

RIVERSIDE COUNTY TRANSPORTATION COMMISSION

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| DATE: | January 9, 2008 |
| TO: | Riverside County Transportation Commission |
| FROM: | Edda Rosso, Project Manager Steven Keel, Bechtel Environmental Manager |
| THROUGH: | Anne Mayer, Executive Director |
| SUBJECT: | California Environmental Quality Act Addendum to the Negative Declaration for the Perris Multimodal Transit Center |

STAFF RECOMMENDATION:

This item is for the Commission to adopt the California Environmental Quality Act (CEQA) Addendum to the negative declaration (ND) for the Perris Multimodal Transit Center (PMTC).

BACKGROUND INFORMATION:

On June 1, 2006, the city of Perris prepared and adopted Negative Declaration No. 2213 for the PMTC. The Commission is a CEQA responsible agency and was involved in the environmental review process. The Commission found that the ND was adequate at that time.

Final project design began in April 2007 under the Commission's contract with Psomas. Subsequently, minor changes to the project resulted in the need for the Commission to acquire approximately 9,198 square feet in temporary construction easements and 1,096 square feet of right-of-way.

According to CEQA Guidelines Section 15164(b), *"An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent environmental impact report (EIR) or negative declaration have occurred."*

CEQA Guidelines Section 15164(c) indicates, *"An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration."*

Finally, CEQA Guidelines Section 15164(d) indicates, *"The decision making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project."*

Because the need to acquire 9,198 square feet in temporary construction easements and 1,096 square feet of right-of-way are only minor technical changes or additions and none of the conditions described in Section 15162 calling for preparation of a subsequent negative declaration has occurred, staff has prepared an addendum to the ND for the PMTC. This addendum need not be circulated for public review, but will be an attachment to the adopted ND.

Based on the Commission's independent judgment and information provided in the mitigated negative declaration, the addendum, and other documentation in the administrative record, staff recommends the Commission adopt the Addendum to the ND for the PMTC.

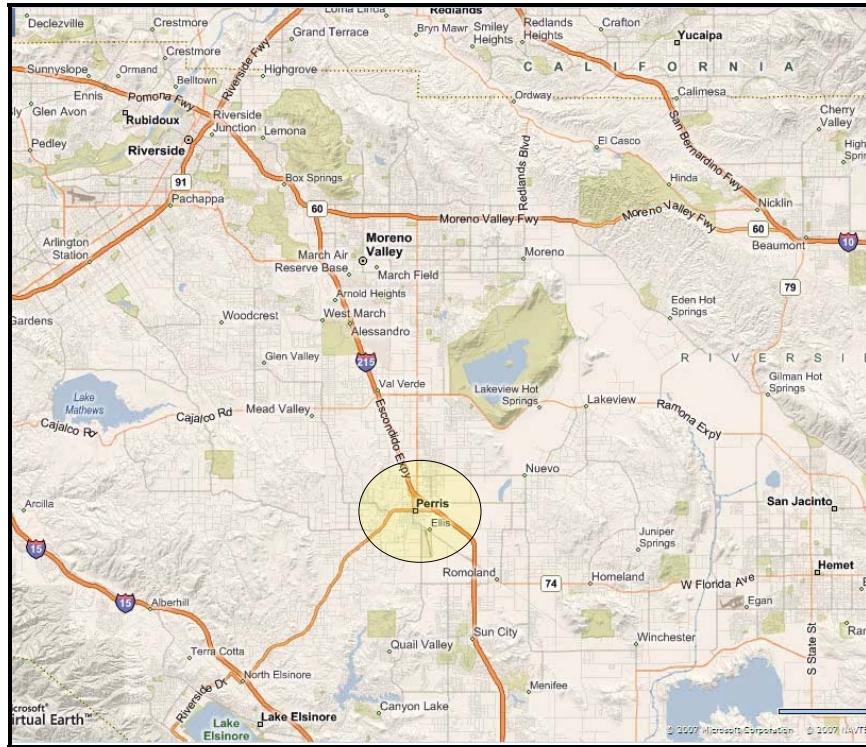
Upon Commission approval, staff will file a CEQA notice of determination.

Attachment: CEQA Addendum

CEQA Addendum

Negative Declaration

Perris Multi-Modal Facility, Phase I



December 2007

I. Background

A. Existing Environmental Compliance

On June 1, 2006, the City of Perris (City) adopted Negative Declaration (ND) No. 2213: Development Plan Review Permit No. P05-0425 and Street Vacation No. P06-0063 for the Perris Multi-Modal Facility, Phase I (Project). The City is the lead agency under the California Environmental Quality Act (CEQA) and the Riverside County Transportation Commission (RCTC) is a responsible agency.

B. Status

In response to project changes, RCTC has prepared this California Environmental Quality Act (CEQA) Addendum to the ND. The project changes are minor and consist of the following:

- Acquisition of approximately 1,096 square feet (sf) of right of way (ROW) to reconstruct Americans with Disabilities Act (ADA) compliant curb ramps at the northwest corner of 4th and C Streets
- Acquisition of approximately 9,198 sf of temporary construction easements (TCE) to widen C Street to the west

RCTC began final design activities in April 2007 with an anticipated completion in early 2008. RCTC has also begun initial ROW activities with certification expected by April 2008. Construction is scheduled to begin in June 2008 and will take approximately 5 months to complete.

C. Schedule

| Activity | 2007 | | | 2008 | | | | | | | | | | | |
|---|------|----|----|------|----|----|----|----|----|----|----|----|----|----|----|
| | 10 | 11 | 12 | 01 | 02 | 03 | 04 | 05 | 06 | 07 | 08 | 09 | 10 | 11 | 12 |
| Right of Way | ◊ | | | | | | ◊ | | | | | | | | |
| Contact property owners | | → | | | | | | | | | | | | | |
| Appraisal | | | → | | | | | | | | | | | | |
| Negotiations | | | | → | | | | | | | | | | | |
| Acquisition | | | | | → | | | | | | | | | | |
| Final Design | ◊ | | | | ◊ | | | | | | | | | | |
| Advertise and Award Construction Contract | | | | | | ◊ | | ◊ | | | | | | | |
| Construction | | | | | | | | | ◊ | | | | ◊ | | |

II. Project Description

As indicated in Section I.A., the Project was previously analyzed, approved, and adopted by the City of Perris as Negative Declaration (ND) No. 2213: Development Plan Review Permit No. P05-0425 and Street Vacation No. P06-0063 for the Perris Multi-Modal Facility, Phase I.

The Project is located in the City of Perris, Riverside County, California and specifically, at the southeast corner of San Jacinto Avenue and C Street, between San Jacinto Avenue and 4th Street (State Route 74) (Figures 1 through 3). The Project includes:

- Construction of the Riverside Transit Agency (RTA) bus plaza with 8 bus bays, to be located east of C Street between San Jacinto and 4th Streets (SR-74) in downtown Perris
- A surface parking lot with 141 spaces
- A transit platform
- Additional on-site amenities, including bus shelters, unisex restroom for use by bus drivers, and other ancillary features typical of such a facility (e.g., lighting, bicycle racks, benches, trash enclosures, drinking fountains, etc.)
- Off-site improvements, including a traffic signal at the intersection of 4th and C Streets
- Widening C Street to 43 feet, curb to curb, including a center left-turn lane

- Right-of-way dedication along San Jacinto Avenue and street improvements, including new curbs, gutters, sidewalks, and pavement rehabilitation

III. CEQA Addendum

Minor technical changes or additions to an adopted ND are addressed with an Addendum (CEQA Guidelines §15162 and §15164). The decision to prepare an Addendum is documented below.

15162. Subsequent EIRs and Negative Declarations

(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

No substantial changes are proposed in the Project that require major revisions to the approved ND. No significant impacts were previously identified and none of the minor project changes being considered change that determination.

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

No substantial changes have occurred with respect to the circumstances under which the Project is undertaken that require any major revisions to the approved ND. No significant impacts were previously identified and none of the minor project changes being considered change that determination.

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

No significant impacts were previously identified and none of the minor project changes under examination change that determination.

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

No significant impacts were previously identified and none of the minor project changes under examination change that determination.

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

No significant impacts were previously identified and none of the minor project changes under examination change that determination.

No mitigation measures or alternatives were previously found not to be feasible.

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

No mitigation measures or alternatives (only one project alternative was considered) are different from those previously analyzed.

(b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.

None of the conditions described in subdivision (a) require preparation of a subsequent environmental document. RCTC has determined an Addendum is the appropriate document to address the minor technical changes to the approved ND.

(c) Once a project has been approved, the lead agency's role in project approval is completed, unless further discretionary approval on that project is required. Information appearing after an approval does not require reopening of that approval. If after the project is approved, any of the conditions described in subdivision (a) occurs, a subsequent EIR or negative declaration shall only be prepared by the public agency which grants the next discretionary approval for the project, if any. In this situation no other responsible agency shall grant an approval for the project until the subsequent EIR has been certified or subsequent negative declaration adopted.

Subdivision (c) does not apply to this Project.

(d) A subsequent EIR or subsequent negative declaration shall be given the same notice and public review as required under Section 15087 or Section 15072. A subsequent EIR or negative declaration shall state where the previous document is available and can be reviewed.

Subdivision (d) does not apply to this Project.

None of the conditions of Section 15162 have occurred. As such, preparation of a Subsequent ND is not required.

Note: Authority cited: Public Resources Code Section 21083; Reference: Section 21166, Public Resources Code; *Bowman v. City of Petaluma* (1986) 185 Cal.App.3d 1065; *Benton v. Board of Supervisors* (1991) 226 Cal.App.3d 1467; and *Fort Mojave*

15164. Addendum to an EIR or Negative Declaration

(a) The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

Subdivision (a) does not apply to this Project.

(b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

The need for 9,198 sf in TCEs and acquisition of 1,096 sf of ROW are only minor technical changes or additions and none of the conditions described in §15162 calling for preparation of a Subsequent ND has occurred.

(c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.

This Addendum will not be circulated for public review, but will be attached to the adopted ND.

(d) The decision making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.

This Addendum and the Negative Declaration upon which it is based will be considered and approved by RCTC prior to going forward with the acquisition of the TCEs and ROW.

(e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

None of the conditions described in §15162 are in evidence and a Subsequent ND is not required.

Note: Authority cited: Public Resources Code Section 21083; Reference: Section 21166, Public Resources Code; *Bowman v. City of Petaluma* (1986) 185 Cal.App.3d 1065; and *Benton v. Board of Supervisors* (1991) 226 Cal.App.3d 1467.

IV. Environmental Evaluation

The TCEs and ROW acquisition that were not presented are associated with the widening of a 1,525 foot long strip on the west side of C Street. The affected parcels, TCE areas, and ROW to be acquired are identified in Table 1 and are depicted by Assessor's Parcel Number (APN) (Figures 4 through 17). The roadway widening will shift C Street 5 feet west, in accordance with the City of Perris Master Plan. The C Street widening will entail modifying existing driveways and relocating existing property fences westerly to the new dedicated ROW line to accommodate the improved C Street. RCTC must acquire approximately 9,198 sf of TCEs prior to doing any work on private property. In addition, Americans with Disabilities Act (ADA) compliant curb ramps will be reconstructed at the northeast and northwest corners of the intersection of 4th Street and C Street. This work will require approximately 1,096 sf of ROW acquisition.

Table 1 Environmental Evaluation

| Environmental Issues | Evaluation |
|---------------------------------|---|
| Aesthetics | No impact |
| Agricultural resources | No impact |
| Air quality ¹ | Short-term, localized construction impact – not significant |
| Cultural resources | No impact |
| Geology and soils | No impact |
| Hazards and hazardous materials | No impact |
| Hydrology and water quality | No impact |
| Land use and planning | No impact |
| Mineral resources | No impact |
| Noise ² | Short-term, localized construction impact – not significant |
| Population and housing | No impact |
| Recreation | No impact |
| Transportation/traffic | No impact |
| Utilities and service systems | No impact |

^{1, 2} Affected residents will be subjected to short-term construction impacts; however, no significant impacts are expected to occur.

Minor, short-term construction impacts include noise and dust associated with ground disturbing activities, the operation of construction equipment, and the proximity of the workers to the residences. In addition, vehicular access to affected driveways will be temporarily disrupted during construction activities.

The Initial Study Environmental Checklist for the approved ND indicated the Project will employ standard construction practices to minimize construction effects. Such practices include, but are not limited to, site watering, minimizing construction vehicle tracking, requiring all construction equipment to have proper emission control devices and to comply with local noise ordinances.

The work to be performed at the affected properties discussed in this Addendum is expected to take approximately 60 days to complete. Construction would only occur during a prescribed time of day, typically between 7 AM and 4 PM. There will not be any nighttime work. All work will be accomplished such that residents will always have pedestrian access to their properties; however, there will be occasions when the driveways will not be accessible to vehicles. Residents will be notified at least 72 hours prior to any work occurs.

V. CEQA Determination

There are no new or additional environmental impacts associated with the Project. The disclosure of the acquisition of the 9,198 sf of TCEs and 1,096 sf of ROW is a minor technical change intended to clarify the Project description and scope of work. Project construction activities and resultant environmental impacts were already considered and assessed in the adopted ND and the supporting CEQA Environmental Checklist.

RCTC has considered this Addendum to Adopted Negative Declaration (ND) No. 2213: Development Plan Review Permit No. P05-0425 and Street Vacation No. P06-0063 and has determined the Project complies with CEQA and may go forward as planned.

Prepared by:

Steven Keel

Steven Keel
Environmental Manager

12-19-07

Date

Accepted by:

Edda Rosso

Edda Rosso
Program Manager

12-19-07

Date

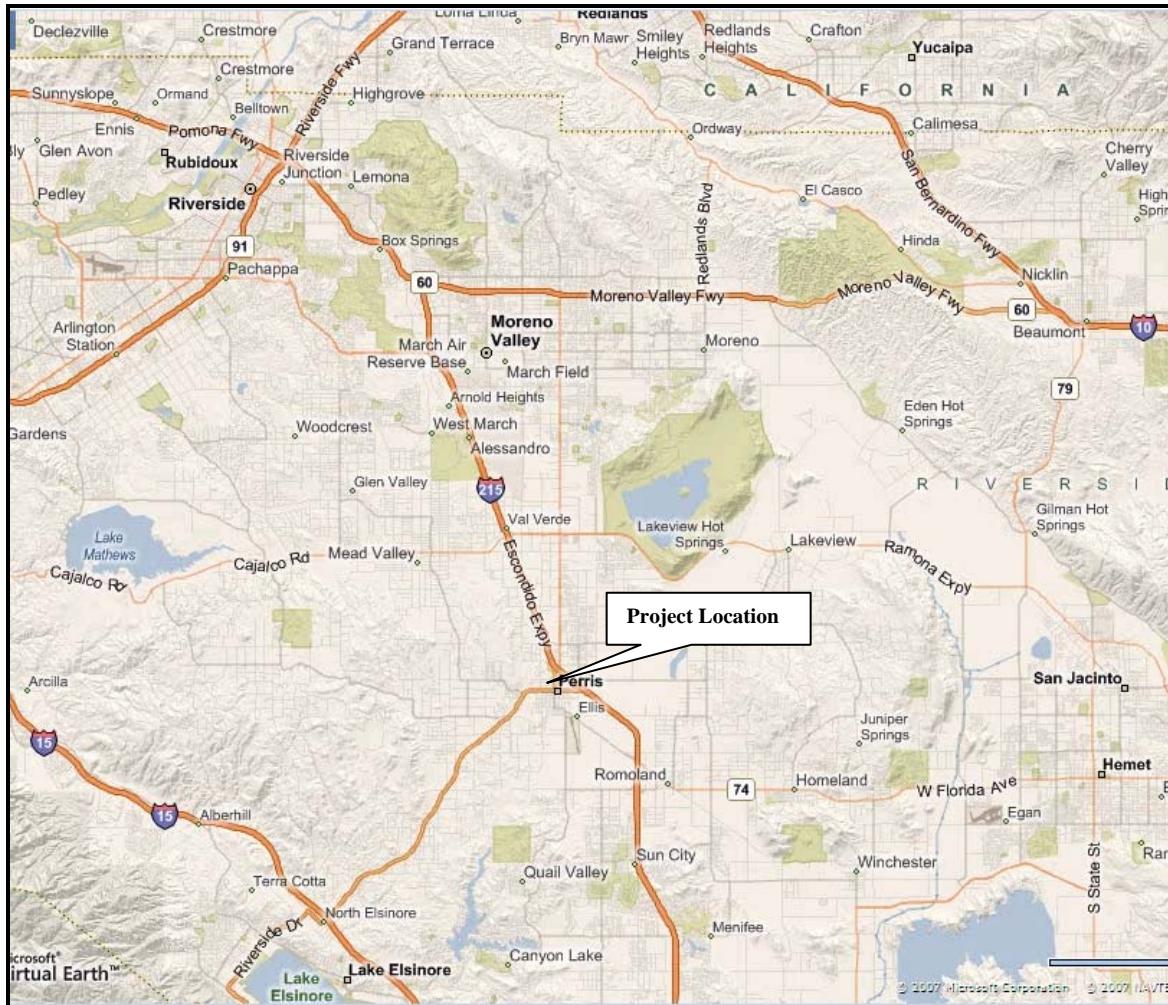


Figure 1

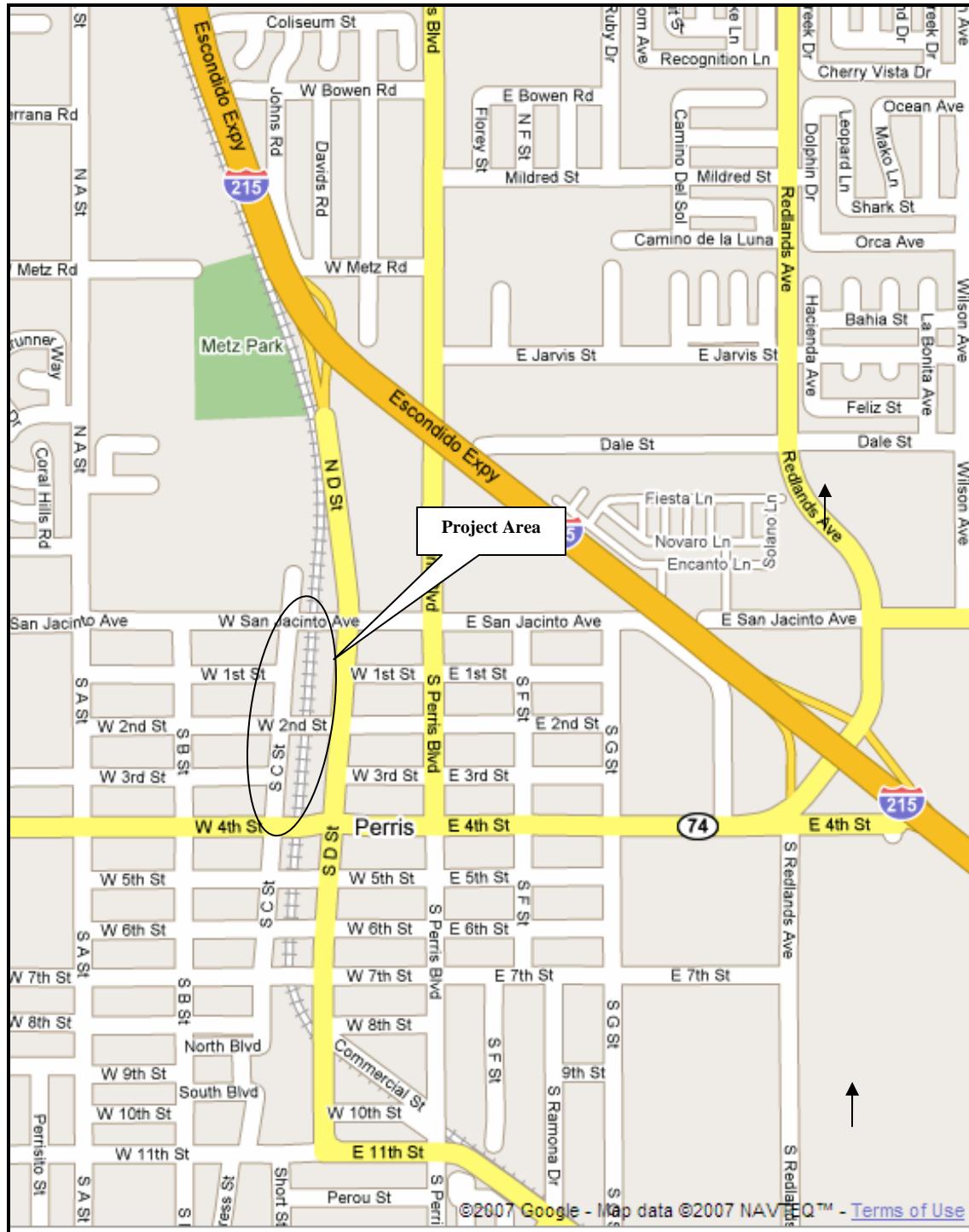


Figure 2

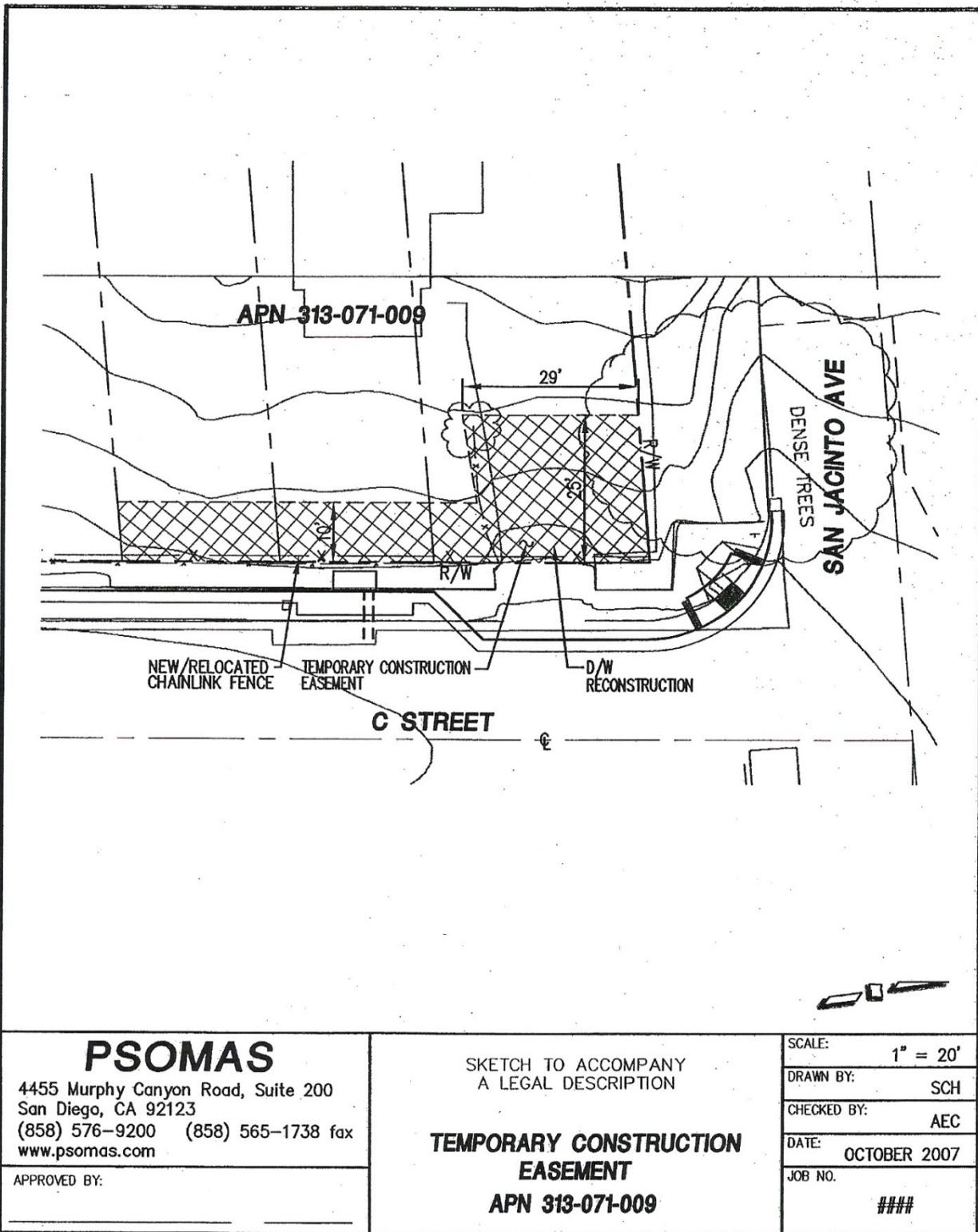


Figure 3

Table 2 Temporary Construction Easements and Right of Way Acquisitions

| Assessor's Parcel Number (APN) (Address, if available) | Approximate Area Affected (in square feet [sf]) | TCE or Acquisition | Description of Work |
|---|--|--------------------|--|
| 313-071-009 (8 C Street) | 1,275 | TCE | Reconstruct concrete walkway, chain link fence, and reconstruct driveway |
| 313-071-012, 013, & 014 (30 C Street) | 1,105 | TCE | Reconstruct concrete walkway, chain link fence, and reconstruct driveway |
| 313-071-030 (16 & 18 C Street) | 1,256 | TCE | Reconstruct concrete walkway, chain link fence, and reconstruct driveway |
| 313-072-011 (104 C Street) | 854 | TCE | Reconstruct concrete walkway, chain link fence, and reconstruct driveway |
| 313-072-032 (124 C Street) | 134 | TCE | Reconstruct driveway |
| 313-072-033 (114 C Street) | 502 | TCE | Relocate chain link fence and reconstruct driveway |
| 313-072-034 (208 2 nd Street) | 931 | TCE | Relocate chain link fence and reconstruct driveway |
| 313-073-013 (222 C Street) | 1,004 | TCE | Reconstruct concrete walkway, chain link fence, and reconstruct driveway |
| 313-073-016 & 017 (214 C Street) | 603 | TCE | Relocate chain link fence |
| 313-073-021 (228 C Street) | 220 | TCE | Reconstruct driveway |
| 313-073-026 (204 C Street) | 132 | TCE | Reconstruct driveway |

| Assessor's Parcel Number (APN) (Address, if available) | Approximate Area Affected (in square feet [sf]) | TCE or Acquisition | Description of Work |
|---|--|--------------------|------------------------------|
| 313-073-027 (208 C Street) | 78 | TCE | Reconstruct driveway |
| 313-074-006 | 1,104 | TCE | Relocate chain link fence |
| 313-120-017 | 1,096 | Acquisition | Construct ADA compliant curb |



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Figure 4

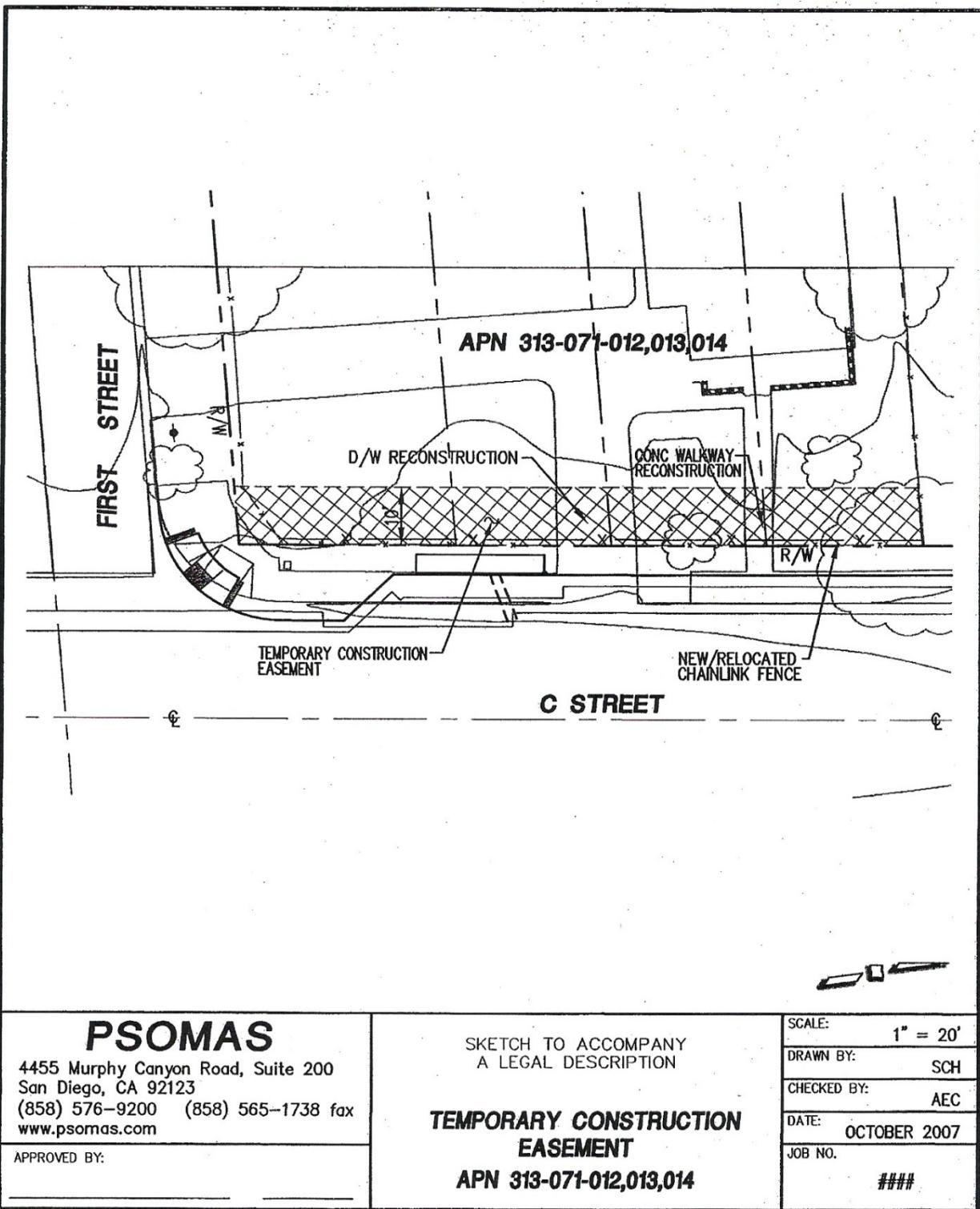


Figure 5

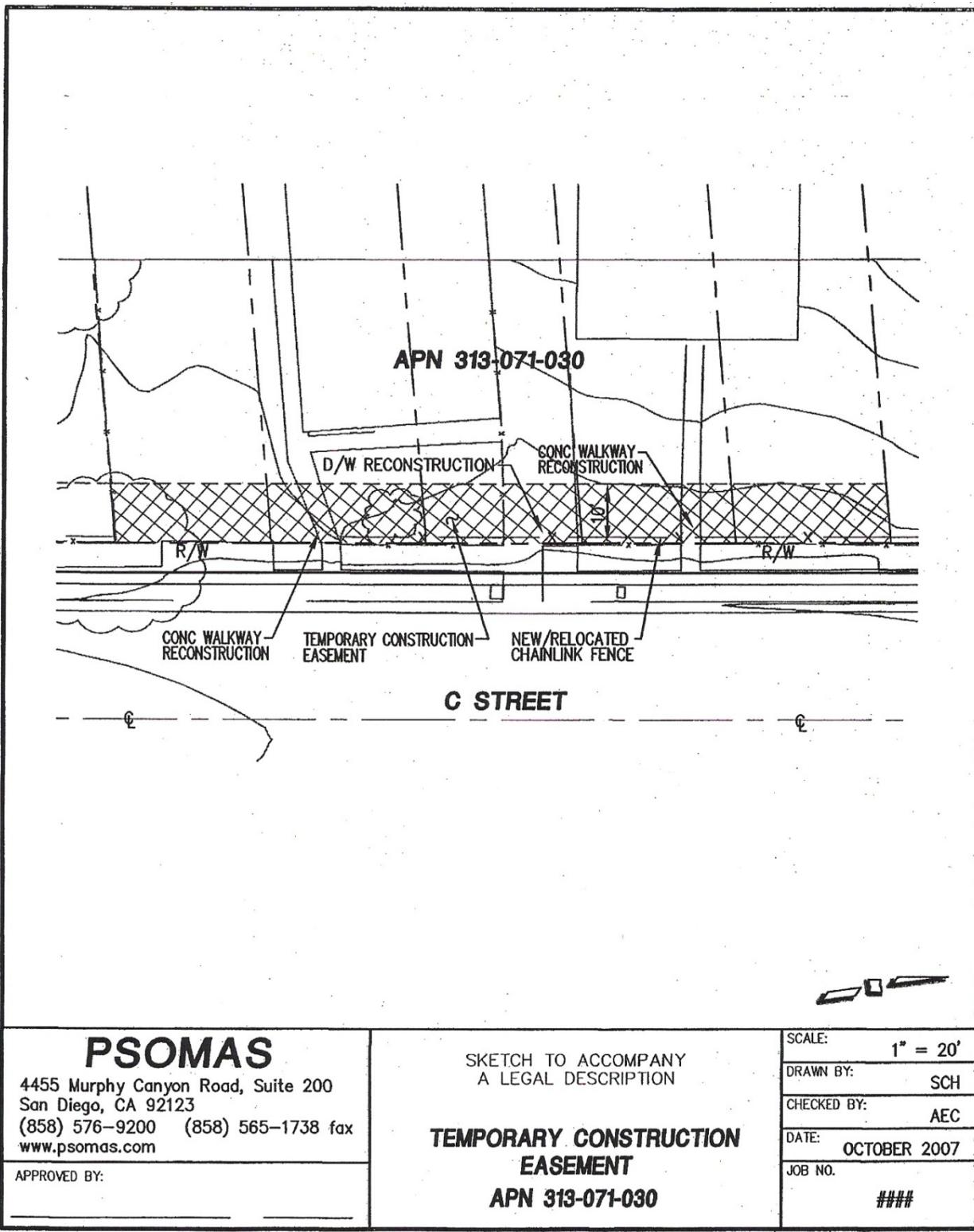


Figure 6

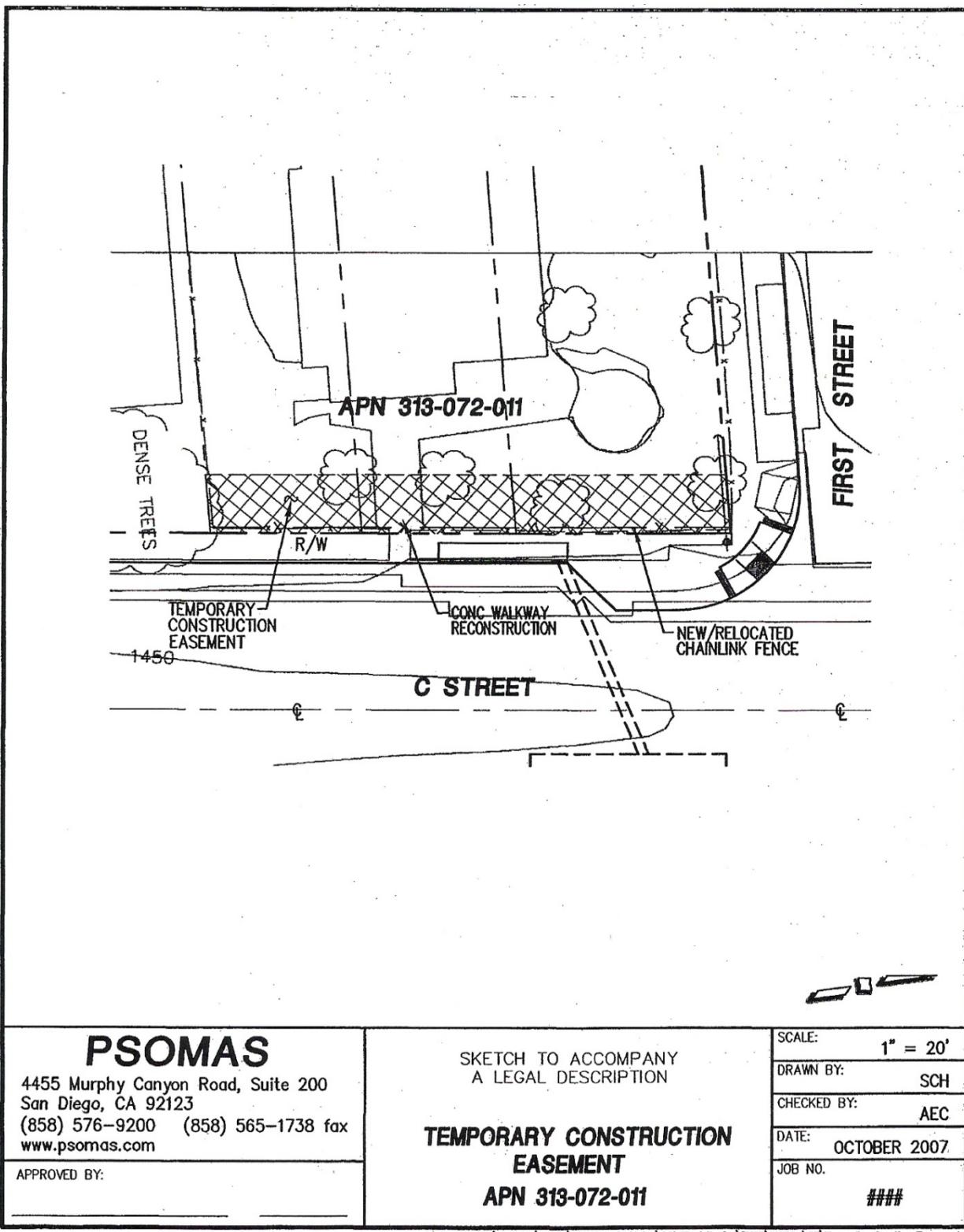


Figure 7

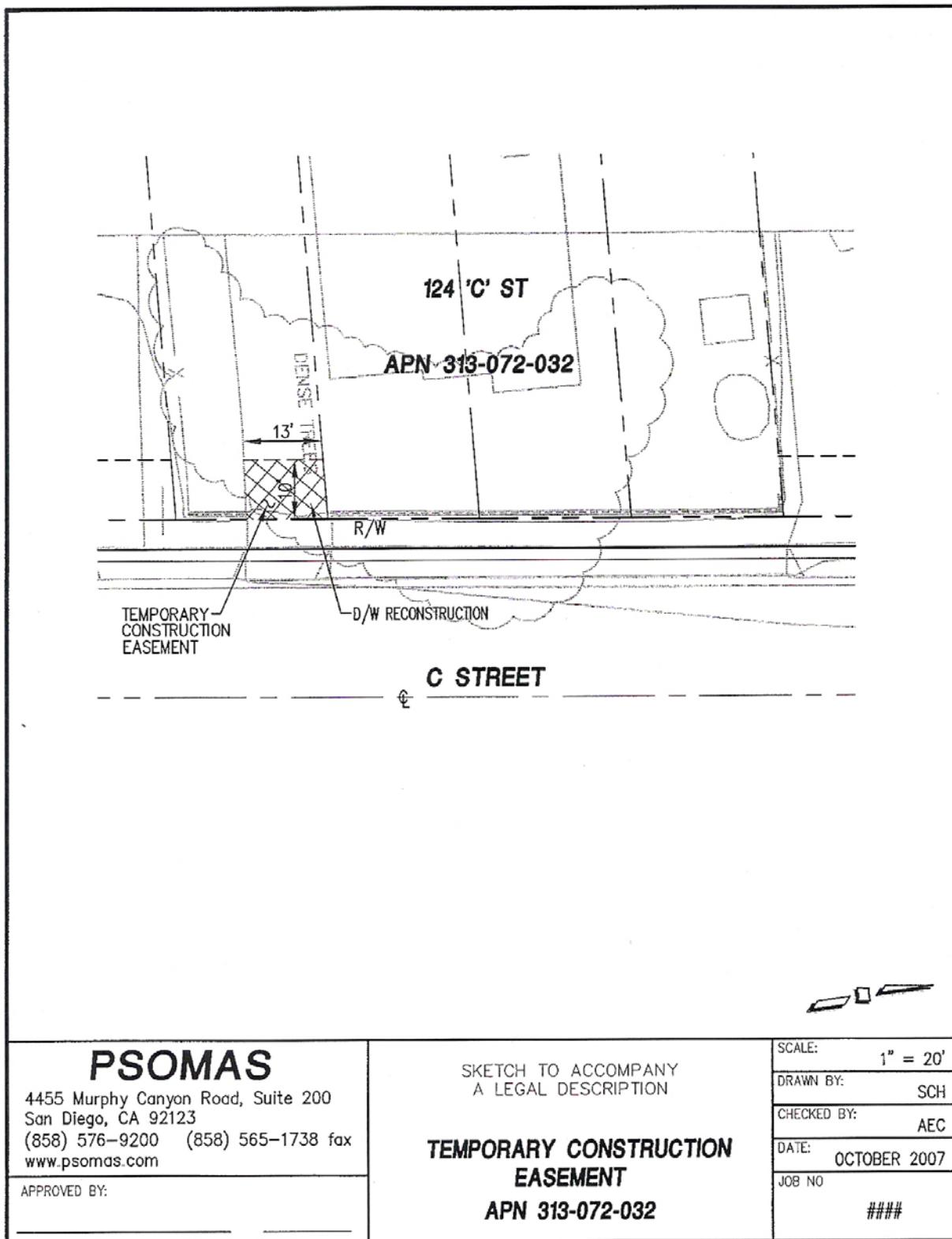


Figure 8

Figure 9

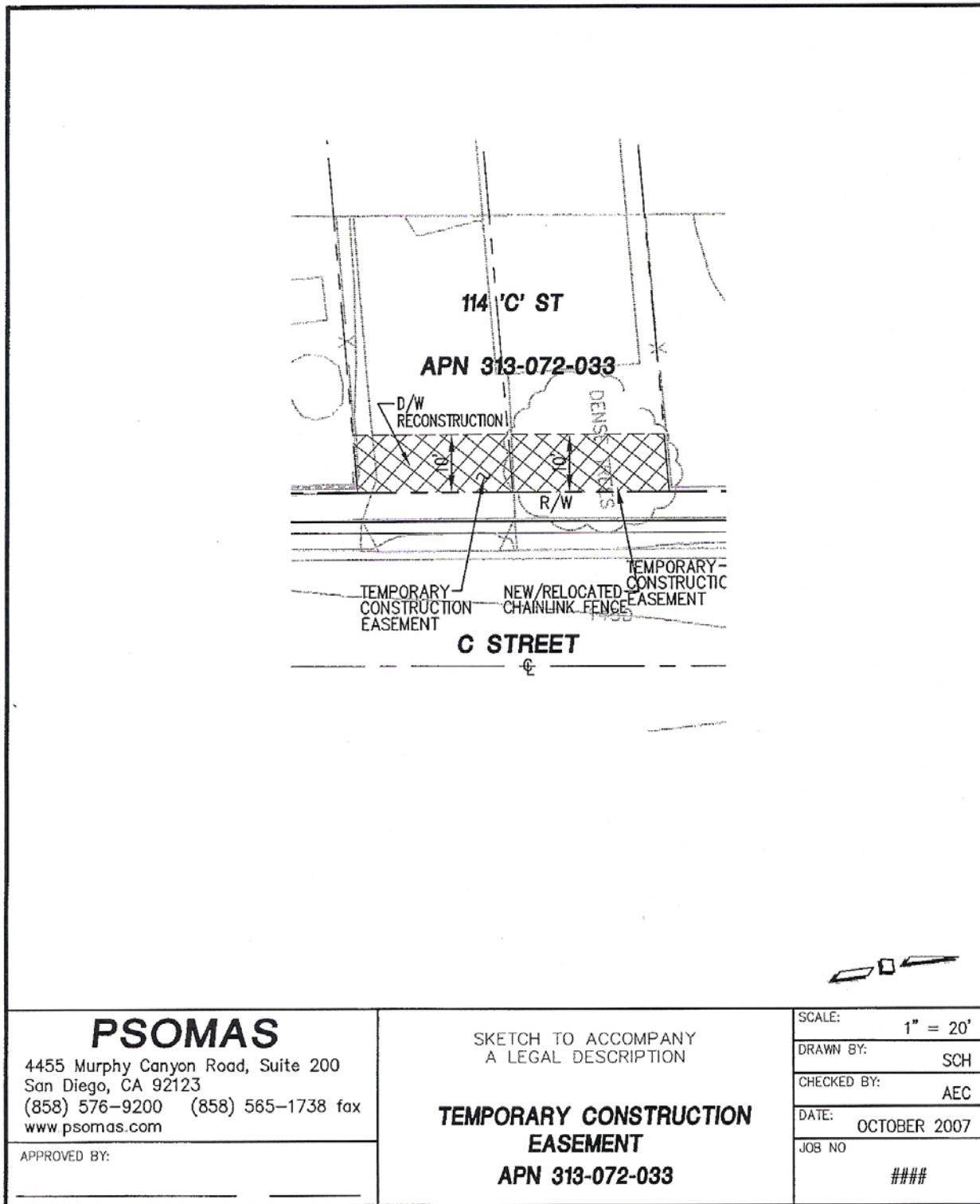


Figure 10

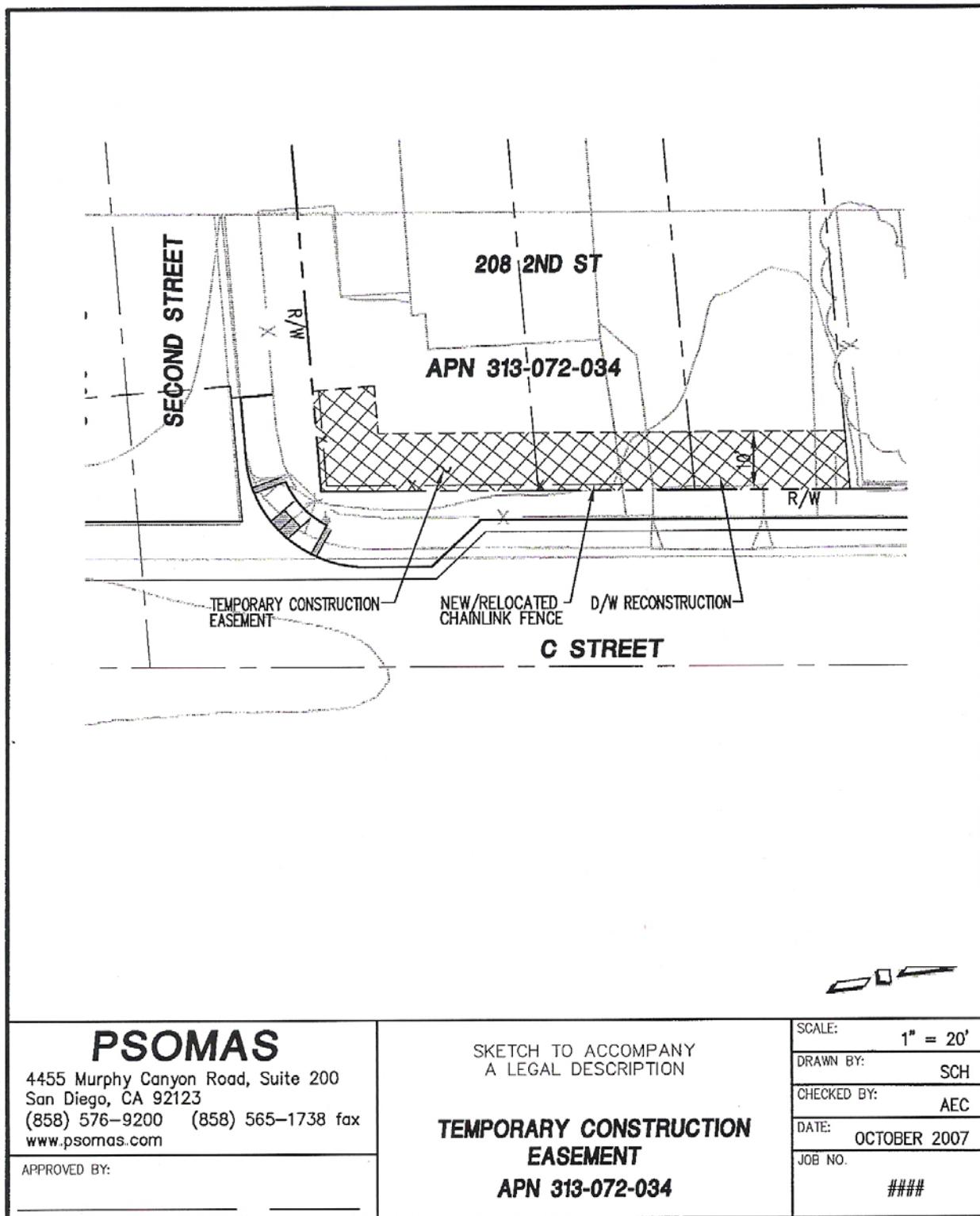


Figure 11

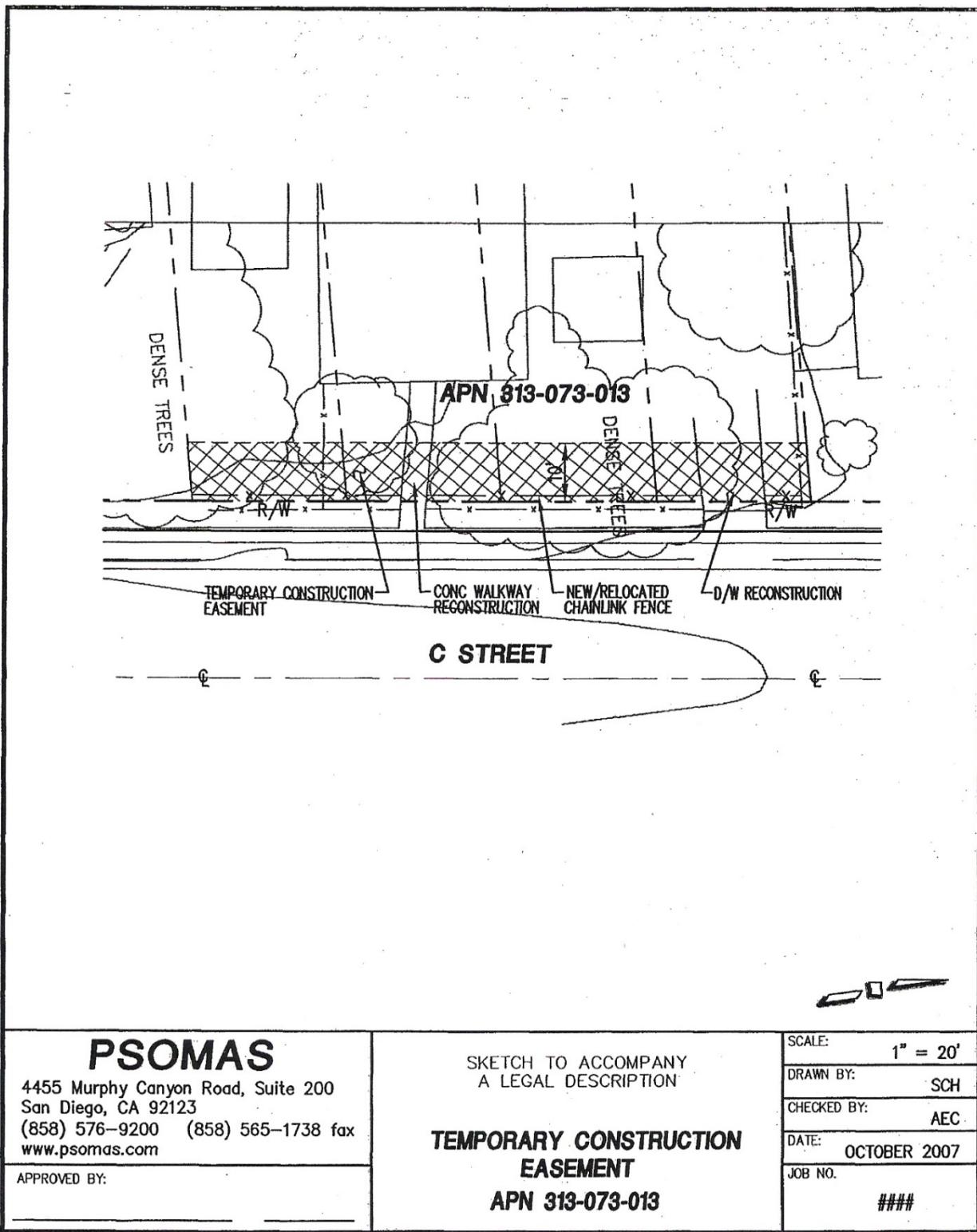


Figure 12

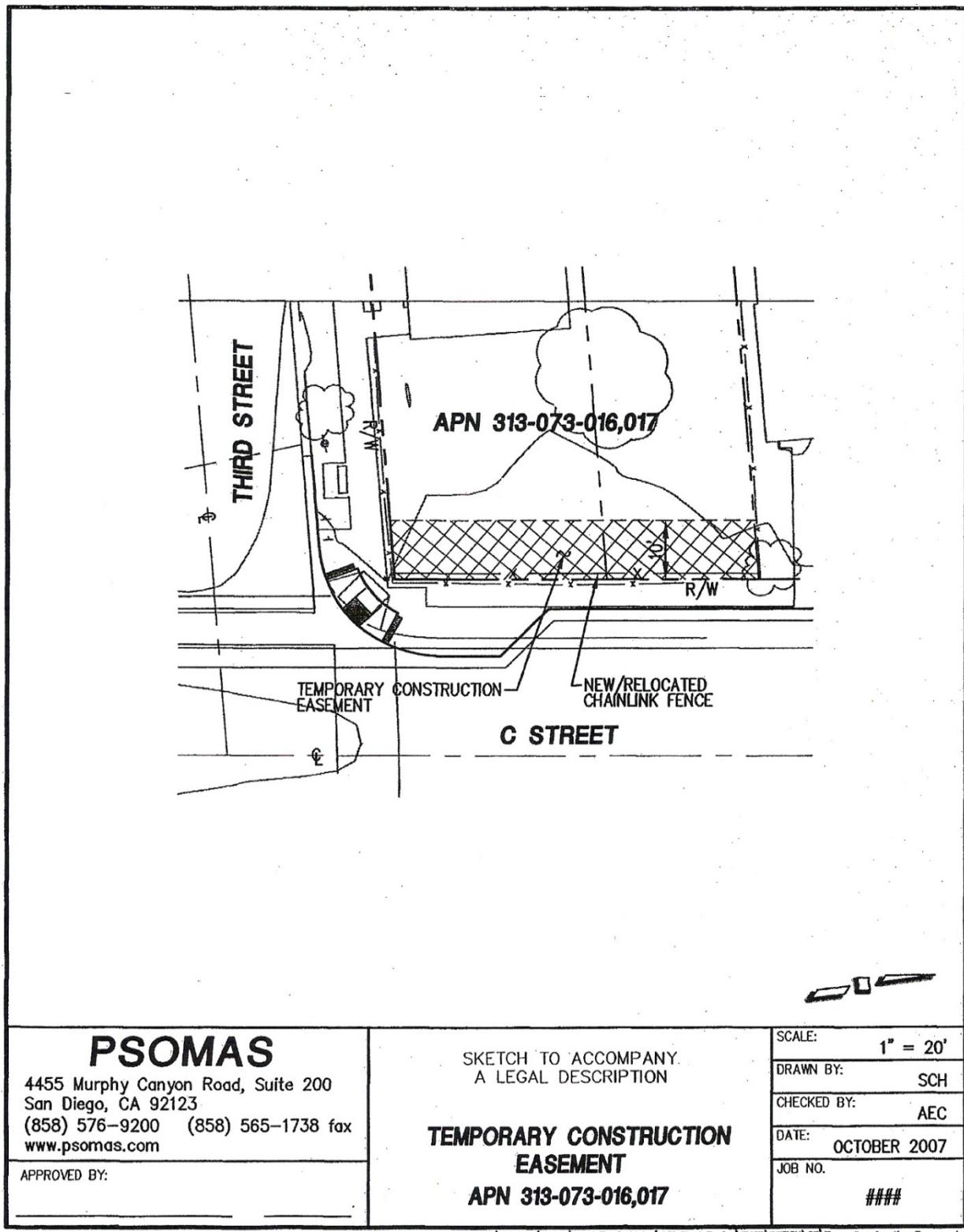
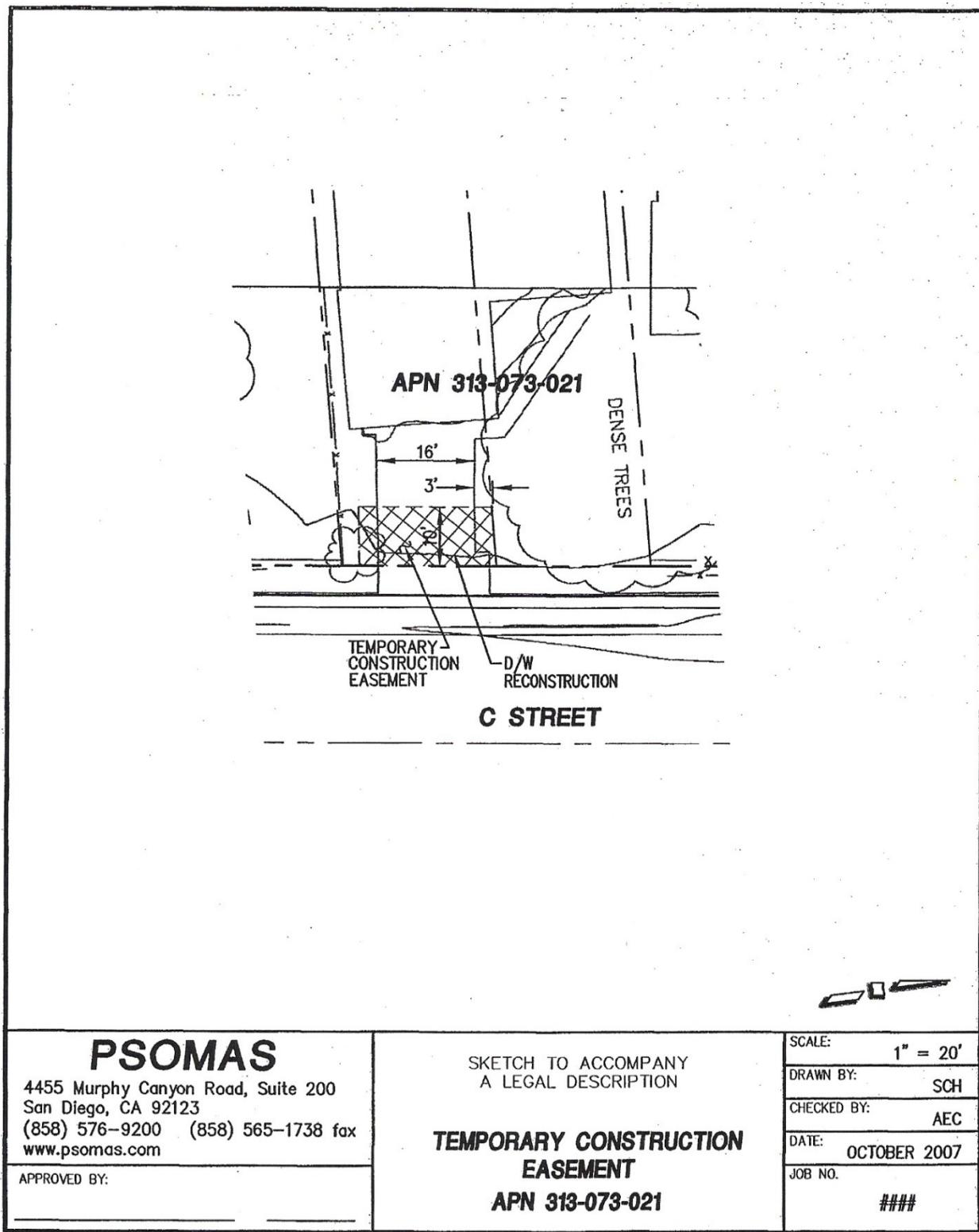


Figure 13



PSOMAS

4455 Murphy Canyon Road, Suite 200
San Diego, CA 92123
(858) 576-9200 (858) 565-1738 fax
www.psomas.com

APPROVED BY: _____

SKETCH TO ACCOMPANY
A LEGAL DESCRIPTION

**TEMPORARY CONSTRUCTION
EASEMENT**
APN 313-073-021

| | |
|-------------|--------------|
| SCALE: | 1" = 20' |
| DRAWN BY: | SCH |
| CHECKED BY: | AEC |
| DATE: | OCTOBER 2007 |
| JOB NO. | ### |

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Figure 14

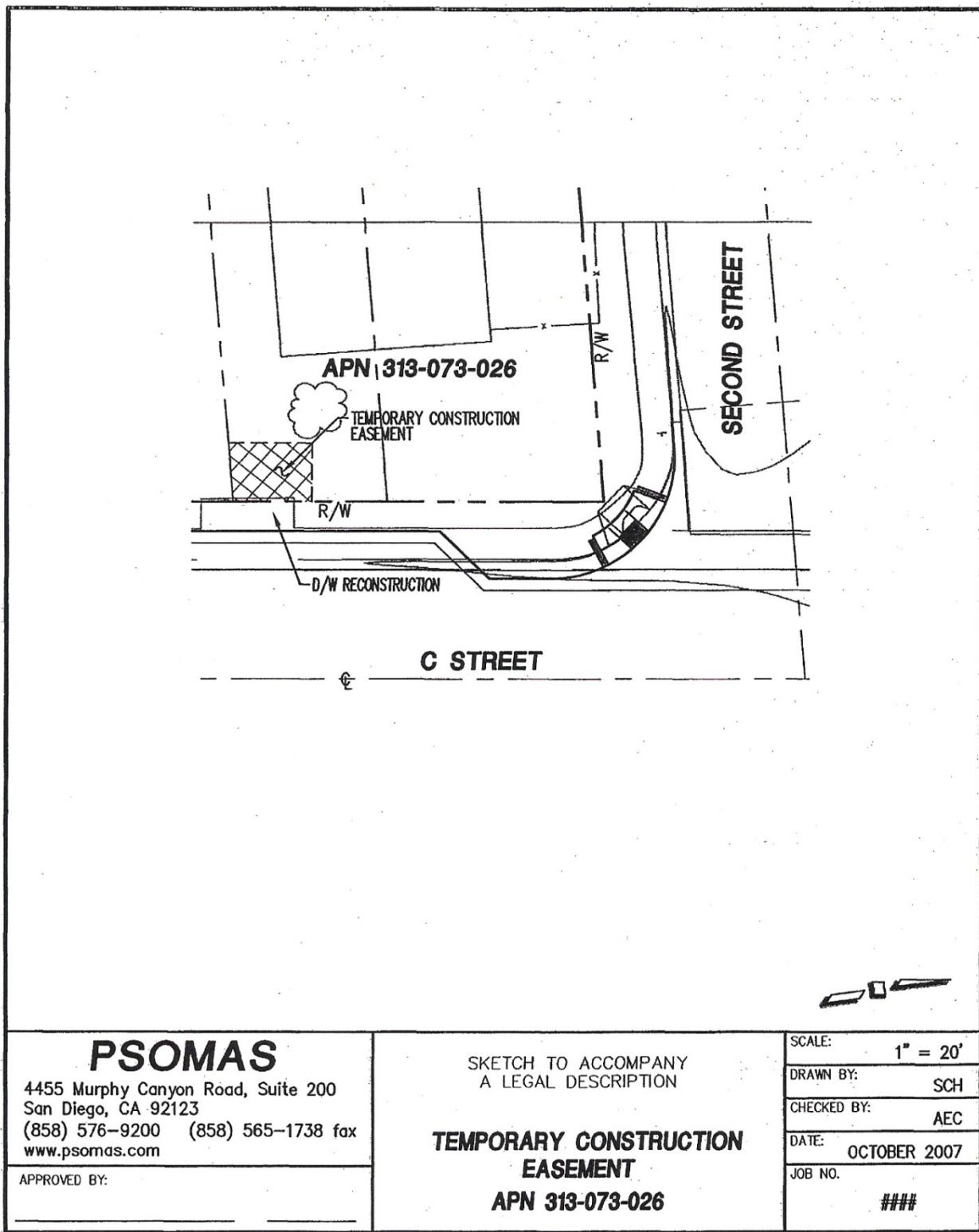


Figure 15

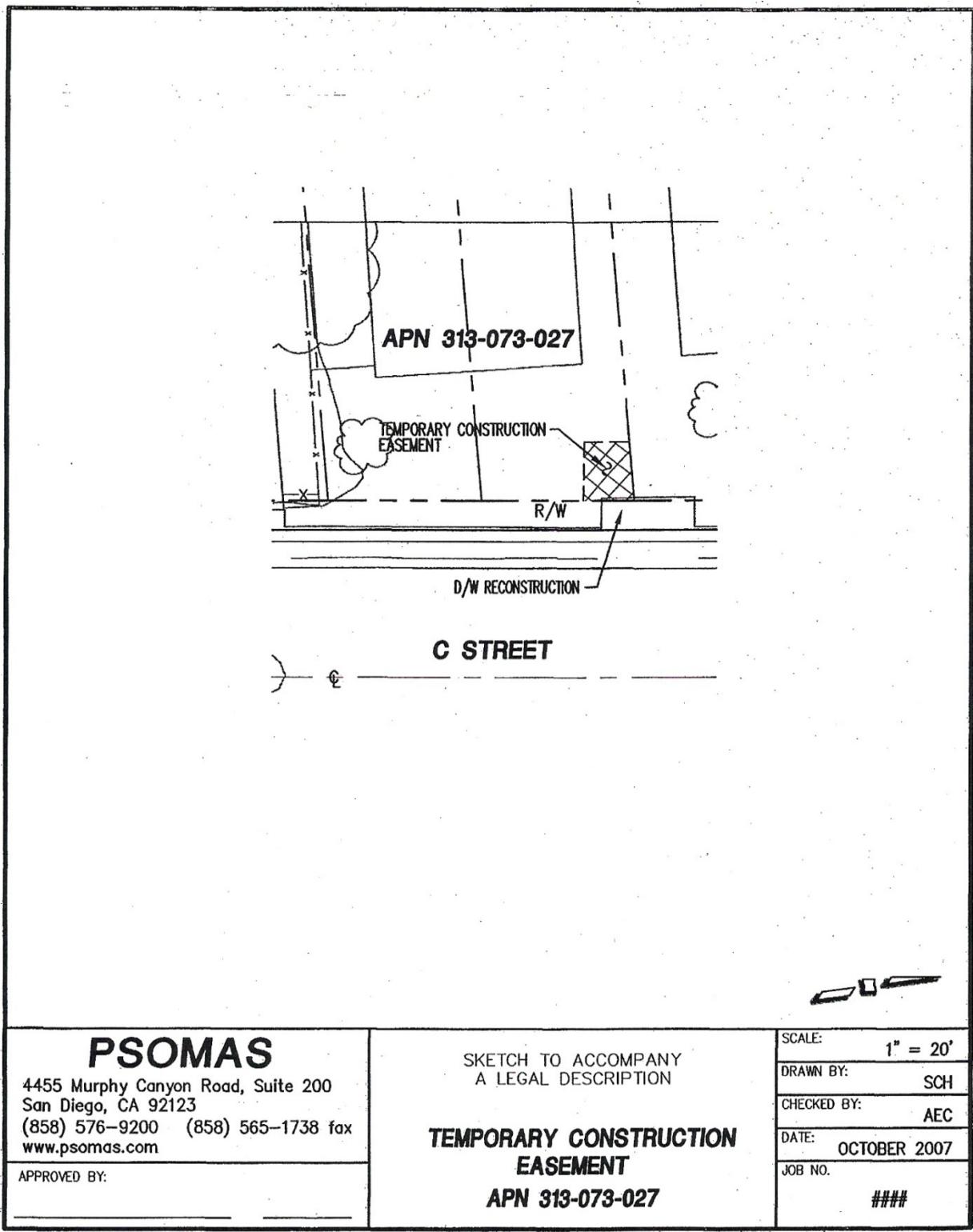


Figure 16

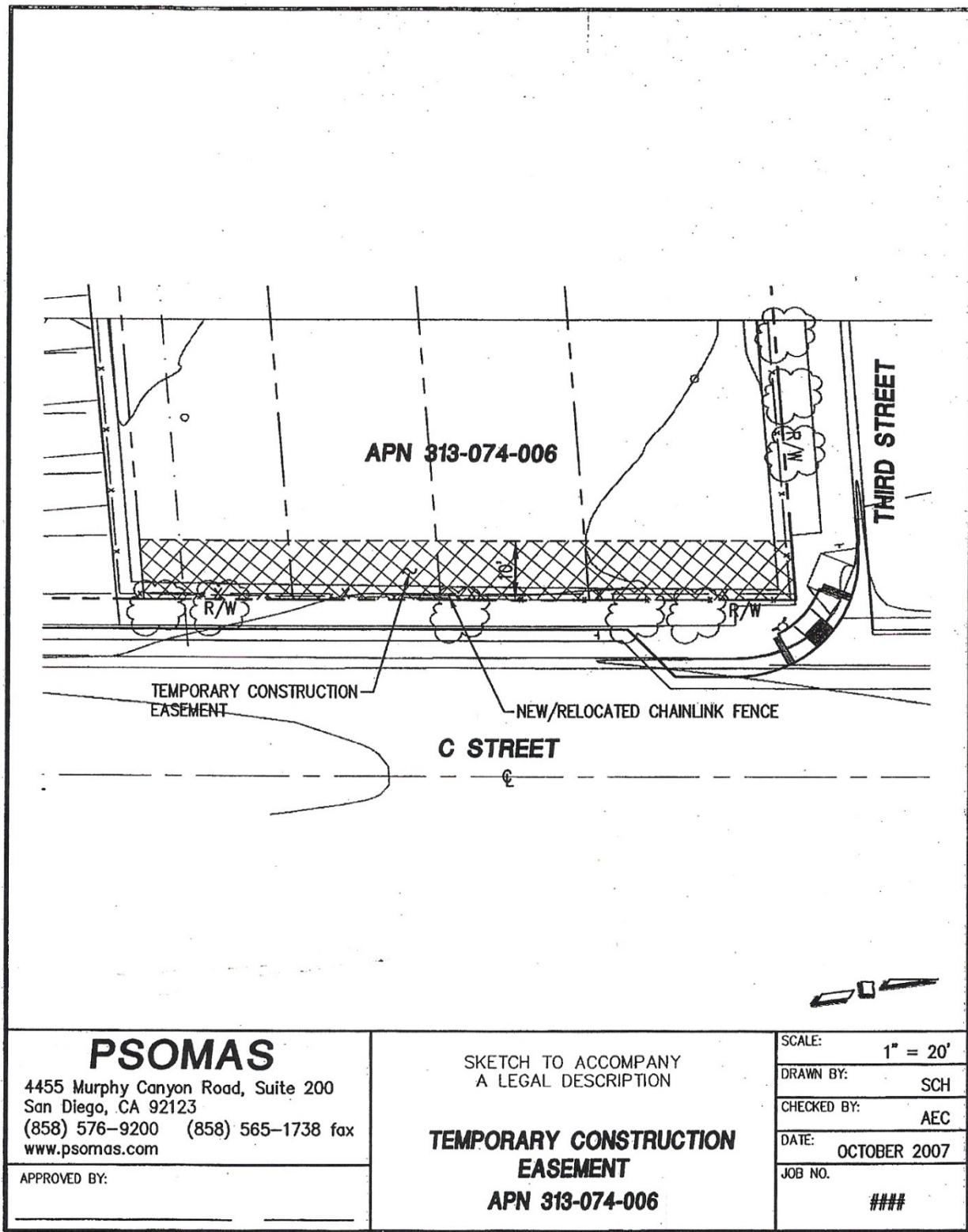


Figure 17

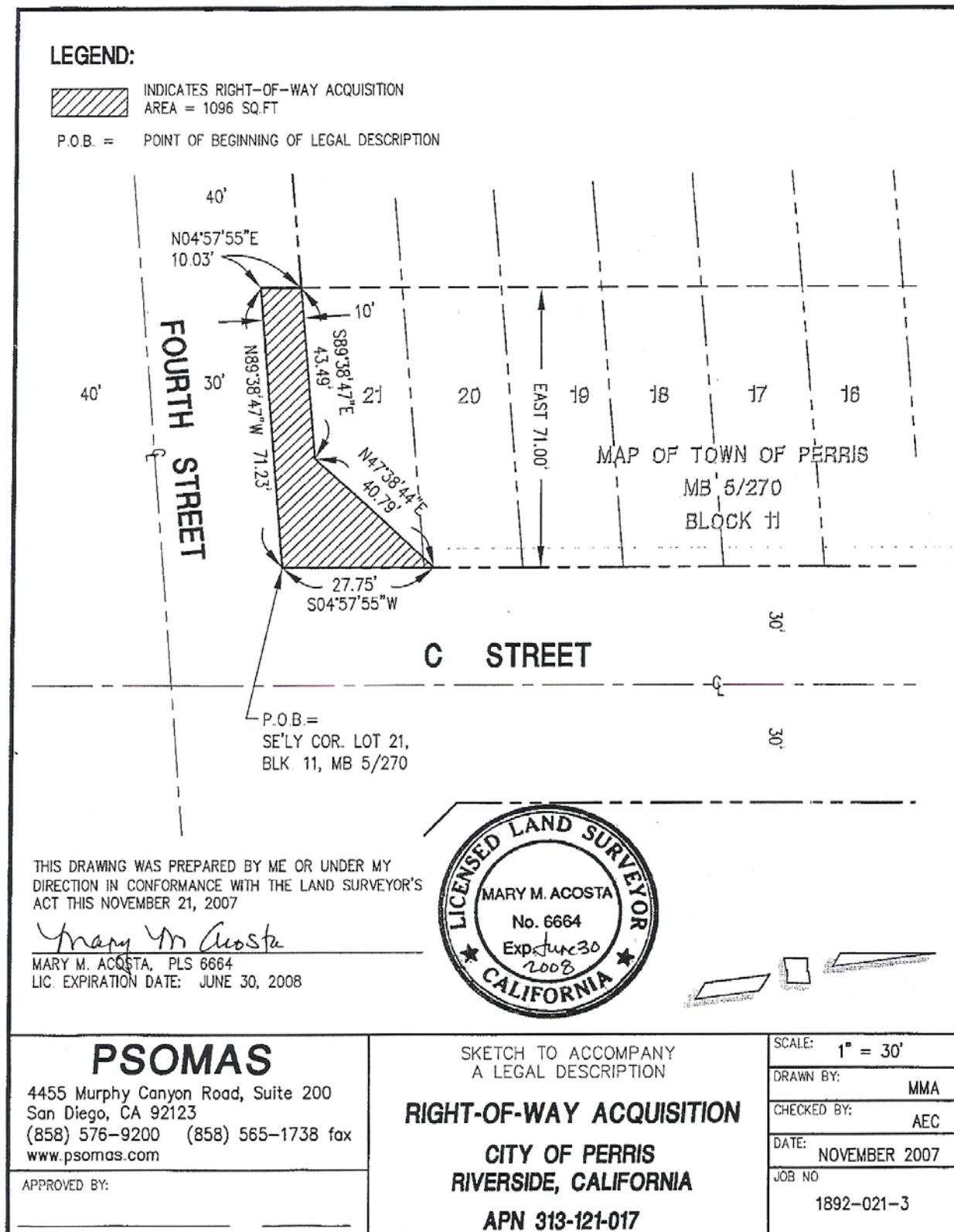


Figure 18