Springs Road. The off-ramp and on-ramp geometric concepts provide standard acceleration and deceleration length per Caltrans' Highway Design Manual (HDM). The acceleration and deceleration lengths range from 460' to 870', depending on the segment. All capital projects under the jurisdiction of the City are subject to prioritization by the City Council. This location has been struck twice in the past 5 years and has sustained damages resulting in detours and costly repairs. The 60/Redlands IC has had no incidences in the same timeframe. The 60/WLC project as proposed increases the vertical clearance pursuant to current standards. Refer to the Project Report (dated November 2020), Attachment 3 – Key Map, Typical Sections, Plans and Profiles, for concept geometry related to the acceleration and deceleration lengths and auxiliary lanes.</p>

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<p>24. Address the likely impacts to Redlands Blvd. north of SR-60 through to San Timoteo Canyon. Redland Boulevard and San Timoteo Canyon Road are both designated truck routes which are of limited capacity to serve as such. The current condition of northern Redlands Blvd is a two-lane roadway without passing options. During the last week of November 2019 there were two separate fatal car crashes with other injuries when drivers crossed the center line. Future traffic conditions will only get worse and time lines need to be established for improvements beyond the interchange which would not be necessary if the interchange and the WLC are not built. Expect to see recommendations or mitigation measures for outlying roadway expansion the City should implement as traffic increases with construction of this interchange.</p>	<p>IP-2-25: The commenter refers to impacts to Redlands Boulevard north of SR-60 to San Timoteo Canyon Road, over 3.5 miles from the proposed project site. It should be noted that, as stated in Common Response #1, the proposed SR-60/WLC Pkwy Interchange Project would not result in new unplanned growth; rather, it is intended to accommodate already planned growth (among other purposes). Therefore, no impacts to the referenced local roadways would occur as a result of the SR-60/WLC Pkwy Interchange Project. The request for improvements at Redlands Boulevard and San Timoteo Canyon Boulevard is in an area beyond the City of Moreno Valley sphere of influence, which lies within the jurisdiction of the County of Riverside.</p>
<p>25. Address the likelihood of truck and passenger traffic going northbound on Theodore Street and continuing up Highland Street to Redlands Boulevard bypassing Ironwood. This is the shortest route through to northbound Redlands Blvd on a residential street.</p>	<p>IP-2-26: The SR-60/Redlands Boulevard interchange project, which is the one that might affect the area cited in the comment, is a separate project from the SR-60/WLC Pkwy Interchange Project that is the subject of this EIR/EA. To the extent that improvements to the SR-60/WLC Pkwy interchange would affect traffic on Redlands Boulevard, the effect would be to reduce traffic there by providing an alternate route for at least some users.</p>
<p>26. The roundabout designs seem more favorable if they are an acceptable design for the length of trucks with trailers. Please verify how the determination is made that the design works of the intended user.</p>	<p>IP-2-27: Two geometric focus meetings were held with Caltrans, the City, and consultants with respect to the roundabout alternative. The first was on February 11, 2015 (attended by Traffic Operations, Design, and Headquarters Project Delivery from Caltrans), and the second was on January 8, 2019 after the PA/ED phase was reinitiated. Several key elements related to roundabouts were discussed at both focus meetings, including fastest path, truck turning, lane configurations, and pedestrian connectivity. Truck turning was specifically analyzed for two (2) STAA trucks to be able to simultaneously maneuver the roundabout side-by-side. It was determined that the proposed design was acceptable and will continue to be refined during future phases or project development. Trucks with trailers were accounted for in the traffic analysis using Passenger Car Equivalent (PCE) factors that relate the vehicle performance and physical size of large trucks to an equivalent number of passenger cars. Additionally, a consultant roundabout expert that was not familiar with the project at that time provided an independent review on the roundabout design prior to the January 10, 2019 focus meeting. Future phases of project development include Final Design in which a GAD will be prepared and approved by Caltrans that represents 35% design level detail. Subsequent to approval of the 35% design, 65%, 95% and 100% designs will be prepared and approved by Caltrans.</p>

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<p>27. The roundabout design will impact the current land uses proposed in the World Logistics Center Specific Plan. What compromise and/or re-evaluation of the land uses will be made? This evaluation should consider the intended uses (a gas station was proposed) and what access points would be acceptable to the proposed interchange and roadway configurations south of the interchange. To avoid traffic conflicts between the southern ramps and the roundabouts a mitigation measure for a "No Access" easement along WLC Pkwy should be required between the north and south roundabouts and the interchange ramps.</p> <p>28. Please define the extent of Caltrans' authority/control beyond the interchange north and south of the current highway easement.</p> <p>29. City provided traffic counts indicate that the Redlands interchange is currently experiencing traffic at 10 times that of Theodore. Please evaluate the need and impacts likely to occur if improvements are not being made to the Redlands interchange in conjunction with or before Theodore/WLC improvements. Development of WLC warehouses will begin to increase traffic rapidly that further impacting and interchange already in need of upgrading.</p>	<p>IP-2-28: The comment appears to be concerned about whether roundabouts are compatible with the land uses planned for the WLC.</p> <p>Experience has shown that roundabouts work better for trucks than signalized intersections because they eliminate the need to decelerate to a halt and then start again from a complete stop. For that reason, roundabouts are now being used at the entrances to truck stops and other locations with a high percentage of truck traffic.</p> <p>Proposed Caltrans access control extends between the eastbound ramps intersection (southern ramps) and the approach to the roundabout at Eucalyptus Avenue and WLC Parkway. Any improvements proposed beyond the scope of the SR-60/WLC Pkwy Interchange Project (such as a gas station as the comment suggests) would require approval by Caltrans, which means analysis would need to be performed to indicate whether any future proposed improvements within Caltrans access control would negatively affect the performance of the State Highway interchange.</p> <p>Design Variation 6a would result in a minor land use inconsistency due to the conversion of one parcel designated as a residential land use to a transportation use. Any land use changes resulting from Design Variation 6a would be incorporated into the next regularly scheduled update of the County's and City's General Plan Land Use Element.</p> <p>IP-2-29: Caltrans is the owner-operator of the State Highway System, and as such, its jurisdiction is limited to the State Highway System. Figures 1-2 through 1-5 in Chapter 1 of this Final EIR/EA illustrate the existing right-of-way as well as the proposed Caltrans right-of-way extension for both of the project's build alternatives and design variations. As described in detail in Section 2.4.2 of this Final EIR/EA, the construction of a build alternative would require the acquisition of additional right-of-way. All right-of-way acquisition would be conducted in accordance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.</p> <p>IP-2-30: This study assumes that the SR-60/Redlands Boulevard interchange improvements will happen before the WLC interchange improvements, which is consistent with the best available information at the time of the study (FTIP ID RIV080902). In the event that improvements at the SR-60/Redlands Boulevard interchange were to be delayed for some reason, then the need to quickly improve the SR 60/WLC Pkwy interchange would be even greater than indicated in the EIR. All capital projects under the jurisdiction of the City are subject to prioritization by the City Council. This location has been struck twice in the past 5 years and has sustained damages resulting in detours and costly repairs. The 60/Redlands IC has had no incidences in the same timeframe. The 60/WLC Parkway project as proposed increases the vertical clearance pursuant to current standards.</p>

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<p>30. At present the Redland Boulevard/SR-60 Interchange experiences a fairly high level of peak AM and PM traffic that will only intensify in the next couple of years as tenants occupy the Prologis warehouses and the build out of the approved Sketchers expansion. When will Caltrans begin the Redlands interchange improved to handle the existing and future impacts?</p>	<p>IP-2-31</p>
<p>31. It is my recollection that development of the Prologis warehouse included mitigation measures requiring improvements to the SR-60 eastbound off-ramp and the widening of Redland Blvd south to Eucalyptus. The current traffic back up on the off ramp warrants two lanes for left and right turns. When will these improvements be made? Per the DEIR Traffic Study this off ramp will be the primary access for Skechers when WLC Pkwy ramps are closed for four to eight months.</p>	<p>IP-2-32</p>
<p>32. Traffic Impact milestones must be established and defined that preclude continued development beyond critical traffic impact points, without the interchange, until such time that the traffic impacts have actually been mitigated and the roadways can handle the traffic prior to project completion. Currently, neither the Redlands nor the Theodore interchanges are capable of handling project capacity traffic. Define what types of mitigation measures can be established that set milestone limits on the square feet of warehouse construction in conjunction with interchange improvement milestones?</p>	<p>IP-2-33</p>
<p>33. The World Logistic Center (WLC) is still in litigation with the outcome still in doubt. How is this expenditure of public money justified for a project that may never be built when there are other nearby interchanges near or at their traffic capacity? While this is true, the FEIR for this project must include all the traffic generated and induced by the WLC as well as all other current and foreseeable projects within at least 10 miles to evaluate area cumulative impacts on SR-60.</p>	<p>IP-2-34</p>

IP-2-31: The first sentence of this comment is not an accurate statement. The current LOS at the SR-60/Redlands interchange is C which meets the City's LOS goal of D or better for employment areas. Also, the commenter attributes the worsened condition to the Prologis and Skechers warehouses, which are not the project under consideration at this time.

The traffic study takes into account all development projects that were reasonably foreseeable at the time of notice of preparation. The commenter asks when improvements to the SR-60/Redlands Boulevard interchange would occur in order to accommodate existing and future impacts. The City Council addresses the priority of projects based on many factors, including input from residents and available funding. All capital projects under the jurisdiction of the City are subject to prioritization by the City council. This location has been struck twice in the past 5 years and has sustained damages resulting in detours and costly repairs. The 60/Redlands Boulevard IC has had no incidences. The 60/WLC Parkway project as proposed increases the vertical clearance pursuant to current standards. Please also refer to Response to Comment IP-2-5.

IP-2-32: The commenter states that development of the Prologis warehouse is required as mitigation improvements to the SR-60 eastbound off-ramp at Redlands Boulevard and the widening of Redlands Boulevard south to Eucalyptus Avenue. Based on the Final EIR for the Prologis Eucalyptus Industrial Park, Measure 4.11.6.4A specifies that the project shall construct traffic improvements consisting of traffic signal installation and addition of turn lanes at specified locations. Measures 4.11.6.4B through 4.11.6.4E also specify the project shall submit payment of fair share fees under the Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) that would be used towards several different traffic improvement projects, as specified in the measures. Timing is subject to change based on City Council priorities and available funding.

IP-2-33: This comment requests that traffic impact milestones be established to limit the amount of development (specifically square feet of warehouses) in the area until the SR-60/WLC Pkwy Interchange Project and other roadway capacity improvements are completed. As a State transportation agency, Caltrans does not have any regulatory land use authority through which to impose such conditions. Impacts for traffic generated by the WLC, a separate project, were addressed in the WLC EIR.

IP-2-34: The commenter questions the expenditure of public funds for the SR-60/WLC Pkwy Interchange Project in light of the fact that the WLC development project is currently in litigation. Please refer to Common Response #1 for detailed information regarding the relationship between the two projects. Please also refer to Response to Comment IP-3-10 for further information regarding the traffic-generating characteristics of this interchange project. Current and foreseeable future projects were assessed in Section 2.23, Cumulative Impacts, of this Final EIR/EA.

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<p>34. Provide a fiscal impact analysis that addresses and evaluates the fair share of traffic mitigation fees that could and should be collected by all nearby future development based on land uses that would benefit from this project's installation.</p>	<p>IP-2-35</p>
<p>35. The fiscal impact analysis needs to address the funding sources to pay for the cost of this project. Will enough funds be available? Will the City be encumbering itself with improvement bonds or long term commitment of Measure A funds?</p>	<p>IP-2-36</p>
<p>36. An example of the TUMF fees that could be collected to offset the interchange improvements fall far short of the project's fair share as shown below:</p>	<p>IP-2-37</p>
<p style="text-align: center;"><u>WLC at buildout = 40,000,000 square feet</u></p> <p>Conceptually there could be 25 warehouses at 1,600,000 sf. each. Therefore the TUMF formula: $(1,600,000 \text{ sf} - 200,000 \text{ sf}) \times .36 + (200,000 \times \\$1.77) = \text{fees paid/warehouse}$. This calculates out per warehouse as: $(1,600,000 - 200,000 = 1,400,000) \times .36 = 504,000 + 200,000 = 704,000 \times \\$1.77 = \\$1,246,080$. Total project fees could be: $\\$1,246,080 \times 25 \text{ warehouses} = \\$31,152,000$. Assuming at least 25 warehouses are built, will this cover the appropriate share of the interchange improvements?</p>	<p>IP-2-37</p>
<p>37. The traffic mitigation fee (TUMF) established by Western Riverside Council of Governments (WRCOG) has established an artificially low fee for "high cube" warehouses which Moreno Valley will apply to all of the WLC warehouses. In May of 2019 the Riverside County Transportation Commission (RCTC) gave their approval for a Study for a Logistics Mitigation Fee. Please verify whether this fee has been implemented and that it will be applied to the WLC warehouses once it is established. Do not want it to be waived by a WLC Development Agreement approved by a council majority financed into office by the developer.</p>	<p>IP-2-38</p>

IP-2-35: This comment requests that a fiscal impact analysis be prepared that addresses and evaluates the fair share of traffic mitigation fees that could and should be collected by all nearby future development based on land uses that would benefit from this project's completion. As a State transportation agency, Caltrans does not have any regulatory land use authority through which to impose such traffic mitigation fees. The City of Moreno Valley participates in the countywide TUMF program. For additional information regarding the TUMF program and information on how TUMF fees are determined, refer to the Western Riverside Council of Governments website at: <https://wrcog.us/201/Studies-Documents>.

IP-2-36: With regard to project funding, as stated in Section 1.1 of this Final EIR/EA, the PA/ED phase of the SR-60/WLC Pkwy Interchange Project was funded with a mix of federal and local sources, including a Congestion Mitigation and Air Quality (CMAQ) federal grant, Measure A local match, and DIFs. Potential fund sources for future phases may include federal, State, and local grants as well as other development fees. The project will be prioritized, and potential funding sources will be identified in the City's Capital Improvement Plan as approved by the City Council. Any potential funding sources will be approved and applied consistent with federal, State, and local code requirements.

IP-2-37: The commenter provides a sample calculation of TUMF fees and asks if the fee total would cover the appropriate share of the interchange improvements. The TUMF 2019 Annual Report indicates that the TUMF fees in effect as of June 2019 for industrial land uses is \$1.77 per square foot gross floor area, which is consistent with the fees used in the calculation provided by the commenter. However, the provided calculation should be verified by the Western Riverside Council of Governments (WRCOG), as the administrator of the TUMF program, and not Caltrans. The approximate cost of the Preferred Alternative (Alternative 6), as stated in Table 1.9, Comparison of Alternatives, in Chapter 1, Proposed Project, of this Final EIR/EA, is \$87,718,000. As stated in Section 1.1, Introduction, of this Final EIR/EA, WLC Parkway/Theodore Street is on the TUMF arterial network and is eligible for funds from WRCOG.

IP-2-38: The commenter states that the TUMF established by WRCOG has established an artificially low fee that would apply to the WLC warehouses, and requests verification on the applicability of a Logistics Mitigation Fee being studied by the Riverside County Transportation Commission (RCTC). RCTC approved the nexus study in May 2019, which validated the amount and need for new mitigation fees to be imposed on new warehouses as part of the proposed program. Per RCTC's website, "Approval of the study does not mean a fee will be implemented. Establishing a fee program requires additional action by RCTC and local jurisdictions." As of June 2020, no program has yet been implemented. However, it is important to clarify that approval of warehousing developments are not part of the SR-60/WLC Pkwy Interchange Project, the scope of which is limited to improvements on the State Highway system.

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<p>38. Would Caltrans consider adopting a development mitigation fee to help the state off-set highway infrastructure costs?</p> <p>39. The air quality evaluation must include the exhaust emission intensities expected at this interchange under both design scenarios and for the intensification of slow moving truck exhaust along SR-60 through Moreno Valley. Shower truck movement and long cueing could create a very unhealthy zone that may need to require air quality mitigation to any facility built adjacent to it or even existing homes and business along SR-60. This could include the adjacent warehouses themselves.</p> <p>40. The City of Moreno Valley is in the initial stages of updating its General Plan. There are large areas of vacant land near this project that will likely be targeted for land use changes. Please address how the unknown land uses could be factored into this project's overall evaluation. There is a high probability the City's preferred land uses will be more intensive than the current uses and thus diminish the EIR results and conclusions. How will this project prejudice land uses in the general plan update currently in progress?</p> <p>Should you have any questions about the preceding comments please contact me. I would also like to make sure I am personally noticed for all further activities/events associated with this project. My contact information is below.</p> <p>Sincerely,</p> <p><i>Tom Thornsley</i> Tom Thornsley 29170 Stevens Avenue Moreno Valley, CA 92555 tomthornsley@hotmail.com</p>	<p>IP-2-39: Caltrans has no land use approval authority and therefore has no authority to impose development impact fees.</p> <p>IP-2-40: Section 2.14.3.2 in the Draft EIR/EA and this Final EIR/EA includes an analysis of the exhaust emissions for the Build and No Build scenarios. The analysis concluded: "Based on the Traffic Study Report (January 2019), the proposed project would provide increased interchange capacity and improve existing interchange geometric deficiencies to improve traffic flow without increasing the traffic volumes along the WLC Pkwy or SR-60, as shown in the Air Quality Report (January 2020). Therefore, the project would have no long-term regional vehicle air emission impacts." While there may be other reasons that the vehicle traffic could increase on the project roadways and intersections, this project would not be the cause.</p> <p>IP-2-41: This comment expresses concern regarding potential changes in land use classifications in the SR-60/WLC Pkwy Interchange Project area that may result from the City of Moreno Valley's General Plan Update, which is currently in progress and scheduled for completion in mid-2021. It states "there are large areas of vacant land near this project that will likely be targeted for land use changes". The "large areas of vacant land near this project" are currently classified as Mixed Use Development in the City's current General Plan Land Use Map. The commenter speculates that the updated General Plan will result in more intensive land uses. Any such intensification would be addressed as part of the City's EIR for the General Plan update after this project EIR/EA is complete. The Draft EIR/EA for the SR-60/WLC Pkwy Interchange Project was based on the adopted General Plans and land use plans in effect at the time the studies were conducted; therefore, no changes were made to this Final EIR/EA in response to this comment.</p>

<p>Comment Letter IP-3 and Responses</p>	
<p>From: George Hague To: 0H590.Comments@DDOT Subject: Sierra Club Comments on SR-60/World Logistic Center Parkway Interchange Project Draft EIR/EA Date: Monday, June 8, 2020 4:49:19 PM Attachments: 357CD7AF-6806-4308-9F70-C4158D24021D.png WLC JUNE 14, 2018 WRIT OF MANDATE.pdf 2018.06.07 Judgment Entered-WLC.pdf Brief Amici Curiae Final (1).pdf May 14 2020 Comment re World Logistics Center Revised Final Environmental Impact Report - SCH # 2012021045.pdf 2012021045 FEIR_CityofMorenoValley_WorldLogisticsCenter (002).pdf WLC Revised FEIR Comments 5.14.2020.pdf</p> <hr/> <p style="background-color: yellow;">EXTERNAL EMAIL. Links/attachments may not be safe.</p> <p>To: Antonia Toledo Senior Environmental Planner</p> <p style="text-align: right;">June 8, 2020</p> <p>RE: Comments on SR-60/World Logistic Center Parkway Interchange Project Draft EIR/EA</p> <p>The Moreno Valley Group of the Sierra Club appreciate this opportunity to make comments on this premature project because the World Logistic Center (WLC) is still being litigated by the Sierra Club and other groups. We protest the expenditure of public money for a project which may not be built or built in its current form. Both the WLC developer and his council member majority who he supported with \$10,000's have done what they can to make sure the WLC was never brought to a vote of the people of Moreno Valley. Therefore please do not ever write that the interchange is what the residents of Moreno Valley desire.</p> <p>Page 2 of the traffic report mentions the WLC was approved by the City Council in 2015, but fails to mention that Judge Waters ruled against the project on June 12, 2018 and wrote in her decision that the WLC's "EIR is voided in whole." Those rulings are attached and must be printed in full in the Final EIR. This ruling is in the Court of Appeal with the decision being available shortly and well before this Final EIR. The State attorney General's office wrote a joint Brief of Amici Curiae with the California Air Resources Board (CARB) against the WLC position on Greenhouse Gas (GHG) — dated January 10, 2020. It is attached and must be printed in full in this project's Final EIR</p> <p>On May 1, 2020 the WLC released a Revised Final EIR which will be voted on June 16, 2020 by the City Council. The State Attorney General wrote a joint letter dated May 14, 2020 with the California Air Resources Board (CARB) which is attached raised major concerns on the latest version of the WLC. The California Department of Fish and Wildlife (DFW) also wrote a letter dated May 13, 2020 expressing major concerns on the latest WLC environmental documents and it is attached. I have also attached a May 14, 2020 letter by Earthjustice on the WLC's latest WLC environmental documents. All three of these letters must appear in full in this project's FEIR or it will be inadequate.</p>	<p>IP-3-1: The commenter states their opposition to the expenditure of public funds for the interchange project. Caltrans acknowledges the commenter's opposition to the project. It is important to note that the SR-60/WLC Pkwy Interchange Project is an independent project from the WLC development. Please refer to Common Response #1 for further details on the relationship between the two projects.</p> <p>IP-3-2: The commenter indicates that materials attached to the comment submittal (Ruling on peremptory writ of mandate, <i>Paulek et al. vs. City of Moreno Valley</i>, and Brief of Amici Curiae) should be printed in full in this project's Final EIR/EA. The referenced attachments to this comment letter have been reviewed and are included in this Final EIR/EA and thereby included in the Administrative Record for the project. However, it should be noted that the inclusion of these materials has no bearing on the adequacy of this Final EIR/EA in compliance with CEQA and NEPA.</p> <p>IP-3-3: Refer to Response to Comment IP-3-2.</p>

<p>Comment Letter IP-3 and Responses</p>	
<p>These letters from State Agencies and Earthjustice point out that you cannot rely on the ultimate size of the WLC which impacts the validity of your traffic analysis and need for this project. They also show that you cannot rely on the WLC's GHG and air quality impacts on the region as part of your cumulative analysis. Without valid numbers from the WLC your analysis is faulty in many areas. Based on the excellent June 2020 letters submitted on the WLC's latest Revised Final EIR, I would not be surprised if the WLC would be in court because of their inadequate environmental documents. Your purpose for the project to "Provide increased interchange capacity, reduce congestion, and improve traffic operations to support the forecast travel demand for the 2045 design year" (page 5 traffic study) is based on a WLC project that may never happen. The City of Moreno Valley is currently doing a General Plan Update (GPU) and Climate Action Plan (CAP) which will not be complete until almost one year from now. Just because the WLC is approved by a City Council majority doesn't mean an unbiased judge will approve its flawed environmental documents. Your environmental review process is a waste of time and tax payers' money until you know what the true zoning will be for the lands shown on Exhibit 2 of the Traffic Study.</p>	<p>IP-3-4</p> <p>IP-3-5</p> <p>IP-3-6</p> <p>IP-3-7</p> <p>IP-3-4: Refer to response to comment IP-2-14.</p> <p>IP-3-5: The only aspect of the analysis of impacts in this Final EIR/EA that is related to the WLC is the cumulative impacts analysis because the WLC is an independent project that would be located near this project. This Final EIR/EA includes a discussion of cumulative air quality impacts in Section 3.2.3.1. The analysis concludes, "The proposed project would improve traffic flow without increasing the traffic volumes along WLC Pkwy or SR-60. Therefore, the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant. Impacts would be less than significant." At the time of preparation of this document, the best available information and assumptions were used. Refer to response to comment IP-3-9 for information regarding incorrect or "faulty" analyses.</p> <p>IP-3-6: As stated in Common Response #1, the SR-60/WLC Pkwy Interchange Project and the WLC Specific Plan are independent projects. Although the WLC Specific Plan traffic analysis assumed the completion of the SR-60/WLC Pkwy Interchange Project, that does not mean the two projects are dependent upon one another. Furthermore, the commenter only identified one purpose of the proposed project. Refer to Section 1.2 of this Final EIR/EA for the entirety of the project's purpose and need.</p> <p>IP-3-7: The commenter states that the "true zoning" of land shown on Exhibit 2 of the Traffic Study is not yet known. The referenced exhibit is the City of Moreno Valley's Land Use map, indicating a "print date" of November 2017. The SR-60/WLC Pkwy Interchange Project is located in an area that, per the November 2017 land use map, is primarily zoned BP (business park use) south of SR-60, and O (office use), R1 (residential with maximum 1 dwelling unit per acre), and RR (rural residential with maximum 2.5 dwelling units per acre) north of SR-60. It is acknowledged that the City of Moreno Valley is currently in the process of updating their 2040 General Plan. Per the city's website (http://www.moval.org/cdd/documents/general-plan-home.html, accessed June 24, 2020), as part of the General Plan update, the City intends to update the Housing Element, develop a Climate Action Plan, and prepare an EIR in support of these updates. Because the primary updates to the General Plan are related to the housing element, it is not likely that the General Plan update will result in substantial changes to zoning designations or the land use map south of SR-60 in the project area. However, the City of Moreno Valley is a CEQA Responsible Agency for this project and as such is highly involved in the development of the project. Additionally, although one of the purposes of the SR-60/WLC Pkwy Interchange Project is to accommodate a facility that is consistent with the City's General Plan, the project is also planned to improve existing interchange geometric deficiencies as well as provide capacity and improve operations to support the forecast travel demand in the 2045 design year. The project is needed to provide current geometric standards related to vertical clearance, correct non-standard ramp geometry and a lack of pedestrian facilities, as well as to provide an acceptable level of service in the 2045 design year. Therefore, even if land uses in the area of the project change, there is still a demonstrated need for the project.</p>

<p>Comment Letter IP-3 and Responses</p>	
<p>This interchange project will prejudice our current GPU efforts and could result in lands being zoned differently. It appears that those connected to the World Logistic Center are using the following names to purchase many parcels of land with 1,000's of acres on both sides of SR-60:</p> <p>13541 Theodore (one property - south of the fwy) Theodore Property Partners (residence - north of the fwy) Sunnymead Properties (36 parcels - all south of the fwy) Raceway Prop (4 - All North of the Fwy) Highland Fairview Prop (18 South of the Fwy) Professors Highlanderson Proppartners (8 - mostly north of the fwy)</p> <p>HIGHLAND FAIRVIEW; HIGHLAND FAIRVIEW OPERATING COMPANY, a Delaware general partnership; HF PROPERTIES, a California general partnership; SUNNYMEAD PROPERTIES, a Delaware general partnership; 13451 THEODORE LLC, a California limited liability company;</p> <p>The Final EIR/EA needs to justify spending taxpayers' money on an expensive project mainly to benefit the WLC which is still in court for the foreseeable future while at the same time making lands owned/controlled by them more valuable. The Draft EIR/EA did not fully explained the justification of spending public funds for the sole benefit of the WLC. This is valid for the Final EIR/EA, because the entire project needs to be justified. There was a previously approved project on basically the same lands of the proposed WLC and set unbuilt for more than 20 years. The Sierra Club expects this project to prejudice land uses and zoning during the City's current general plan update. How much of the land within a half mile of the project is outside the WLC, but owned by those connected to the project? Will the interchange be giving a monetary windfall in the form of major up-zoning? Your agency needs to look into this to make sure you are not being used to benefit the WLC developer and those connected to the WLC.</p>	<p>IP-3-8: The commenter indicates that the project may influence zoning in the City of Moreno Valley's General Plan update and that the project is not justified. Refer to Common Response #1 for further information as to the project's relationship to the land uses and current development in the area. Although accommodation of future land uses is one purpose of the SR-60/WLC Pkwy Interchange Project, it is not the sole purpose of the project. As stated in Section 1.2.2 of this Final EIR/EA, the project is also needed to meet current geometric standards related to vertical clearance, non-standard ramp geometry, and lack of pedestrian facilities.</p> <p>As stated in Section 1.1, Introduction, of this Final EIR/EA, this project is on the TUMF arterial network and is eligible for TUMF funds, which would be paid by new development. Therefore, the assertion that the project would be used to benefit any developer is not accurate; rather, development in the area would be responsible for paying into the TUMF program to assist in funding needed transportation improvements in the area.</p>

Comment Letter IP-3 and Responses		
<p>Your "assumptions regarding the WLC were taken from the EIR update currently being prepared" (page 5 traffic study) and cannot be assumed to be correct in many areas which causes your Draft EIR/EA to be inaccurate. These latest WLC documents have not gone through public or judicial review and should not be used. Page 5 of the traffic study reads that this project's traffic analysis assumes significant improvements to Redlands Blvd and Gilman Springs Road which should not be assumed and also makes the analysis inaccurate.</p>	<p>IP-3-9</p>	<p>IP-3-9: The commenter states that utilizing assumptions from the WLC project, which is currently still in development, caused the Draft EIR/EA to be inaccurate. CEQA Guidelines Section 15384 states that "Substantial evidence' as used in these guidelines means enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached...substantial evidence shall include facts, reasonable assumptions predicated on facts, and expert opinion supported by facts" [emphasis added]. The inclusion of assumptions regarding the WLC project are reasonable inferences based on the information and facts currently known to Caltrans and the PDT.</p>
<p>This project will impact a long stretch of SR-60 and the Draft EIR/EA failed to analyze all the traffic as if the WLC would be built as well as all the background traffic from west of the 215/SR-60 interchange to the I-10/SR-60 interface. Induced traffic was not part of the analysis as well as all foreseeable projects. Traffic impacts within 12 miles need to be analyzed.</p>	<p>IP-3-10</p>	<p>The commenter also states that the assumption regarding improvements to Redlands Boulevard and Gilman Springs Road should not be assumed and renders the analysis inaccurate. As stated in the traffic study, the inclusion of these projects as assumed to be constructed are supported by the fact that these projects are included in SCAG's 2016 RTP, making these projects reasonably foreseeable.</p> <p>CEQA Guidelines Section 15003(i) states that "CEQA does not require technical perfection in an EIR, but rather adequacy, completeness, and a good-faith effort at full disclosure. A court does not pass upon the correctness of an EIR's environmental conclusions, but only determines if the EIR is sufficient as an informational document." Caltrans has made a good faith effort at disclosure of the environmental impacts of the SR-60/WLC Pkwy Interchange Project.</p> <p>IP-3-10: As described in Draft EIR/EA Section 2.6.2, the study area for the traffic analysis, which was concurred by Caltrans with the Methodology and Traffic Volumes Report (August 2018) and per Caltrans guidance (Guide for the Preparation of Traffic Impact Studies, dated December 2002), includes an analysis of adjacent local facilities upstream and downstream on the State Highway. The interchange project itself does not generate traffic; therefore, it would have no effect on freeway system traffic volumes away from the immediate area. Per Caltrans standard practice, a safety and operations concern for a new access on the State Highways should include the first interchange upstream and downstream and along local roadways should extend at least to the first adjacent signal intersection in either direction or to the first major intersection. There is no need to study within 12 miles of the proposed new interchange.</p>

<p>Comment Letter IP-3 and Responses</p>	
<p>Impact to Redlands Blvd from San Timoteo Canyon to Alessandro Blvd must also be analyzed. What additional trucks will use this route and impact health of families who live within 800 feet of Redlands Blvd. Highland Street must not be</p> <p>used in your trucks routes. This interchanged will make it more likely that more trucks will use roads that front peoples' homes like Redlands Blvd and Ironwood Ave. Homes that are within 800 to 1,200 feet of roads will quite likely have their health impacted by diesel particulate pollution. The Draft EIR/EA fails to fully address this issue. This is why the Sierra Club believes a full Environmental Impact Statement (EIS) is needed to show the direct and indirect and growth inducing and cumulative impacts this interchange project will have on families who live in Moreno Valley.</p> <p>Moreno Valley Unified School District approved the Final EIR for High School number Five on Ironwood Ave just west of the intersection with Redlands Blvd. While this High School is not currently needed it will be as our City continues to grow. This is another reason a full EIS is needed to explain the possible negative impacts this interchange will foster in the lives of people and students in this area.</p>	<p>IP-3-11</p> <p>↓</p> <p>IP-3-11</p> <p>↑</p> <p>IP-3-12</p> <p>IP-3-11: The SR-60/Redlands Boulevard interchange project (FTIP ID RIV080902), which is the project that might affect the area cited in the comment, is a separate project from the SR-60/WLC Pkwy Interchange Project, which is the subject of this EIR/EA. To the extent that improvements to the SR-60/WLC Pkwy interchange would affect traffic on Redlands Boulevard, the effect would be to reduce traffic, thereby providing an alternate route for at least some users.</p> <p>IP-3-12: The commenter indicates that an EIS is needed to show the direct and indirect growth-inducing and cumulative impacts the interchange project would have on families in the area. The potential growth impacts of the project are evaluated in Section 2.3, Growth, of this Final EIR/EA. The potential cumulative impacts (relative to all resource areas) are evaluated in Section 2.23, Cumulative Impacts, of this Final EIR/EA. The discussion of all impacts across the EIR/EA are inclusive of direct, indirect, temporary, and permanent impacts.</p> <p>The significance of the project as a whole informs the level of NEPA document to be prepared. An EIS is prepared if the project as a whole would substantially affect the environment. An EA is prepared if the level of the environmental impacts is not clearly established, and determines whether or not the project has the potential to cause substantial environmental effects. If the EA concludes that no significant impact under NEPA would occur, a Finding of No Significant Impact (FONSI) is prepared. It is important to note that both an EA and an EIS require discussion of the environmental impacts of the proposed project and alternatives; therefore, although the regulatory requirements of an EIS are more detailed and rigorous than that of an EA, an EIS would not contain substantially different or more detailed analysis than what would be presented in an EA. The FONSI for the SR-60/WLC Pkwy Interchange Project was prepared and approved as part of this Final EIR/EA because the EA concludes that the project would have no significant impact under NEPA.</p>

<p>Comment Letter IP-3 and Responses</p>	
<p>The small paragraph on page 2.4-29 on environmental justice does little to explain how this project will add to the Disadvantage Community of Moreno Valley. In part because of this project the new warehouse proposal called the Moreno Valley Trade Center (MVTC) is in planning and is very close to this project. The MVTC will be on land currently zoned for homes and across the street from occupied homes. Below my name is a state of California map showing a large area of Moreno Valley as Disadvantaged. "The statute defines a "disadvantaged community" as (1) an area designated by the California Environmental Protection Agency under Health & Safety Code Sec. 39711 (mapped here) or (2) a low-income area "that is disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation." Gov. Code 65302(h)(4)(A). A "low-income area" has "household incomes at or below 80 percent of the statewide median income . . ." or is an area designated by the Department of Housing and Community Development. Gov. Code 65302(h)(4)(C); Health & Safety Code 50093." This project will encourage other projects similar to the MVTC to impact Moreno Valley and bring more health impacts to our residents. Jurisdictions with "disadvantaged communities" like Moreno Valley requires those jurisdictions to "[i]dentify objectives and policies to reduce the unique or compounded health risks in disadvantaged communities by means that include, but are not limited to, the reduction of pollution exposure, including the improvement of air quality, and the promotion of public facilities, food access, safe and sanitary homes, and physical activity." This project is doing the reverse by bringing a use into a community which will encourage more warehousing in an area that already has approved too many warehouses. This in turn will expand the disadvantaged areas of Moreno Valley.</p>	<p style="text-align: center;">IP-3-13</p> <p>IP-3-13: This comment suggests that the discussion on environmental justice in Section 2.4, Community Impacts, should include a discussion on how the proposed project would add to the disadvantaged community of Moreno Valley by encouraging more warehousing in the area, and cites the Moreno Valley Trade Center as an example of this. As discussed in Section 2.3, Growth, of this Final EIR/EA, the improvements identified under the two Build Alternatives and their respective design variations for the SR-60/WLC Pkwy interchange are unlikely to attract additional industrial development and new population into the Moreno Valley planning area because build out of the areas surrounding the interchange is already anticipated and projected to occur by the City and SCAG, the designated Metropolitan Planning Organization responsible for ensuring that transportation and land use decisions in the six-county Southern California region that includes Riverside County are made in harmony. This is because the proposed World Logistics Center Specific Plan, as planned, envisions the full build out of the majority of the area south of SR-60 with industrial/business park uses, and these proposed land uses are what were used in the area growth trends developed by SCAG. Therefore, the proposed project would accommodate additional development already planned in Moreno Valley and is not expected to result in substantial new warehouse development in the city. Additionally, the City of Moreno Valley has the authority to approve and amend land use decisions within its boundaries. As stated in Volume 4 of Caltrans' Standard Environmental Reference, potential impacts to environmental justice populations are to be evaluated in a Community Impact Assessment (CIA) and are analyzed in accordance with Executive Order 12898, FHWA Order 6640.23A, and U.S. Department of Transportation Order 5610.2(a). The SR-60/WLC Pkwy CIA was completed in compliance with these policies, and it was found that the Build Alternatives and design variations would not cause disproportionately high and adverse effects on any minority or low-income populations. To encourage community involvement, the NOP for the public scoping period and the NOA for the Draft EIR/EA public review period were published in both English and Spanish, and a translator was made available during both the open-house public scoping meeting on December 16, 2019, and for the Draft EIR/EA virtual public hearing on May 13, 2020.</p>


<p>Comment Letter IP-3 and Responses</p>	
<p>This is why a full EIS is needed for this project to show the impacts on peoples' lives and the health of their families.</p> <p>How will this project impact animal movement? While there are a few animal linkages under SR-60 well east of the project, there needs to be one near this location because there is almost none within the Moreno Valley City limits. The Draft EIR/EA failed to show all such locations within the City of Moreno Valley. Will the project provide an off-site linkage under SR-60 if the project site is not appropriate? How will this project lead to further direct/indirect, cumulative and growth inducing loss of raptor foraging?</p> <p>The Draft EIR shows several offsite areas that will be directly and indirectly impacted by this project and yet the Sierra Club doesn't see any biological analysis of those sites. The sites are those classified as Parcels Where Acquisitions/Easements Would be Required and Temporary Construction Easements, but not limited to those.</p>	<div style="display: flex; align-items: center; justify-content: center;"> <div style="text-align: center; margin-right: 10px;"> <p>↓ IP-3-14</p> <p>↑ IP-3-14</p> <p>IP-3-15</p> <p>IP-3-16</p> </div> <div style="width: 100%;"> <p>IP-3-14: Based on the Class of Action determination per 23 CFR 771.115, a routine EA was established as the appropriate Class of Action under NEPA because the project does not involve the following factors/considerations that would otherwise require a higher level Class of Action: multiple location alternatives, debate related to the purpose and need, strong public controversy, issues related to logical termini or independent utility, an individual Section 4(f) determination, complex Endangered Species Act issues, numerous cumulative impacts, or high mitigation costs. Furthermore, an EIS was not identified as the appropriate Class of Action because the direct and indirect impacts as evaluated in the Draft EIR/EA would not significantly affect the quality of the human environment.</p> <p>IP-3-15: As discussed in Section 2.17.2.3 of the Draft EIR/EA and this Final EIR/EA, the project site does not serve as a wildlife corridor, and identifies that an existing 60-inch drainage culvert located northwest of the SR-60/Gilman Springs Road interchange within the project limits may be usable as a localized wildlife crossing, and the project would include measures to improve its functionality as a wildlife crossing. As identified in Section 2.20 of the Draft EIR/EA and this Final EIR/EA, impacts to raptors and other nesting birds were evaluated. The project will have temporary impacts to raptors (e.g., burrowing owl) and other nesting birds, but no permanent impacts. The project has incorporated avoidance and minimization measures so that no mitigation measures are required.</p> <p>IP-3-16: As identified in Section 2.17.2.1 of the Draft EIR/EA, the BSA for the project represents the area of potential direct and indirect project impacts to biological resources and includes the proposed ground disturbance area associated with the proposed project, including the grading limits and staging areas. The BSA also extends beyond the maximum extent of potential direct impact where necessary to identify sensitive biological resources within and adjacent to the project area. See Response to Comment IP-1-5.</p> </div> </div>

<p>Comment Letter IP-3 and Responses</p>	
<p>This project will result in noise/vibration, light, runoff, air and particulate pollutions which will impact biological resources.</p> <p>"The following article on "Noise pollution and the environment : (https://www.science.org.au/curious/earth-environment/noise-pollution-and-environment) expresses concerns on the impact of noise on wildlife. The following comes from this link: https://www.science.org.au/curious/earth-environment/noise-pollution-and-environment</p> <p>"The population and diversity of certain bird populations has been shown to decline or change when exposed to continuous noise generated by urban environments, such as roads, cities and industrial sites. Research suggests that wildlife <i>may</i> be more susceptible to air pollutant impacts than humans, due to their smaller size, higher respiration rates, smaller lung capacities, ingestion of local plant materials that have also been exposed, higher metabolic rates, etc., although some factors like shorter lifespans would reduce the length of exposure over time. All forms of impacts caused by this project— directly, indirectly, cumulative and growth inducing — need to be fully analyzed on all lands directly and indirect Impacted. Currently there is little light pollution north of SR-60. What will be done by this project to use the least amount of light as possible and on the shortest poles possible. This will not only impact biological resources, but also those who people who live in the more rural area of NE Moreno Valley.</p> <p>The City of Moreno Valley has a trail system as does Riverside County. Both systems are not far from the project site. The Draft EIR failed to show how the proposed project and interconnecting roads will impact both trail systems — directly and/or indirectly. These trail system analysis must include all levels of</p> <p>current and proposed bicycle paths.</p>	<p>IP-3-17: The cumulative impacts to biological resources have been assessed in the Natural Environment Study (NES), WRCMSHCP Consistency Assessment, and Determination of Biologically Equivalent or Superior Preservation (DBESP) for the SR-60/WLC Pkwy Interchange Project. The USFWS and California Department of Fish and Wildlife (CDFW) provided concurrence to Caltrans on the subject biological studies and determined the project to be consistent with the WRCMSHCP. The USFWS and CDFW concurrences are provided in this Final EIR/EA. The results of these studies are presented in Sections 2.17 through 2.23 of this Final EIR/EA.</p> <p>IP-3-18: As indicated in measure VIS-3, construction lighting types, plans, and placement shall be reviewed at the discretion of the Caltrans District Landscape Architect and in accordance with Moreno Valley Municipal Code Section 9.10.110 in order to minimize light and glare impacts on surrounding sensitive uses. As indicated in measure VIS-4, compliance with Caltrans Standard Design Practices, including the use of directional lighting, and Moreno Valley Municipal Code Section 9.10.110 will be used to reduce new sources of light and glare impacts introduced during operation. Implementation of these measures would reduce impacts on nearby sensitive uses, including biological resources and surrounding residents. Refer to Section 2.7 for additional discussion regarding light and glare impacts.</p> <p>IP-3-19: As stated in Section 2.1.3.2 of this Final EIR/EA, impacts to the land use study area include parks and recreational facilities within approximately 0.5 mile of the project area. Furthermore, Figure 2.1-3 shows the existing bike lanes, existing multiuse trails, and proposed trails within the land use study area and in the vicinity of the land use study area. Figure 2.1-3 is based on data collected from local jurisdictions and consolidated by SCAG, as well as the City's Master Plan of Trails. The impacts identified in Section 2.1.3.3 include impacts to the aforementioned bike lanes and trails as discussed in Section 2.1.3.2 and shown on Figure 2.1-3 of this Final EIR/EA.</p> <p>Further, as stated in Section 2.1.3.3, Build Alternative improvements would not occur west of Redlands Avenue; therefore, there would be no temporary or permanent impacts to the existing Class 2 bike path along Eucalyptus Avenue. Widening and utility and signal modifications are proposed at the Redlands Boulevard/Ironwood Avenue intersection, which would result in temporary impacts to the existing Class 3 bike path along Ironwood Avenue during construction. However, the bike path would be restored when construction is completed, and no change in land use would occur. There would be no temporary or permanent impacts to the existing trail along Cottonwood Avenue and the west side of Redlands Boulevard because no construction-related activities are proposed within the trail locations, and no change in land use would occur. Additionally, the proposed project includes a multi-use trail on the east side of WLC Pkwy/Theodore Street between Ironwood Avenue and Eucalyptus Avenue, and will not preclude the proposed trail on Eucalyptus Avenue between Redland Boulevard and WLC Pkwy.</p>
<p style="text-align: right;">IP-3-17</p>	
<p style="text-align: right;">IP-3-18</p>	
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<p style="text-align: right;">IP-3-19</p>	

<p>Comment Letter IP-3 and Responses</p>	
<p>The Final EIR/EA needs to show how long accelerations lanes must be to allow merging into the FLOW of traffic of SR-60. At what speed will they allow full semi-trucks reach before merging? Will that speed allow cars that follow trucks on the acceleration lane to safely merge onto SR-60? The Draft EIR/EA failed to have a chart of acceleration lane lengths in 50 ft increments which show the speed of a full semi-truck at each increment until 55 MPH is reached. How many lanes will SR-60 ultimate buildout to accommodate all future growth? When do you see this happening? How will this project be modified to accommodate the increasing lanes to SR-60? Response to these questions and other questions must be fully explained in the Final EIR/EA or the document will be inadequate</p> <p>How many semi-trucks will the cueing lines be able to hold before they interfere with the flow of traffic on SR-60 – many have two trailers? The WLC will have more than 50,000 daily vehicle trips which includes more than 12,000 daily diesel truck trips. What efforts are being made on both cueing lines and acceleration lanes to accommodate this amount of traffic as well as that of homeowners and other businesses that may use the project.</p>	<p>IP-3-20</p> <p>IP-3-20: The Build Alternatives include auxiliary lanes that provide accelerating distance in addition to acceleration on the on-ramp. The lengths of auxiliary lanes are shown in the layout plans in the Project Report and Final EIR/EA (Section 1.3.2.2, Roadway Improvements). The project proposes acceleration lengths (on-ramps) and deceleration lengths (off-ramps) per standard geometric requirements as identified in the Caltrans Highway Design Manual (HDM). The concept geometry is in accordance with the Caltrans HDM with respect to design speed. Per Caltrans HDM Section 504.3, Ramps, the design speed is 25 mph at the intersection of the ramp and the local road (WLC Parkway), and 50 mph at the ramp exit nose. “Exit nose” is a Caltrans term and is a specific location on the ramp. Refer to the Caltrans HDM figures in Section 504 to locate where the exit nose is related to the ramp geometry (it is before the location where the ramp merges with the mainline). The Caltrans HDM guidance does not provide additional details relative to design speed at other locations along that ramp and/or for different design vehicles. Caltrans ultimately plans for SR-60 to have 3 through lanes in each direction. That widening would be a separate project and subject to its own environmental document. The current project would add 1 auxiliary lane in each direction between WLC Parkway and both Redlands Boulevard and Gilman Springs Road.</p> <p>IP-3-21</p> <p>IP-3-21: The eastbound and westbound off-ramps can store approximately 12 and 32 tractor-trailers, respectively. The operational analysis shows that the off-ramp lengths are sufficient to accommodate 95% queues plus deceleration distance. Auxiliary lanes included for all on- and off-ramps of the Build Alternatives will additionally accommodate acceleration and deceleration for all vehicles types.</p>

Comment Letter IP-3 and Responses	
<p>The Sierra Club assumes that the regular flow of traffic on SR-60 and nearby roads will be interrupted during construction. The Final EIR/EA needs to explain this impact and all others in words the average person can understand. Where and for how long will traffic be diverted? What will be the trigger for the project to begin construction? Will it begin before the WLC does any improvements? Will it begin after a certain percentage of the WLC is built? The Draft EIR/EA failed to explain the time line for construction of the project so the public knows how long their lives will be interrupted. Which is another reason to do a full EIS to reduce these impacts on people. Will it be done during certain times of the year so there is less impact on biological resources?</p>	<p>IP-3-22 IP-3-23 IP-3-24</p>
	<p>IP-3-22: As described in Section 2.6.3.1 of this Final EIR/EA, complete closure of the interchange during construction is proposed for 4 months. The eastbound SR-60/WLC Pkwy on-/off-ramps and westbound SR-60/WLC Pkwy on-ramp would be closed for approximately 4 months, while the westbound SR-60/WLC Pkwy off-ramp would be closed for 6 months. If not done prior to this project, Eucalyptus Avenue would be extended and improved between WLC Parkway and Redlands Boulevard to provide a detour route to SR-60 before initiation of the full ramp closures. Refer to Section 2.6.3.1 of this Final EIR/EA for further discussion regarding temporary construction impacts. Project construction is anticipated to begin in 2023 and be completed in 2025, contingent upon full funding of all phases (i.e., Final Design, right-of-way acquisition, and construction). The project would begin construction once Final Design and right-of-way acquisition is complete. As stated in Common Response #1, the SR-60/WLC Pkwy Interchange Project and the WLC Specific Plan are independent projects, and the prior planning of the SR-60/WLC Pkwy Interchange Project and designation of WLC Parkway as a major arterial predates the WLC Specific Plan. Therefore, the timeline for construction of the proposed project is not dependent on the construction phasing for the WLC project.</p> <p>IP-3-23: The commenter states that the timeline of construction was not provided in the Draft EIR/EA. Section 1.1, Introduction, of Chapter 1, Proposed Project, of the Draft EIR/EA stated that “Project construction is anticipated to begin in 2023 and be completed in 2025, contingent upon full funding of all phases (i.e., Final Design, right-of-way acquisition, and construction).”</p> <p>IP-3-24: Project construction is anticipated to begin in 2023 and be completed in 2025. However, as stated in Section 2.21.3.1 of the Draft EIR/EA and this Final EIR/EA, vegetation clearing and preliminary ground-disturbing work in coastal sage scrub habitat will be completed outside the bird breeding season (typically set as February 1 through September 30), or a preconstruction nesting bird survey will be conducted so as to avoid potential effects to the coastal California gnatcatcher. Refer to measures AS-2 and AS-3 in Section 2.20 of this Final EIR/EA for further seasonal limitations on construction activities to reduce temporary impacts to animal species within the BSA.</p>

<p>Comment Letter IP-3 and Responses</p>			
<p>How will the construction add to our already unhealthy air? Will only Tier IV and higher rated off road equipment be used during construction? Please explain what percentage of Tier IV or higher construction equipment will be used. How will greenhouse gas impacts and particulate pollution increase as a result of not using the highest rated construction equipment? How will diverting and detouring regular traffic during all phases of construction add to our poor air quality and greenhouse gas?</p>	<table border="0"> <tr> <td style="vertical-align: top; padding-right: 10px;"> <p>IP-3-25</p> <p>IP-3-26</p> <p>IP-3-27</p> <p>IP-3-28</p> </td> <td> <p>IP-3-25: The Draft EIR/EA and this Final EIR/EA includes an analysis of the construction emissions for all build scenarios in Section 2.14.3.1. As described there, "With the implementation of standard construction measures (providing 50 percent effectiveness) such as frequent watering (e.g., a minimum of twice per day) as well as measures AQ-1 through AQ-7, fugitive dust and exhaust emissions from construction activities would not result in any adverse air quality impacts." See Response to Comment F-1-8 regarding the use of Tier IV and higher rated off-road equipment during construction.</p> <p>IP-3-26: See the response to Comment F-1-8 for further information on Tier IV equipment.</p> <p>IP-3-27: The Draft EIR/EA and this Final EIR/EA include construction emissions modeling using the Sacramento Metropolitan Air Quality Management District's Road Construction Emissions Model, Version 9.0, which is consistent with the guidance provided by the SCAQMD for evaluating construction impacts from roadway projects. This modeling assumes a typical equipment set based on the year of construction. The results are shown in Table 2.14.3, Maximum Project Construction Emissions, of this Final EIR/EA. Section 3.2.3.1 describes these results and concludes that as modeled, the emissions would all be less than significant under CEQA. Specifying that all construction equipment be newer (i.e., higher rated) would further reduce some of the emissions (i.e., nitrogen oxides [NO_x] and particulate matter less than 10 microns in size [PM₁₀]), but would not change the other pollutants substantially, including GHG emissions.</p> <p>IP-3-28: The full analysis of temporary construction-related air quality impacts is included in Section 2.14.3.1 of this Final EIR/EA. It generally concludes that "If construction activities were to increase traffic congestion in the area, CO and other emissions from traffic would increase while those vehicles are delayed. These emissions would be temporary and limited to the immediate area surrounding the construction site."</p> <p>A detailed discussion of construction-related GHG emissions is included in Section 3.4.5 of this Final EIR/EA. Additionally, Section 3.4.7, Greenhouse Gas Reduction Strategies, includes Mitigation Measure GHG-5, which specifies that the project would "Develop a traffic plan to minimize traffic flow interference from construction activities. The plan may include: (1) advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service; (2) schedule operations affecting traffic for off-peak hours; (3) minimize obstruction of through-traffic lanes; and (4) provide a flag person to guide traffic properly and ensure safety at construction sites." 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Specifying that all construction equipment be newer (i.e., higher rated) would further reduce some of the emissions (i.e., nitrogen oxides [NO_x] and particulate matter less than 10 microns in size [PM₁₀]), but would not change the other pollutants substantially, including GHG emissions.</p> <p>IP-3-28: The full analysis of temporary construction-related air quality impacts is included in Section 2.14.3.1 of this Final EIR/EA. It generally concludes that "If construction activities were to increase traffic congestion in the area, CO and other emissions from traffic would increase while those vehicles are delayed. These emissions would be temporary and limited to the immediate area surrounding the construction site."</p> <p>A detailed discussion of construction-related GHG emissions is included in Section 3.4.5 of this Final EIR/EA. Additionally, Section 3.4.7, Greenhouse Gas Reduction Strategies, includes Mitigation Measure GHG-5, which specifies that the project would "Develop a traffic plan to minimize traffic flow interference from construction activities. The plan may include: (1) advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service; (2) schedule operations affecting traffic for off-peak hours; (3) minimize obstruction of through-traffic lanes; and (4) provide a flag person to guide traffic properly and ensure safety at construction sites." As specified, this traffic plan will ensure that the diverting and detouring of regular traffic will be kept to a minimum.</p>
<p>IP-3-25</p> <p>IP-3-26</p> <p>IP-3-27</p> <p>IP-3-28</p>	<p>IP-3-25: The Draft EIR/EA and this Final EIR/EA includes an analysis of the construction emissions for all build scenarios in Section 2.14.3.1. As described there, "With the implementation of standard construction measures (providing 50 percent effectiveness) such as frequent watering (e.g., a minimum of twice per day) as well as measures AQ-1 through AQ-7, fugitive dust and exhaust emissions from construction activities would not result in any adverse air quality impacts." See Response to Comment F-1-8 regarding the use of Tier IV and higher rated off-road equipment during construction.</p> <p>IP-3-26: See the response to Comment F-1-8 for further information on Tier IV equipment.</p> <p>IP-3-27: The Draft EIR/EA and this Final EIR/EA include construction emissions modeling using the Sacramento Metropolitan Air Quality Management District's Road Construction Emissions Model, Version 9.0, which is consistent with the guidance provided by the SCAQMD for evaluating construction impacts from roadway projects. This modeling assumes a typical equipment set based on the year of construction. The results are shown in Table 2.14.3, Maximum Project Construction Emissions, of this Final EIR/EA. Section 3.2.3.1 describes these results and concludes that as modeled, the emissions would all be less than significant under CEQA. Specifying that all construction equipment be newer (i.e., higher rated) would further reduce some of the emissions (i.e., nitrogen oxides [NO_x] and particulate matter less than 10 microns in size [PM₁₀]), but would not change the other pollutants substantially, including GHG emissions.</p> <p>IP-3-28: The full analysis of temporary construction-related air quality impacts is included in Section 2.14.3.1 of this Final EIR/EA. It generally concludes that "If construction activities were to increase traffic congestion in the area, CO and other emissions from traffic would increase while those vehicles are delayed. These emissions would be temporary and limited to the immediate area surrounding the construction site."</p> <p>A detailed discussion of construction-related GHG emissions is included in Section 3.4.5 of this Final EIR/EA. Additionally, Section 3.4.7, Greenhouse Gas Reduction Strategies, includes Mitigation Measure GHG-5, which specifies that the project would "Develop a traffic plan to minimize traffic flow interference from construction activities. The plan may include: (1) advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service; (2) schedule operations affecting traffic for off-peak hours; (3) minimize obstruction of through-traffic lanes; and (4) provide a flag person to guide traffic properly and ensure safety at construction sites." As specified, this traffic plan will ensure that the diverting and detouring of regular traffic will be kept to a minimum.</p>		

Comment Letter IP-3 and Responses	
<p>Since many people in Moreno Valley and user of SR-60 speak Spanish and have trouble reading EIR/EA’s in English, all documents related to this project need to be in Spanish.</p> <p>The Sierra Club looks forward to reading the Final EIR/EA for this project with answers to many question we first suggested in our NOP letter. All six of the attached letters are incorporated into these comments and need to be printed in full as part of the Final EIR/EA. The No Project is the preferred alternative until we know much more about the WLC’s future. Do not spend any more tax payer money on this project. Please use the contact information below my name and this email address to inform/send us information on future meetings as well as all documents related to this project.</p> <p>Stay safe,</p> <p>George Hague Sierra Club Moreno Valley Group</p> <p>P.O. Box 1325 Moreno Valley, CA 92556-1325</p>  <p>State Attorney General & CA Air Resources Board</p> <p>CA Dept F&W</p> <p>Earthjustice</p>	<p>IP-3-29</p> <p>IP-3-30</p> <p>IP-3-31</p> <p>IP-3-32</p> <p>IP-3-29: The commenter states that the documents should be translated into Spanish. In an effort to maximize public participation to the greatest extent feasible, the NOP for the public scoping period and the NOA for the Draft EIR/EA public review period were published in both English and Spanish, and a translator was made available during both the open-house public scoping meeting on December 16, 2019, and for the Draft EIR/EA virtual public hearing on May 13, 2020. In addition, the NOA of the Draft EIR/EA ran in <i>La Prensa</i> on April 24, 2020 and May 1, 2020. However, translation of the entire Draft EIR/EA is not required under CEQA or NEPA, and English is the language of record for the project.</p> <p>IP-3-30: Refer to Response to Comment IP-3-2.</p> <p>IP-3-31: The commenter’s preference for the No Build Alternative has been noted and considered during the selection of the Preferred Alternative (Alternative 6) by the PDT. Refer to Common Response #1 for additional discussion regarding the SR-60/WLC Pkwy Interchange Project.</p> <p>IP-3-32: The commenter’s request is acknowledged, and they will be added to the distribution list for the NOD regarding the Final EIR/EA.</p>

Comment Letter IP-4 and Responses

1 Caltrans District 8, Division of Environmental
 2 Analysis, 464 West 4th Street, San Bernardino,
 3 California, 92401. Comments are accepted through June
 4 8, 2020.
 5 Additionally, as a reminder, at
 6 tonight's hearing, comments will not be addressed or
 7 answered in a verbal Q&A format. Comments received at
 8 this hearing will be addressed in writing in the final
 9 environmental document.
 10 ANTONIA TOLEDO?: William, have you
 11 noticed that we have a Brandon Cam who raised his
 12 hand?
 13 COURT REPORTER: Yes. I'm just trying
 14 to unmute Brandon right now.
 15 ANTONIA TOLEDO?: Okay.
 16 COURT REPORTER: Okay, hello, Brandon.
 17 Thank you for raising your hand. Please state your
 18 first and last name, spell out your first and last
 19 name, and state your mailing address for the record,
 20 followed by your three-minute comment.
 21 BRANDON CARN: I'm Brandon Cam. My
 22 name -- my first name is spelled B-R-A-N-D-O-N, my
 23 last name is C-A-R-N. And I would prefer to put my
 24 mailing address in writing at a later time.
 25 COURT REPORTER: Okay.

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1 BRANDON CARN: And I've just got a
 2 comment. I have been visiting this concept for about
 3 two years now. I've been attending all of the city's
 4 hearings on this interchange since 2018. I really am
 5 not sure why the city is rushing ahead with this
 6 project at this time.
 7 I find the need to do it because of the
 8 construction, the repairs that were damaged when the
 9 vehicles hit this to be kind of trivial. I see other
 10 areas of the city, like Redlands Boulevard and other
 11 interchanges that need to be done well before this.
 12 And I believe that the current structure here on
 13 Theodore will sustain across the next many years to
 14 come.
 15 There was no funding currently and
 16 there was no funding at prior meetings from any source
 17 for it. Quite honestly, I don't find, with the
 18 current economy that we are seeing because of COVID-
 19 19, that there will be for some time to come. I feel
 20 like this concept could be revisited in five or ten
 21 years very easily because there is very minimal
 22 amounts of development occurring there right now. I
 23 think the city needs to complete the other areas that
 24 it has started such as the interchange at Moreno Beach
 25 Drive, and any priority resources or funding should be

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IP-4-1
 IP-4-2
 IP-4-3

1 directed toward those first.
 2 You could easily revisit this
 3 interchange in the future when there is a funding
 4 source and the economy is stronger. I think it is
 5 very apparent that beyond the reason it needs to be
 6 repaired, the property owners around this interchange,
 7 who happen to be majority Pacific communities and
 8 Highland Fairview, they are exerting a great amount of
 9 political and monetary influence when it comes to
 10 campaign donations. To this being made as a priority
 11 for the city, they will greatly benefit from any
 12 improvement that the taxpayers provide to this
 13 infrastructure and this interchange.
 14 I mean, the construction of Eucalyptus
 15 as a construction road is unnecessary, and I believe
 16 is allowing Highland Fairview of its development
 17 agreement with the Sketchers expansion that is
 18 occurring there now. It is pretty clear with this
 19 action and other ones such as the General Plan that
 20 they are intentionally doing it for the benefit of
 21 their own property value, not for the public.
 22 I believe that this project could be
 23 deterred for quite some time and it should be once it
 24 comes up for consideration by the Planning Commission
 25 and the City Council further.

Page 16

IP-4-3
 IP-4-4
 IP-4-5

1 Beyond that, I really feel like there
 2 is a greater need along Redlands Boulevard and other
 3 areas because they have larger traffic. You have the
 4 Sketcher's expansion there that's now being served,
 5 you have KD Homes installing a new housing tract along
 6 (inaudible), possibly another warehouse across the
 7 street from the Sketchers Building. I really feel
 8 like this has low priority and that the City should
 9 use its resources elsewhere first. Thank you.
 10 COURT REPORTER: Thank you for your
 11 comment. Hello, callers, this public hearing is still
 12 live and open to receive verbal comments on the Draft
 13 EIR/EA. To speak, raise your virtual hand in Zoom or
 14 dial star-nine. Speakers will be unmuted one at a
 15 time. Please provide your full name, the spelling of
 16 your name, your mailing address, and begin your three-
 17 minute testimony.
 18 ANTONIA TOLEDO: Hi, William. This is
 19 Antonia. Since no one else has raised their hand to
 20 provide comments, perhaps we can repeat the
 21 presentation maybe in about five minutes if there's
 22 any newcomers.
 23 COURT REPORTER: Okay. Sounds good.
 24 At 5:35 we'll repeat the presentation unless we have
 25 anyone raise their hand.

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IP-4-1: As stated in Common Response #1, the City and Caltrans initiated the project development process for the SR-60/WLC Pkwy Interchange Project in 2008 and the PSR/PDS was approved in 2013. As specified in Section 1.2 of this Final EIR/EA, one purpose and need of the proposed project is to improve existing interchange geometric deficiencies because the existing overpass bridge does not meet current geometric standards related to vertical clearance. Although the proposed project would repair damage to the overpass bridge due to vehicle collisions as the commenter noted, improving geometric deficiencies also includes updating standard ramp geometry and providing pedestrian facilities that are in compliance with the Americans with Disabilities Act (ADA), both of which are common and routine Caltrans improvements. Refer to Section 1.2 of this Final EIR/EA for further description of the project's identified purpose and need.

IP-4-2: The commenter indicated that the Redlands Boulevard and other interchanges should be completed before the SR-60/WLC Pkwy Interchange Project, and that the existing conditions should be sufficient for the near future. Per the information included in Table 2.23.1 of Section 2.23, Cumulative Impacts, of this Final EIR/EA, the SR-60 at Redlands Boulevard Overcrossing and Ramp Widening project is anticipated to be completed in 2025 but is not yet funded. It should also be noted that the SR-60/WLC Pkwy Interchange Project also has not secured funding for construction and is currently funded only through the PA/ED phase (the current phase). Therefore, although these target dates have been defined, they are subject to change pending availability of funding. All capital projects under the jurisdiction of the City are subject to prioritization by the City Council. This location has been struck twice in the past 5 years and has sustained damages resulting in detours and costly repairs. The 60/Redlands Boulevard IC has had no incidences. The 60/WLC project as proposed increases the vertical clearance pursuant to current standards.

IP-4-3: It is important to note that the proposed SR-60/WLC Pkwy Interchange Project has not yet identified funding for design, right-of-way acquisition, or construction, and is currently only funded through the PA/ED phase (the current phase). Phase 2 of the SR-60/Moreno Beach Drive interchange is funded and planned for completion by 2022, as stated in Table 2.23.1, Planned Projects in the Land Use Study Area and the SR-60 Corridor, of Section 2.23, Cumulative Impacts, of this Final EIR/EA.

Comment Letter IP-4 and Responses				
	<p>1 Caltrans District 8, Division of Environmental 2 Analysis, 464 West 4th Street, San Bernardino, 3 California, 92401. Comments are accepted through June 4 8, 2020. 5 Additionally, as a reminder, at 6 tonight's hearing, comments will not be addressed or 7 answered in a verbal Q&A format. Comments received at 8 this hearing will be addressed in writing in the final 9 environmental document. 10 ANTONIA TOLEDO?: William, have you 11 noticed that we have a Brandon Carn who raised his 12 hand? 13 COURT REPORTER: Yes. I'm just trying 14 to unmute Brandon right now. 15 ANTONIA TOLEDO?: Okay. 16 COURT REPORTER: Okay, hello, Brandon. 17 Thank you for raising your hand. Please state your 18 first and last name, spell out your first and last 19 name, and state your mailing address for the record, 20 followed by your three-minute comment. 21 BRANDON CARN: I'm Brandon Carn. My 22 name -- my first name is spelled B-R-A-N-D-O-N, my 23 last name is C-A-R-N. And I would prefer to put my 24 mailing address in writing at a later time. 25 COURT REPORTER: Okay.</p> <p style="text-align: right;">Page 14</p>	<p>1 directed toward those first. 2 You could easily revisit this 3 interchange in the future when there is a funding 4 source and the economy is stronger. I think it is 5 very apparent that beyond the reason it needs to be 6 repaired, the property owners around this interchange, 7 who happen to be majority Pacific communities and 8 Highland Fairview, they are exerting a great amount of 9 political and monetary influence when it comes to 10 campaign donations. To this being made as a priority 11 for the city, they will greatly benefit from any 12 improvement that the taxpayers provide to this 13 infrastructure and this interchange. 14 I mean, the construction of Eucalyptus 15 as a construction road is unnecessary, and I believe 16 is allowing Highland Fairview of its development 17 agreement with the Sketchers expansion that is 18 occurring there now. It is pretty clear with this 19 action and other ones such as the General Plan that 20 they are intentionally doing it for the benefit of 21 their own property value, not for the public. 22 I believe that this project could be 23 deterred for quite some time and it should be once it 24 comes up for consideration by the Planning Commission 25 and the City Council further.</p> <p style="text-align: right;">Page 16</p>	<p>↑ IP-4-3 ↑ IP-4-4</p>	<p>IP-4-4: The commenter states that property owners in the area of the interchange would benefit from public funds expended on this project. A general discussion of the relationship of the SR-60/WLC Pkwy Interchange Project with other development projects in the area is included in Common Response #1. The commenter's statement that the interchange is in need of repairs is generally correct. As stated in Section 1.2.2 of this Final EIR/EA, modifications to the interchange are needed to bring the existing overpass bridge to current geometric standards, address non-standard ramp geometry, and address a lack of pedestrian facilities. Additionally, without the proposed project, projected future growth in the area will result in the interchange intersections and SR-60 mainline operating at unacceptable levels of service by 2045. Therefore, the project is anticipated to provide a benefit of lessened congestion to the traveling public once constructed. As stated in Section 1.1, Introduction, of this Final EIR/EA, WLC Parkway/Theodore Street is on the TUMF arterial network and is eligible for funds from WRCOG. Caltrans cannot comment on the local agency's opinion as to the prioritization of projects. The commenter also states that using Eucalyptus Avenue as a construction road is not necessary and that these projects as well as the City's General Plan update are not in the interest of the public. Please refer to Response to Comment IP-3-7 for more information regarding the pending General Plan update. Section 2.6.3.1 of this Final EIR/EA provides further details regarding the use of Eucalyptus Avenue as a detour route for SR-60. The extension of Eucalyptus Avenue may already have been completed by the time construction begins for the SR-60/WLC Pkwy Interchange Project. However, if not, improvements to Eucalyptus Avenue would be constructed early in the construction schedule and prior to the closure of the WLC Parkway overcrossing in order to maintain connectivity in the area. The commenter further states that the project should be deferred and that the City Planning Commission and/or City Council should take action.</p>
<p>IP-4-1 IP-4-2</p>	<p>1 BRANDON CARN: And I've just got a 2 comment. I have been visiting this concept for about 3 two years now. I've been attending all of the city's 4 hearings on this interchange since 2018. I really am 5 not sure why the city is rushing ahead with this 6 project at this time. 7 I find the need to do it because of the 8 construction, the repairs that were damaged when the 9 vehicles hit this to be kind of trivial. I see other 10 areas of the city, like Redlands Boulevard and other 11 interchanges that need to be done well before this. 12 And I believe that the current structure here on 13 Theodore will sustain across the next many years to 14 come. 15 There was no funding currently and 16 there was no funding at prior meetings from any source 17 for it. Quite honestly, I don't find, with the 18 current economy that we are seeing because of COVID- 19 19, that there will be for some time to come. I feel 20 like this concept could be revisited in five or ten 21 years very easily because there is very minimal 22 amounts of development occurring there right now. I 23 think the city needs to complete the other areas that 24 it has started such as the interchange at Moreno Beach 25 Drive, and any priority resources or funding should be</p> <p style="text-align: right;">Page 15</p>	<p>1 Beyond that, I really feel like there 2 is a greater need along Redlands Boulevard and other 3 areas because they have larger traffic. You have the 4 Sketcher's expansion there that's now being served, 5 you have KD Homes installing a new housing tract along 6 (unreadable), possibly another warehouse across the 7 street from the Sketchers Building. I really feel 8 like this has low priority and that the City should 9 use its resources elsewhere first. Thank you. 10 COURT REPORTER: Thank you for your 11 comment. Hello, callers, this public hearing is still 12 live and open to receive verbal comments on the Draft 13 EIR/EA. To speak, raise your virtual hand in Zoom or 14 dial star-nine. Speakers will be unmuted one at a 15 time. Please provide your full name, the spelling of 16 your name, your mailing address, and begin your three- 17 minute testimony. 18 ANTONIA TOLEDO: Hi, William. This is 19 Antonia. Since no one else has raised their hand to 20 provide comments, perhaps we can repeat the 21 presentation maybe in about five minutes if there's 22 any newcomers. 23 COURT REPORTER: Okay. Sounds good. 24 At 5:35 we'll repeat the presentation unless we have 25 anyone raise their hand.</p> <p style="text-align: right;">Page 17</p>	<p>↑ IP-4-5</p>	<p>IP-4-5: The commenter indicates his opinion is that improvements along Redlands Blvd. are of greater need than the SR-60/WLC Parkway interchange. All capital projects under the jurisdiction of the City are subject to prioritization by the City Council. The SR-60/WLC Parkway interchange location has been struck twice in the past 5 years and has sustained damages resulting in detours and costly repairs. The 60/Redlands Boulevard IC has had no incidences. The 60/WLC project as proposed increases the vertical clearance pursuant to current standards.</p>
<p>5 (Pages 14 - 17)</p> <p>Veritext Legal Solutions 866 299-5127</p>				

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