

CALTRANS
United States Department of Transportation
Federal Highway Administration

RECORD OF DECISION

California State Route 91 Corridor Improvement Project

SR-91 and I-15 in Riverside and Orange Counties, California

Post miles: ORA-91-R14.43/R18.91, RIV-91-R0.00/13.04, RIV-15-35.64/45.14

EA: 08-0F540

This Record of Decision (ROD) was developed pursuant to 40 *Code of Federal Regulations* (CFR) 1505.2 and 23 CFR 771.127. The California Department of Transportation (Caltrans), in cooperation with the Riverside County Transportation Commission (RCTC), have identified the need to improve the vehicle, person, and goods movement within the State Route (SR) 91 corridor to more effectively serve existing and future travel demand between and within Riverside and Orange counties; to provide improvements along the SR-91 and Interstate 15 (I-15) transportation corridors, as well as to related local roads; and to reduce the diversion of regional traffic from the freeways into the surrounding communities.

The project's purpose and need are described in detail in Chapter 1 of the SR-91 Corridor Improvement Project (CIP) Final Environmental Impact Report/Environmental Impact Statement (EIR/EIS) approved in August 2012. The Notice of Availability for the Final EIR/EIS was published in the *Federal Register* on August 24, 2012, and a 30-day review period closed on September 24, 2012.

The environmental review, consultation, and any other actions required by applicable federal environmental laws for this project are being, or have been, carried out by Caltrans pursuant to 23 USC 327 and the Memorandum of Understanding dated December 23, 2016, and executed by FHWA and Caltrans.

A. Decision

This ROD approves a portion of the Ultimate Project of the Preferred Alternative identified in the Final EIR/EIS (Alternative 2, Design Variation f, referred to as "Alternative 2f"). After public review of the Draft EIR/EIS and full consideration of the technical studies prepared, public comments, and agency input and after comments on the Final EIR/EIS were considered, Caltrans, as NEPA lead agency, selected Alternative 2f, also known as the "Ultimate Project" for the widening and improvement of the SR-91 corridor. This was based on the ability of this alternative to meet the project purpose and need; travel time savings; consistency with system planning; environmental impacts; funding availability; community input; and coordination with regulatory agencies and local stakeholders including Riverside County, Orange County, and the cities of Riverside, Anaheim, Yorba Linda, Corona, and Norco.

Alternative 2f, also known as the Ultimate Project, was proposed to be constructed in phases based on the funding available. A ROD for the Initial Phase was approved in October 2012, as funding was only available for the Initial Phase. The October 2012 ROD indicated that a future ROD would be required as funding becomes available to complete the Ultimate Project. Funding is now available to advance projects for implementing additional improvements to complete the Ultimate Project. The needed improvements to take the Initial Phase to the Ultimate Project are programmed to occur on (1) SR-91 from SR-241 to SR-71, which would include construction of one general purpose (GP) lane in each direction; (2) SR-91 from I-15 to Pierce Street, which would include one GP lane in each direction; (3) I-15 from Ontario Avenue to Cajalco Road, which would include extending the Express Lane access point to Cajalco Road; and (4) I-15 between SR-91 and Hidden Valley Parkway, which would include direct connectors between SR-91 eastbound to I-15 northbound and I-15 southbound to SR-91 westbound. This is the second ROD for the SR-91 CIP “ultimate” project, and is for the next phase. This ROD is for the 15/91 Express Lane Connector (ELC) Project portion of Ultimate Project, with post miles 12-ORA-91 R17.2 and 08-RIV-91 R5.7/R8.1, 08-RIV-15 41.4/43.6. A Reevaluation/revalidation of the SR-91 CIP Final EIR/EIS was completed for the ELC, which included an updated Environmental Commitment Record (ECR), and was approved on June 13, 2019. The funding sources include local initiatives, state tax revenues, and federal grants.

B. Project Description

In 2010, due to funding constraints, RCTC and Caltrans agreed to separate the SR-91 CIP into phases: “Initial Build” and various future phases to construct the “Ultimate Project.” An EIR/EIS was adopted in 2012 for the SR-91 CIP, which consisted of the Initial Phase and Ultimate Project, proposed in several phases over a 20-year period. The EIR/EIS analyzed the Initial Phase and the Ultimate Project for the SR-91 CIP. The Preferred Alternative was identified as Alternative 2f.

The SR-91 CIP Initial Phase was completed under EA 08-0F540. The Initial Phase included implementation of improvements on SR-91 from approximately the Orange/Riverside county line to the I-15 interchange and a single-lane direct connector to and from I-15 south, extending from SR-91 to the Ontario Avenue interchange. Construction of the Initial Phase began in June 2014 and was opened to traffic in March 2017.

The following addresses one portion of the Ultimate Project for the SR 91 CIP at the SR-91 and I-15 interchange; this component is being referred to as the 15/91 ELC Project. This portion of the Ultimate Project extends approximately 2 miles north of SR 91 along the I-15 corridor, approximately 2 miles west of I-15 along the SR 91 corridor, and approximately 0.5 mile east of I-15 along the SR-91 corridor to Promenade Avenue. These study area limits define the extent of proposed major construction. Additionally, the project would replace an existing Variable Toll Message Sign (VTMS) on SR-91 at the Riverside/Orange county line.

A Revalidation of the Final EIR/EIS for the ELC portion of the Ultimate Project has been completed and was approved in June 2019. The Expenditure Authorization (EA) for this project is 08-0F543. The project improvements addressed in the Revalidation can be categorized into three major features:

SR-91 Auxiliary Lane

SR-91 auxiliary lane improvements extend approximately 1 mile west to east, from the SR-91 bridge over Arlington Channel to approximately 300 feet east of the South Promenade Avenue bridge. Within this area, the southern side of the eastbound (EB) cross section would be widened to accommodate the addition of one, 12-foot wide auxiliary lane. Road widening would require realignment and reconstruction of the southbound (SB) I-15 to EB SR-91 loop ramp, the northbound (NB) I-15 to EB SR-91 on-ramp, and the adjacent concrete-lined stormwater conveyance channel.

SR-91/I-15 Express Lane Connectors

Proposed SR-91/I-15 ELCs between I-15 and SR-91 would provide direct access for the EB SR-91 Express Lanes to the NB I-15 Express Lanes and from the SB I-15 Express Lanes to westbound (WB) SR-91 movements. Impacts extend west approximately 1.5 miles from the interchange as far west as the Lincoln Avenue bridge crossing. Ancillary SR-91 improvements include median and shoulder widening and realignment of the EB SR-91 on-ramp from Main Street. I-15 impacts include median widening and extend approximately 1.0 mile north along the I-15 corridor.

I-15 Express Lane Widening at Hidden Valley Interchange

I-15 Express Lane widening at Hidden Valley Interchange improvements extend from approximately 0.5 mile south of to 0.75 mile north of the I-15 and Hidden Valley Avenue interchange. The I-15 median is currently being paved in this area as part of the I-15 Express Lanes Project. The addition of a NB I-15 Express Lane transition requires shoulder widening and realignment of two Hidden Valley Avenue ramps along the eastern side of the I-15 corridor.

In addition, the Revalidation approved in June 2019 addresses the design changes in the improvements that will be implemented by the 15/91 ELC Project and that were not analyzed in the Final EIR/EIS. These design changes include the following:

Separated Connectors

The south-to-west connector and the east-to-north connector would now follow their own independent alignment.

- The south-to-west connector would connect approximately 45 feet higher to the existing 15/91 ELC (Bridge No. 56-0817F). The previous design was approximately 45 feet lower and connected to the existing Temescal Wash bridge. The profile of this connector is now approximately 30 feet over the existing north-to-west connector bridge. The previous design was approximately 15 feet below the existing north-to-west connector bridge.

- The east-to-north connector profile generally follows the previous profile analyzed in the Final EIR/EIS; however, the connector bridge has been shortened from one large bridge to three shorter bridge segments by implementing 30-foot-high retaining wall structures with fill material below the roadway instead of the roadway being placed on more costly bridge structures.

Barrier Separation

To allow adequate room for the barrier-separated tolling facility within the median and to accommodate standard shoulder widths for the tolling facility along eastbound SR-91, the Main Street EB on-ramp is proposed to be realigned approximately 8 feet farther south. As a result, the median barrier between EB and WB SR-91 would be shortened by approximately 7 feet.

Toll Lane Improvements

An additional toll lane would be extended to the north side of the Hidden Valley Parkway interchange. This brings the total number of toll lanes to two. Because of this additional toll lane, the existing NB off-ramp and existing NB on-ramp for the Hidden Valley Parkway interchange need to be realigned.

Soundwall

As part of design development, one soundwall (SW2192) required minor changes from what was presented in the Final EIR/EIS. Soundwall SW2192 would be approximately 90 feet long and located within private property in the northeast quadrant of the I-15/SR-91 interchange. Two easements would be required: a temporary construction easement (TCE) that would be 161 feet long and roughly 15 feet wide, and a footing easement that would be 110 feet long and 5 feet wide to protect the footing in perpetuity to ensure no one structurally damages the wall. Soundwall SW2192 would be a combination transparent/masonry-block wall.

Excavated Material Deposition

Up to 60,000 cubic yards of excavated material removed as part of the 15/91 ELC Project will be placed in the southeast quadrant of the I-15/SR-91 interchange between SR-91 and the NB I-15 to EB SR-91 connector ramp. The excavated material will have come from the outside widening along NB I-15 and EB SR-91 and a median area of SR-91 and I-15. This deposition may be deferred to the I-15 Express Lanes widening project (ELP, EA 0J0800), depending on construction phasing. The 59 trees planted as part of the 91 CIP EIR/S commitments, and any shrubs or other landscaping within the area will be replaced (and this may be deferred to the I-15 ELP project).

C. Section 4(f)

Appendix B, Resources Evaluated Relative to the Requirements of Section 4(f), in the Final EIR/EIS discusses several Section 4(f) properties associated with the Ultimate Project. However, the portion of the Ultimate Project that would be implemented with the 15/91 ELC Project would not affect any Section 4(f) properties. Therefore, the provisions of Section 4(f) do not apply to this project.

D. Summary of Beneficial Environmental Impacts

The 15/91 ELC Project would enhance the movement of people and goods, public safety, and security through the improvement of driving conditions on SR-91 and I-15, and it would also improve travel times and travel speeds, provide consistency with system planning, and reduce regional vehicle emissions.

E. Summary of Adverse Impacts and Measures to Minimize Harm

The 15/91 ELC Project would have construction and operational impacts. Chapter 3 of the Final EIR/EIS provided a detailed discussion of potential impacts resulting from the project and identified specific measures to avoid, minimize, and mitigate impacts. The approved Reevaluation/Revalidation completed June 2019, for the 15/91 ELC Project analyzed the project design changes. Adverse project impacts and measures are summarized below.

No additional impacts or measures to minimize harm related to the following resource areas were identified for the 15/91 ELC Project:

- Land Use
 - A temporary construction easement for parcel 115-353-015 will be required during construction of Soundwall SW2192. This temporary construction easement does not result in any changes to zoning and would remain consistent with the Riverside County General Plan. No additional avoidance, minimization, and mitigation measures (AMMs) would be required.
- Growth
- Farmlands/Timberlands
- Community Impacts
- Utilities/Emergency Services
- Traffic and Transportation/Pedestrian and Bicycle Facilities
- Visual/Aesthetics
 - Due to design changes consisting of the addition of two direct connectors and the lower profile of the EB to NB connector, the visual environment in the project changed from what was analyzed in the Final EIR/EIS. A *Visual Impact Assessment (VIA) Memo* was written and approved on December 6, 2018 to analyze the design changes. No new visual or aesthetic impacts were identified and no new Avoidance or Minimization Measures (AMMs) were determined to be required. Existing commitments from the 2012 EIR/S will of course be fulfilled. The 15/91 interchange is an important high-profile area for meeting commitments. For example, in order for the SR-91 CIP to satisfy the ECR requirements for tree replacement, the SR-91 CIP replacement count is 1,169 and 4,977 5-gallon shrubs. The planting of 87 trees within the I-15/SR-91 interchange is still outstanding. These trees were transferred from the SR-91 CIP via Revalidation 30 and will be planted by the I-15 ELP through the ELP's Revalidation 11.

Assuming all community adjacent trees are replaced at a 1:1 tree ratio, the SR-91 CIP required an additional 360 trees to fulfill ECR Measure V-2. Through the SR-91 CIP, 324 trees were donated to the City of Corona to plant within their community. Additionally, 236 trees were donated to Riverside County Parks and Recreation to plant within their jurisdiction. Final count for the SR-91 CIP, including landscape plan quantities and community donations, totaled 2,227 tree equivalents. There remains the commitment to place 87 trees from the SR-91 CIP. These remaining tree replacements from the SR-91 CIP have been deferred via a re-validation of the SR-91 CIP to the I-15 ELP (EA 0J0800) through a re-validation of the ELP. The 87 trees transferred from the SR-91 CIP would be in addition to any tree replacement commitments already determined for EA 0J0800.

- Cultural Resources
- Hydrology and Floodplains
- Water Quality and Stormwater Runoff
- Geology/Soils/Seismic/Topography
- Paleontology
- Hazardous Waste/Materials
 - Since approval of the Final EIR/EIS, project limits were expanded by adding a toll lane on I-15 that extends north of the Hidden Valley Parkway interchange. This required updated information about potential hazardous material/waste sites that could affect the project site. An *Initial Site Assessment (ISA) Addendum* was written and approved on October 8, 2018 to capture any updated information. No new hazardous waste/materials impacts were identified and no new AMMs were determined to be required.
- Air Quality
- Energy
- Invasive Species
- Relationship between Local Short-Term Uses of the Human Environment and the Maintenance and Enhancement of Long-Term Productivity
- Irreversible and Irretrievable Commitments of Resources that would be Involved in the Proposed Project
- Cumulative Impacts
- Environmental Justice (Executive Order 12898)

Additional impacts related to the following resource areas were identified for the 15/91 ELC Project:

Noise

- As of May 2019, RCTC has constructed all of the soundwalls committed in the Final EIR/EIS for the SR-91 CIP. A Supplemental NSR (SNSR) and Supplemental NADR (SNADR) were prepared to account for geometric changes to the express lanes connectors since approval of the 2012 Final EIR/EIS. The connectors have different horizontal and vertical alignments than originally proposed in 2012. The base cost

allowance for noise abatement reasonableness and feasibility increased from \$55,000 in 2012 to \$107,000 per benefited receptor.

Traffic noise impacts associated with the geometric changes to the express lane connector would occur at two single-family residences located along Cresta Road, north of SR-91 and east of I-15. The SNSR concluded that a soundwall with heights ranging from 8 to 10 feet would be needed to provide feasible abatement of traffic noise of reducing existing noise levels to 5 decibels (dB) for the two impacted receptors.

The SNADR determined that Soundwall SW2192 is reasonable from a basis of cost, and the property owner is in favor of the soundwall; therefore, a soundwall is recommended to be constructed.

Measures to Minimize Harm Related to Noise

No additional measures to minimize harm related to noise from those identified in the 2012 Final EIR/EIS were identified for the 15/91 ELC Project.

Natural Communities/Threatened and Endangered Species

Since approval of the Final EIR/EIS, design changes have been incorporated into the I-15/SR-91 ELC Project's final design. The potential impacts of these changes, as well as the potential project impacts due to changes in the affected biological environment, were analyzed in a Supplemental NES that was approved May 22, 2019. To complete the analysis of the biological environment for this Supplemental NES, the following activities were completed:

- Identification of three new species from database searches
 - Santa Monica Mountains dudleya (*Dudleya cymosa* ssp. *ovatifolia*),
 - arroyo chub (*Gila orcuttii*), and
 - yellow rail (*Coturnicops noveboracensis*).
- Biological surveys conducted March 9, 19, and April 11, 2018; none of the species listed above were found during the surveys.
- Additional impacts determined due to project design refinements:
 - Temporary removal of an additional 1.56 acre of non-wetland waters of the U.S.
 - Permanent removal of an additional 0.01 acre of non-wetland waters of the U.S.
 - Temporary removal of an additional 1.69 acre of Regional Water Quality Control Board (RWQCB) and California Department of Fish and Wildlife (CDFW) jurisdictional features
 - Permanent removal of an additional 0.02 acre of RWQCB and CDFW jurisdictional features
- 401 RWQCB, 404 ACOE, and 1602 CDFW permits will be required

Measures to Minimize Harm Related to Natural Communities/Threatened and Endangered Species

No additional measures to minimize harm related to natural communities or threatened and endangered species from those identified in the 2012 Final EIR/EIS were identified for the 15/91 ELC Project. Permanent impacts were small enough (0.02 acre) that the AMMs identified in the 2012 Final EIR/EIS ECR were sufficient to cover this incremental increase in permanent impacts. Although no additional measures to minimize harm related to natural communities or threatened and endangered species were identified or warranted for the 15/91 ELC Project, future AMMs may be imposed as part of permit requirements to further reduce environmental effects, if warranted.

F. Mitigation Monitoring or Enforcement Program

An updated Environmental Commitments Record (ECR) for the SR-91 CIP is provided in Attachment 10 of the Revalidation for the 15/91 ELC Project. The ECR provides the language of each measure, the party/ parties responsible for implementing the measure, the phase when each measure is applicable, and the timing of the implementation of each measure. The ECR provides a process for tracking and documenting implementation of the project avoidance, minimization, and mitigation measures during the design, construction, and operation of the 15/91 ELC Project.

As the local agency project sponsor, RCTC will be responsible for implementing and reporting the status of the measures in the ECR. RCTC will work cooperatively with Caltrans Environmental Division, and make regular progress reports on the ECR available to Caltrans. Monitoring forms will be completed by those party/parties responsible for implementing each measure in the ECR and verified by the party/parties responsible for monitoring and approval. Completed monitoring forms will be retained by RCTC and will be included with the as-built plans in the State archives. Caltrans will be responsible for construction management and oversight and assuring that all applicable avoidance, minimization, and mitigation measures in the ECR are fully implemented by designated and qualified personnel.

This ECR covers all the commitments made in the Final EIS/ R and highlights those that are still outstanding from the Initial phase of the project. Every effort will be made to fulfill these outstanding commitments as part of the 15/91 ELC Project, and the ECR will be the vehicle for monitoring progress. It may be appropriate to defer some of the commitments to future phases, e.g. if they would occur in locations where future construction work is planned. The ECR applies to the entirety of the 91 CIP project EIS/R and since the 15/91 ELC Project is the next phase, this means that the 15/91 ELC Project now has the opportunity to consider, and attempt to achieve each outstanding mitigation obligation.

G. Responses to Comments on the Final Environmental Impact Report/Environmental Impact Statement

Responses to comments on the Final EIR/EIS were covered in the ROD for the Initial Phase, as summarized below.

The following letters and e-mails with comments were received during the Final EIR/EIS circulation August 24 through September 24, 2012, from the following agencies and parties:

- Department of Energy National Nuclear Security Administration
- United States Environmental Protection Agency
- Pechanga Band of Luiseno Indians
- Native American Heritage Commission
- California Department of Parks and Recreation
- City of Corona
- Orange County Public Works
- Transportation Corridor Agencies
- Property Owner Association of Riverside County
- Hills for Everyone (Shute, Mihaly, and Weinberger, LLP)
- Wildlife Corridor Conservation Authority
- City of Anaheim, Department of Public Works
- Property Owner Association of Riverside County
- Chaffin's Garage, Inc.
- Villagio Homeowners Association
- Corona Gardens Apartment Complex
- Metropolitan Water District of Southern California

Letters received with substantive environmental comments have been summarized, and responses are provided below:

Federal Agencies

United States Environmental Protection Agency: The Final EIR/EIS did not adequately address the increased mobile source air toxic (MSAT) emissions associated with the expanded facility and dispersion modeling should be conducted to better understand the MSAT impacts associated with the SR-91 CIP.

Response: The MSAT analysis for the SR-91 CIP followed the October 2009 FHWA MSAT guidance. All the SR-91 CIP Build Alternatives would reduce the regional diesel particulate matter (DPM) emissions compared to the no-build and existing baseline conditions. By 2035, all the MSAT pollutants would decrease with the SR-91 CIP Build Alternatives compared to the no-build and existing baseline conditions. Per the FHWA MSAT guidance, the SR-91 CIP would not result in any impacts from MSATs.

Caltrans has adopted the FHWA MSAT guidance for determining the long-term MSAT impacts of highway projects. FHWA does not recommend using any of the tools or models available to calculate emission concentrations. Dispersion modeling was not conducted along the project alignment.

Tribal Governments

Pechanga Band of Luiseno Indians: Requested that, in conjunction with the tribal monitoring included in the project mitigation measures, a Cultural Resources Treatment and Monitoring Agreement be completed among the appropriate parties for this project.

Response: During final design and prior to any project-related ground disturbance, Caltrans will coordinate with the Tribe and other parties as appropriate to document the process for the appropriate preservation, avoidance, and/or mitigation for the identification of inadvertent discoveries, human remains/grave goods, and sacred sites; to outline the duties, compensation, and responsibilities of the Pechanga Tribal monitors; and to identify areas where Pechanga Tribal monitors will conduct monitoring.

State Agencies

California Department of Parks and Recreation: Comments note the mitigation measures agreed to by RCTC, Caltrans, and State Parks.

No response is necessary.

Regional and Local Agencies

Transportation Corridor Agencies: Identified concerns regarding ramp metering on NB SR-241 to EB SR-91 and the effects on traffic demand and potential loss of toll revenues during temporary ramp closures. Request to meet with RCTC and Caltrans to discuss these issues.

City of Anaheim. Department of Public Works: The project design, in the vicinity of SR-24, should allow for the planned SR-91/SR-241 Express Lanes connectors; the project's Transportation Management Plan (TMP) should allocate funding for police enforcement.

Response: To both Transportation Corridor Agencies and City of Anaheim, RCTC and Caltrans will continue to coordinate with the regional and local agencies to address any issues that arise during the design-build phase. It should be noted that the cited ramp metering and temporary ramp closures will not be implemented as part of the Initial Phase and will not result in effects or changes at the SR-91/SR-241 interchange. The cited improvements and temporary closures will be implemented as part of the Ultimate Project. This ROD specifically addresses the Initial Phase of the SR-91 CIP only; the Ultimate Project will be the subject of a separate, future ROD.

The SR-91 project design will allow for the SR-91/SR-241 Express Lanes connectors. The SR-241/SR-91 Express Lanes Connector project is one of several planned projects that would require design coordination with the SR-91 CIP. This project would be implemented after the SR-91 CIP and will be designed to be consistent with the SR-91 CIP.

The SR-91 CIP TMP provides for traffic law enforcement (typically by the California Highway Patrol) within the SR-91 CIP construction zone. The TMP will maintain traffic safety during construction,

effectively maintain an acceptable level of traffic flow throughout the transportation system during construction, minimize traffic delays, facilitate reduction of overall duration of construction activities, and minimize detours and impacts to pedestrians and bicyclists.

Groups and Organizations

Hills for Everyone (Shute, Mihaly, and Weinberger. LLP): Concerns regarding the adequacy of the Final EIR/EIS under the California Environmental Quality Act (CEQA), consistency with requirements of the Land and the Water Conservation Fund (L&WCF) Act, mitigation for fire hazards, and consideration of impacts to wildlife movement.

Response: The analysis of impacts under the National Environmental Policy Act (NEPA) and CEQA is discussed in two places in the Final EIR/EIS, in slightly different contexts. The impacts under CEQA include thresholds and determinations of significance and are included in Chapter 4, California Environmental Quality Act Evaluation.

The land near the Green River Road off-ramp that would be used for the SR-91 CIP is not subject to compliance with requirements of the L&WCF Act because that land was not purchased or improved with L&WCF Act funds. The land in Chino Hills State Park (CHSP) that would be permanently used for the SR-91 CIP is in a part of CHSP where no L&WCF Act grant monies were expended; therefore, Section 6(t) would not apply.

The National Park Service indicated in their consultation letter, dated January 26, 2012, that" ... we have determined that LWCF Act 6(t)(3) does not now apply to parcel #3 1, and that the proposed project, were it to be built today, would not cause a LWCF Act conversion of parkland on parcel #31."

Hills for Everyone also requested that a fire barrier on the north and south sides of SR-91 adjacent to CHSP be constructed earlier than the Ultimate Project. However, the SR-91 CIP does not include construction of these barriers because the Initial Phase does not include widening or other major changes/improvements on this segment of SR-91. Measure UES-4 in the Final EIR/EIS details the requirements for this barrier as follows:

“UES-4: Fire Prevention Adjacent to CHSP. The final design of the SR-91 CIP Build Alternatives will include closing gaps so there is the equivalent of a continuous barrier 30 to 36 inches high on the edge of the shoulder on both WB and EB SR-91 from SR-71 to SR-241, as follows:

- Initial Phase: The 36-inch-high concrete barrier on WB SR-91 between SR-71 and Green River Road already included in the design alternatives will meet the requirements for this barrier;
- Ultimate Project: Close gaps to provide an equivalent continuous barrier 30 to 36 inches high on the edge of shoulder on SR-91 in both directions between Green River Road and SR-241 meeting Department standards applicable at the time.”

The temporary effects on wildlife and wildlife movement in areas adjacent to active construction areas such as noise and night light effects and permanent effects such as changes in openness ratios will be mitigated based on implementation of measures provided in the Final EIR/EIS. As a result, although B Canyon is not currently identified in the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) for conservation, RCTC is committed to implementing the measures that will benefit Coal Canyon. In addition, RCTC has committed to contributing funds to a separate future project to widen this undercrossing as described in the Final EIR/EIS. This future project would be a coordinated effort of the Western Riverside Regional Conservation Authority (RCA), the wildlife resource agencies, Caltrans, and RCTC, depending on the ability of the RCA to amend the Western Riverside County MSHCP and to obtain the necessary property rights to ensure the wildlife corridor would be successful in the long term.

Wildlife Corridor Conservation Authority: Concerns with the mitigation for project effects at CHSP, including Coal Canyon; consistency with the L&WCF Act; construction of barriers on the north and south sides of SR-91 as soon as possible; and a Memorandum of Understanding (MOU) for wildlife crossing at Coal Canyon.

Response: Caltrans and RCTC worked very closely with State Parks to address the temporary and permanent project effects on CHSP. Extensive mitigation was developed in consultation with State Parks. Those measures address:

- Property acquisition
- Contribution of \$100,000 for planning and implementing improvements for regional trail connectivity (including improvements to the trail entrance at Prado Road)
- Aesthetic features on the retaining wall facing CHSP
- Barrier for fire prevention
- Construction activity during the fire season
- Limits on construction hours in/near CHSP
- Silt fence barriers during construction at Coal Canyon
- Future project for barriers near Coal Canyon

Caltrans Districts 8 and 12 will coordinate with State Parks on the development and implementation of an MOU related to Coal Canyon and improvements to this area in the vicinity of CHSP.

Caltrans is proposing to conduct planting in State right-of-way at Coal Canyon as a project independent of, and separate from, the SR-91 CIP. The purpose of that planting is to attract more wildlife to this undercrossing

Other Comments

In addition to the written comments described above, Caltrans and RCTC have received e-mails and verbal comments by phone from members of the general public. Those comments did not raise specific

substantive environmental issues or ask specific questions regarding the analyses and conclusions in the Final EIR/EIS. The comments generally relate to the following topics: potential project effects on individual properties (full or partial acquisition or temporary construction easements, access during construction); the property acquisition process and schedule; update on where final noise walls will be provided; locations of the toll lane entrances and exits and other questions on specific project features; and questions on potential business opportunities and names of potential project contractors. RCTC has responded to these comments either by e-mail or via phone call.

As per 14 California Code of Regulations (CCR) Section 15088.5, Recirculation of an EIR Prior to Certification, the above comments and responses did not require recirculation of the EIR or revalidation. Specifically, 14 CCR 15088.5 (a)(1) – (a)(4) excuses the EIR and the analysis performed for the revalidation from recirculation because:

1. There are no new significant environmental impacts;
2. There are no new mitigation measures required;
3. There are no new alternatives or mitigation measures considerable different from those previously analyzed that would clearly lessen the significant environmental impacts; and
4. The Draft EIR did complete meaningful public review and comment.

Updates to the Responses to Comments on the Final EIR/EIS

Coal Canyon MOU and CHSP Vicinity. RCTC sent an *Agreement with Chino Hills State Park* to Governor Brown in February 2012 suggesting that “no mitigation is warranted for the Coal Canyon wildlife crossing.” RCTC also sent a *Letter of Intent* to the State Parks District Superintendent in March 2012 where they committed to build barriers in Coal Canyon to block light and glare in tandem with the completion of the SR-91 widening in the area, which at the time was planned for completion in 2035. No further progress has been made towards the Coal Canyon MOU.

H. Record of Decision Approval

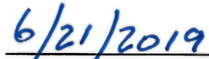
A ROD for the Initial Phase of Alternative 2f, was approved in October 2012. At the time of approval of the Initial Phase ROD, funding was only available for the Initial Phase. Funding is becoming available to proceed with implementing the additional improvements to complete the 15/91 ELC Project phase of the Ultimate Project.

The 15/91 ELC Project, with the incorporated changes listed above and detailed in the 2019 Revalidation, has been determined to best provide a safe and efficient transportation facility. All practical measures to avoid, minimize, and mitigate environmental harm have been adopted and will be incorporated into this decision. The Ultimate Project was proposed to be constructed in phases based on available funding. This ROD is for the 15/91 ELC Project, one phase that makes up the Ultimate Project. This ROD includes relevant information for the 15/91 ELC Project. It is not necessary to repeat information or impacts previously identified in the ROD approved in October 2012, in this document.

The ROD for the 15/91 ELC Project phase of the Ultimate Project of the SR-91 CIP is hereby approved.



Michael D. Beauchamp, District Director
California Department of Transportation



Date