# Appendix G Public and Agency Coordination

NOTICE OF INTENT

4910-22

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

ENVIRONMENTAL IMPACT STATEMENT: San Bernardino and Los Angeles Counties, California

AGENCY: Federal Highway Administration (FHWA), DOT

ACTION: Notice of Intent

SUMMARY: The FHWA, on behalf of the California Department of Transportation (Caltrans), is issuing this notice to advise the public that a Draft Environmental Impact Statement (EIS) will be prepared for a proposed highway project in San Bernardino and Los Angeles Counties, California.

DATES: The public scoping meetings will be held on the following dates:

(1) Tuesday, November 13, 2012 from 5-7pm

(2) Thursday, November 15, 2012 from 5-7pm

The final day to submit comments is Monday, November 26, 2012.

ADDRESSES: The two public scoping meetings will be held at the following locations.

(1) Hilton San Bernardino, 285 East Hospitality Lane, San Bernardino, California 92408

(2) Sheraton Ontario Airport Hotel, 429 North Vineyard Avenue, Ontario, California 91764



FOR FURTHER INFORMATION CONTACT: Aaron Burton, Branch Chief, California Department of Transportation, District 8 - Environmental Studies 'B' Branch Chief, 464 West 4th Street, MS-829, San Bernardino CA 92401-1400; or call (909) 383-2841. Comments on the proposed project can be submitted online at: http://sanbag.ca.gov/projects/mi_fwy_I-10-Corridor.html

SUPPLEMENTARY INFORMATION:

Effective July 1, 2007, the Federal Highway Administration (FHWA) assigned, and the California Department of Transportation (Caltrans) assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Caltrans as the assigned National Environmental Policy Act (NEPA) agency, in cooperation with San Bernardino Associated Governments (SANBAG) will prepare a draft Environmental Impact Statement on a proposal for a highway improvement project in San Bernardino County, California. The proposed Interstate 10 (I-10) Corridor Project consists of improvements and widening along an existing 35-mile segment of the I-10 freeway mainline. The proposed project would also involve improvement of existing bridges and freeway ramps. The following alternatives are being considered:

Alternative 1: No Build (No Action)

Alternative 2: One High Occupancy Vehicle Lane In Each Direction

Alternative 3: Two Express Lanes In Each Direction



NOI & NOP

The proposed project would widen the I-10 corridor from approximately 2 miles west of the Los Angeles/San Bernardino County line in the City of Pomona (Post Mile 46.12) to Ford Street in the City of Redlands (Post Mile 33.80). It is anticipated that the proposed project will require a Clean Water Act Section 404 permit, a Section 408 permit, a Section 4(f) *De Minimis* Finding, an Endangered Species Act Section 7 Incidental Take Authorization (Biological Opinion) and Section 106 Finding of Effect Determination.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, Participating Agencies, local agencies, and to private organizations and citizens who have previously expressed or are known to have interest in this proposal. Interested tribal governments will be involved as determined by consultation with the Native American Heritage Commission.

Public scoping meetings will be held on the following dates and locations:

(1) Tuesday, November 13, 2012 from 5-7pm at the Hilton San Bernardino, 285 East Hospitality Lane, San Bernardino, California 92408

(2) Thursday, November 15, 2012 from 5-7pm at the Sheraton Ontario Airport Hotel, 429 North Vineyard Avenue, Ontario, California 91764

In addition, a public hearing will be held. Public notice will be given of the time and place of the meetings and hearing. The draft EIS will be available for public and agency review and comment prior to the public hearing.



To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments, and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to Caltrans at the address provided above or online at the I-10 Corridor Project website at: http://sanbag.ca.gov/projects/mi_fwy_I-10-Corridor.html

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: 10/18/2012

David Bricker

Deputy District Director

District 8, Division of Environmental Planning

California Department of Transportation



NOI & NOP

4

SCH NO. _____

# NOTICE OF PREPARATION

To: _____

_____

_____

From: California Department of Transportation
464 West 4th Street, MS 829
San Bernardino, CA 92401-1400

Subject: **Notice of Preparation of a Draft Environmental Impact Report**
*Reference:* California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, 15375.

Project Title: Interstate 10 (I-10) Corridor Project

Project Location: Along Interstate 10, approximately 2 miles west of the Los Angeles - San Bernardino County Line in the City of Pomona (Post Mile [PM] 46.12) to Ford Street in the City of Redlands (PM 33.80).

Project Description: The proposed I-10 Corridor Project consists of improvements and widening along an existing 35-mile segment of the I-10 freeway.

This is to inform you that the California Department of Transportation will be the lead agency and will prepare an Environmental Impact Report for the project described below. Your participation as a responsible agency is requested in the preparation and review of this document.

We need to know the views of your agency as to the scope and content of the environmental information that 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.

A more detailed project description, location map, and the potential environmental effects are contained in the attached materials.

A copy of the Initial Study 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 30 days after receipt of this notice.

Please direct your response to Mr. Aaron Burton, Branch Chief, California Department of Transportation, District 8 - Environmental Studies 'B', Telephone (909) 383-2841, at the address shown above. Please supply us with the name for a contact person in your agency.

Date 10/18/2012

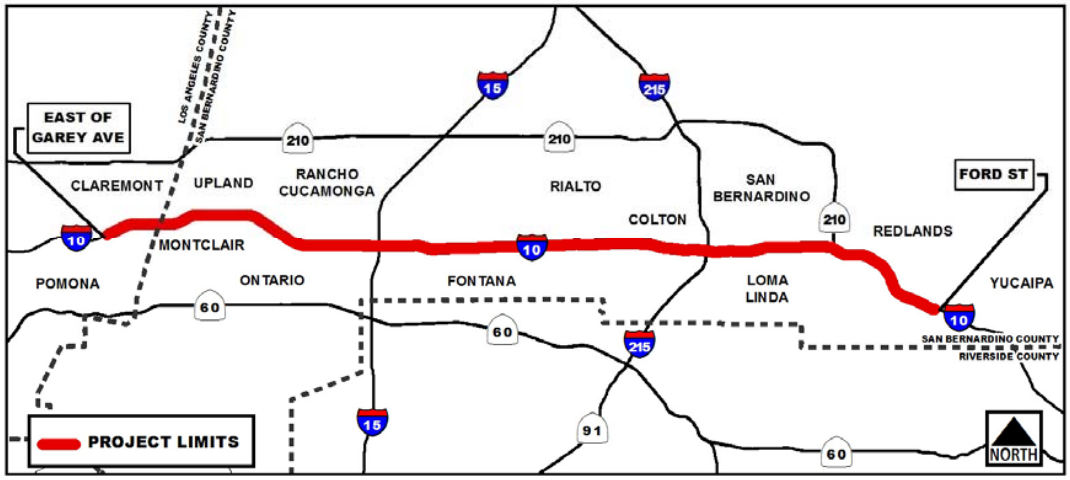
Signature _____

Title DEPUTY DISTRICT DIRECTOR ENVIRONMENTAL PLANNING

Attachment: Project Information

**The I-10 Corridor Project Description**

The proposed I-10 Corridor Project consists of widening and/or increasing capacity and improvements along the existing 35-mile stretch of the I-10 freeway from approximately 2 miles west of the Los Angeles/San Bernardino County line, in the City of Pomona to Ford Street in the City of Redlands. As a major regional east-west freeway corridor, I-10 is heavily used by commuters between Los Angeles and San Bernardino Counties. In addition, the I-10 is a major truck route for facilitating goods movement from Southern California to the rest of the nation. With the existing traffic demand, the I-10 freeway lanes are at capacity resulting in heavy congestion during peak hours. Future trends are expected to increase congestion for westbound commutes during morning peak hours, and eastbound commutes during afternoon peak hours. The purpose of the proposed project is to facilitate the movement of people and goods through the I-10 corridor by managing traffic demand, improving travel times and increasing the use of carpooling and transit.



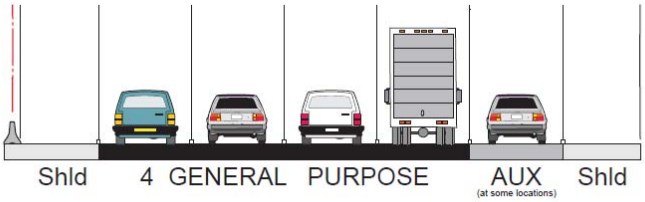

## Probable environmental effects

Specific federal and state permits and approvals have not been identified for the build alternatives; however, it is anticipated that a 404 permit (issued by the United States Army Corps of Engineers), a Section 408 permit (issued by the United States Army Corps of Engineers), a Section 4(f) *De Minimis* Finding (issued by the California Department of Transportation), a Section 7 Biological Opinion (issued by the U.S. Fish and Wildlife Service) a Section 106 Finding of Effect Determination (issued by the State Historic Preservation Office), a Streambed Alteration Agreement (issued by the California Department of Fish and Game), a 2080.1 Consistency Determination (issued by the California Department of Fish and Game), and a Water Quality Certification (issued by the Santa Ana Regional Water Quality Control Board) will be required for the project.

## Project Alternatives

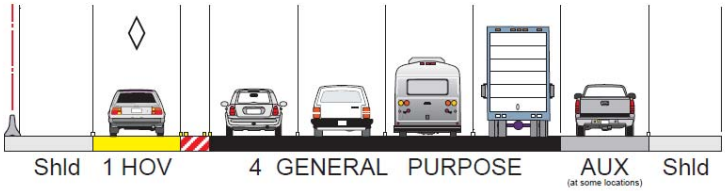
The project will include studying one no build and two build alternatives. Both build alternatives include the construction of additional lane(s) in each direction, median barriers, sound walls, retaining walls, drainage facilities, as well as improvement of some bridges and freeway ramps.

**Alternative 1: No Build**
Under the No Build Alternative, the I-10 corridor and associated bridge and ramp improvements within the I-10 project area would not be constructed. The existing lane configuration would be maintained, as shown below.




ALTERNATIVE 1: TYPICAL CROSS SECTION

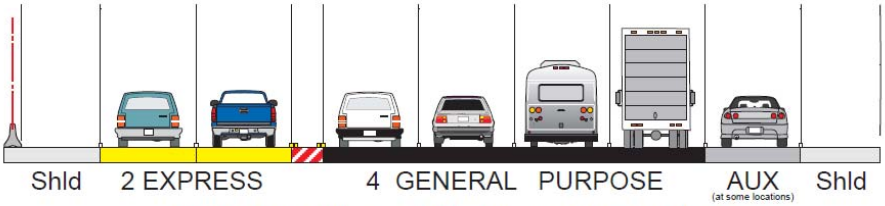
**Alternative 2: One High Occupancy Vehicle Lane in Each Direction**
Alternative 2 includes extending a High Occupancy Vehicle lane that would allow access to vehicles with multiple passengers. Improvements for this alternative would begin from where the existing HOV lanes end approximately 0.2-mile west of Haven Avenue in the city of Ontario to Ford Street in the city of Redlands, a distance of approximately 25 miles. The main features of this alternative include widening of the I-10 corridor through the addition of a HOV lane modified in each direction, auxiliary lanes, and inside and outside shoulders in each direction, as shown below. This alternative would also upgrade standards of roadway features. Within the project area, approximately 57 existing bridges and 102 ramp facilities would need to be improved and additional right-of-way would be required.




ALTERNATIVE 2: TYPICAL CROSS SECTION

**Alternative 3: Two Express Lanes in Each Direction**
Alternative 3 would add two express lanes, also known as high occupancy toll lanes. Express lanes allow vehicles carrying multiple passengers to access the lanes and other vehicles, including single passenger vehicles to access the lane by paying a toll. This alternative would begin from approximately 2 miles west of the San Bernardino/Los Angeles County line, in the city of Pomona and end at Ford Street in the city of Redlands, a total distance of approximately 35 miles. Restriping of the existing HOV lanes into transitional lanes for the express lanes would begin in Los Angeles County near Garey Avenue and continue east for approximately 2 miles. At the Los Angeles/San Bernardino County line, an express lane would be added in each direction from the Los Angeles/San Bernardino County line to 0.2 miles west of Haven Avenue. The existing HOV lane and the new express lane would be managed jointly as an express facility with two lanes in each direction. Two express lanes in each direction would be added from 0.2 miles west of Haven Avenue to the I-10/SR-210 interchange. From SR-210 to Ford Street, a single express lane would be provided in each direction. Alternative 3 would require improvement of

approximately 81 bridge structures and 140 ramp facilities. This alternative would require additional right-of-way.




ALTERNATIVE 3: TYPICAL CROSS SECTION

## Scoping Process

Per the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA), agencies are required to analyze and document potential project impacts to environmental resources. Preparation of environmental studies and impact assessments are required. Circulation of these documents to other agencies and the public for comment is necessary before a decision is made regarding the approval and implementation of the proposed project. It has been determined that an Environmental Impact Report (EIR) and Environmental Impact Statement (EIS) will be prepared for the proposed project to comply with CEQA/NEPA.

## Public Involvement during the Environmental Process

There are several ways to get involved with the environmental process. Opportunities for public involvement include:

- Review and respond to the Notice of Preparation (NOP)
- Attend scoping meetings. The following provides information on the meetings:
  - Scoping meeting #1: Tuesday, November 13, 2012 from 5-7pm at the Hilton San Bernardino, 285 East Hospitality Lane, San Bernardino, California 92408
  - Scoping meeting #2: Thursday, November 15, 2012 from 5-7pm at the Sheraton Ontario Airport Hotel, 429 North Vineyard Avenue, Ontario, California 91764
- Review and comment on the draft EIR/EIS when circulated for public review
- Attend public hearing(s)/meeting(s) regarding the draft EIR/EIS
- Review responses to comments on the Final EIR/EIS

Contact Information about the proposed project and the EIR/EIS:

Mr. Aaron Burton, Branch Chief
California Department of Transportation, District 8
Environmental Studies “B”
I-10 Corridor Project
464 West 4th Street, MS 829
San Bernardino, CA 92401-1400
Phone: (909) 383-2841

Information about the proposed project as well as an online comment form are available at the I-10 Corridor Project website at: http://sanbag.ca.gov/projects/mi_fwy_I-10-Corridor.html.

STATE OF CALIFORNIA Edmund G. Brown, Jr., Governor

**NATIVE AMERICAN HERITAGE COMMISSION**
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net

November 6, 2012

Mr. Aaron Burton, Environmental Planner
**California Department of Transportation – District 8**
464 W. 4th Street, MS 829
San Bernardino, CA 92401-1400

Re: SCH#2012101082 CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the **"Interstate 10 (1-10) Cooridor Project;"** located from the City of Pomona to Ford Street in the City of Redlands; Los Angeles and San Bernardino counties, California

Dear Mr. Burton:

The NAHC is the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604).

This letter includes state and federal statutes relating to Native American historic properties or resources of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9. This project is also subject to California Government Code Section 65352.3.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendment s effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC advises the Lead Agency to request a Sacred Lands File search of the NAHC if one has not been done for the 'area of potential effect' or APE previously. .

The NAHC "Sacred Sites,' as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r ).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties, including archaeological studies. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and California Public Resources Code Section 21083.2 (Archaeological Resources) that requires documentation, data recovery of cultural resources, construction to avoid sites and the possible use of covenant easements to protect sites.

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254( r) and may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

2

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

**Native American Contacts**
**Los Angeles and San Bernardino Counties**
**November 6, 2012**

Pechanga Band of Mission Indians
Paul Macarro, Cultural Resources Manager
P.O. Box 1477 Luiseno
Temecula , CA 92593
**(951) 770-8100**
pmacarro@pechanga-nsn.gov
(951) 506-9491 Fax

Gabrielino Tongva Nation
Sam Dunlap, Cultural Resources Director
P.O. Box 86908 Gabrielino Tongva
Los Angeles , CA 90086
samdunlap@earthlink.net

(909) 262-9351 - cell

Ramona Band of Cahuilla Mission Indians
Joseph Hamilton, Chairman
P.O. Box 391670 Cahuilla
Anza , CA 92539
admin@ramonatribe.com
(951) 763-4105
(951) 763-4325 Fax

Morongo Band of Mission Indians
Michael Contreras, Cultural Heritage Prog.
12700 Pumarra Road Cahuilla
Banning , CA 92220 Serrano
**(951) 201-1866 - cell**
mcontreras@morongo-nsn.gov
(951) 922-0105 Fax

San Manuel Band of Mission Indians
Carla Rodriguez, Chairwoman
26569 Community Center Drive Serrano
Highland , CA 92346
(909) 864-8933
(909) 864-3724 - FAX
(909) 864-3370 Fax

San Manuel Band of Mission Indians
Ann Brierty, Policy/Cultural Resources Departmen
26569 Community Center. Drive Serrano
Highland , CA 92346
(909) 864-8933, Ext 3250
abrierty@sanmanuel-nsn.gov
(909) 862-5152 Fax

Gabrieleno/Tongva San Gabriel Band of Mission
Anthony Morales, Chairperson
PO Box 693 Gabrielino Tongva
San Gabriel , CA 91778
GTTribalcouncil@aol.com
(626) 286-1632
(626) 286-1758 - Home
(626) 286-1262 -FAX

Serrano Nation of Mission Indians
Goldie Walker, Chairwoman
P.O. Box 343 Serrano
Patton , CA 92369

(909) 528-9027 or
(909) 528-9032

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

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

**This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012101082; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR)for the Interstate 10 Corridor Improvements Project; located from the City of Pomona to the City of Redlands; Los Angeles and San bernardino counties, California**

**Native American Contacts**
**Los Angeles and San Bernardino Counties**
**November 6, 2012**

Ernest H. Siva
Morongo Band of Mission Indians Tribal Elder
9570 Mias Canyon Road Serrano
Banning , CA 92220 Cahuilla
**siva@dishmail.net**
(951) 849-4676

SOBOBA BAND OF LUISENO INDIANS
Joseph Ontiveros, Cultural Resource Department
P.O. BOX 487 Luiseno
San Jacinto , CA 92581
jontiveros@soboba-nsn.gov
(951) 663-5279
(951) 654-5544, ext 4137

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

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

**This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012101082; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR)for the Interstate 10 Corridor Improvements Project; located from the City of Pomona to the City of Redlands; Los Angeles and San bernardino counties, California**

SOUTHERN CALIFORNIA

ASSOCIATION of GOVERNMENTS

**Main Office**

818 West Seventh Street

12th Floor

Los Angeles, California

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f (213) 236-1825

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Cheryl Viegas-Walker, El Centro

Transportation
Keith Millhouse, Ventura County Transportation Commission

November 8, 2012

State of California Department of Transportation
Division of Environmental Planning
David Bricker, Deputy District Director
464 West Fourth Street, MS 1222
San Bernardino, CA 92401-1400

**RE: Acceptance of Invitation to Become a Participating Agency on the Interstate 10 Corridor Project**

Mr. Bricker:

Thank you for your invitation for the Southern California Association of Governments to become a participating agency on the Interstate 10 Corridor Project. Interstate 10 plays a critical role in the movement of people and goods throughout our region, and we are glad to accept your invitation to be a part of this exciting effort.

Our main contact for this effort will be Ryan Kuo, Senior Regional Planner, who can be reached at 213-236-1813 and kuo@scag.ca.gov. Please direct all future correspondences regarding this project to Ryan, and do not hesitate to contact either him or myself at 213-236-1885 should you have any questions.

We look forward to working with you in this effort to enhance the quality of lives of our fellow Southern Californians.

Sincerely,

NARESH AMATYA
Manager of Transportation Planning

NA:rk

The Regional Council is comprised of 84 elected officials representing 191 cities, six counties, six County Transportation Commissions and a Tribal Government representative within Southern California.

2012 05.07 printed on recycled paper

STATE OF CALIFORNIA EDMUND G. BROWN JR., *Governor*

PUBLIC UTILITIES COMMISSION
320 WEST 4TH STREET, SUITE 500
LOS ANGELES, CA 90013

November 13, 2012

Aaron Burton
California Department of Transportation - District 8
464 W. 4th Street, 6th Floor, MS 820
San Bernardino, CA 92401-1400

Dear Mr. Burton:

Re: SCH 2012101082; Interstate 10 San Bernardino Corridor Project

The California Public Utilities Commission (Commission) has jurisdiction over the safety of highway-rail crossings (crossings) in California. The California Public Utilities Code requires Commission approval for the construction or alteration of crossings and grants the Commission exclusive power on the design, alteration, and closure of crossings.

The Commission's Rail Crossings Engineering Section (RCES) is in receipt of the *Notice of Preparation (NOP)* for the Interstate 10 (I-10) San Bernardino Corridor project from the State Clearinghouse. According to the NOP, the California Department of Transportation (Caltrans), in cooperation with the San Bernardino Associated Governments (SANBAG), proposes to widen an existing 35-mile segment of I-10 freeway from Pomona to Redlands. This segment of I-10 crosses several railroad tracks at grade separations. Modifications to any existing grade separated crossing require authorization from the Commission. More information can be found at: http://www.cpuc.ca.gov/PUC/safety/Rail/Crossings/index.htm.

Caltrans should arrange a meeting with the appropriate railroad company and RCES staff to discuss relevant safety issues and requirements for authorization to alter each existing grade-separated crossing in issue. If you have any questions, please contact Bill Lay at 213-576-1399, email at bill.lay@cpuc.ca.gov, or myself at 213-576-7076, email at ykc@cpuc.ca.gov.

Sincerely,

Ken Chiang, PE
Utilities Engineer
Rail Crossings Engineering Section
Consumer Protection & Safety Division

CC: State Clearinghouse
Denny Fong, denny_fong@dot.ca.gov

Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012-2952
213.922.2000 Tel
metro.net

Metro

November 14, 2012

Mr. David Bricker
Deputy District Director
Environmental Planning
Department of Transportation
464 West Fourth Street, MS 1222
San Bernardino, CA 92401—1400

Subject: Invitation to Become a Participating Agency on the I-10 Corridor Project thru San Bernardino County

Dear Mr. Bricker:

Thank you for your letter inviting the Los Angeles County Metropolitan Transportation Authority (Metro) to be a participating Agency as you go through the NEPA process for the above referenced Project. Metro is interested in the Project and will be a participating agency in the process.

The potential project will probably have a large impact on mobility in the corridor. However, please be aware that Metro does not have this Project, and any associated funding for the Scope of Work in LA County, identified in our latest adopted Long Range Transportation Plan.

Lan Saadatnejadi, Executive Officer - Highway Programs, will be the main contact person. She can be reached by e-mail at SaadatnejadiL@Metro.net and by phone at (213) 922-7337.

Sincerely,

Douglas R. Failing, P.E.
Executive Director, Highway Program

c: L Saadatnejadi
B Jong

State of California—Business, Transportation and Housing Agency EDMUND G. BROWN Jr., Governor

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL
411 N. Central Avenue
Glendale, CA 91203
(818) 240-8200
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)

November 19, 2012

File No.: 501.11748.17326

Mr. David Bricker, Deputy District Director
Division of Environmental Planning
Department of Transportation
464 West Fourth Street, MS 1222
San Bernardino, CA 92401-1400

Dear Mr. Bricker:

Thank you for inviting the California Highway Patrol to become a participating agency on the Interstate 10 Corridor Project. Our Department is in support of this project and as you are aware, has jurisdictional responsibility relating to traffic safety and enforcement. Personnel from the Baldwin Park CHP office provide patrol to this region within Los Angeles County, and have acquired knowledge and experience relative to traffic safety. To continue to provide the best possible services, the CHP will continue to participate in coordination meetings and joint field reviews as appropriate.

We look forward to working with you in the near future and on forthcoming projects as they become available. Should you have any questions, please contact Southern Division Lieutenant Ed Krusey at (818) 240-8200.

Sincerely,

D. W. BOWER, Chief

cc: Assistant Commissioner, Field
Baldwin Park Area

**REGIONAL PARKS DEPARTMENT**

777 East Rialto Avenue • San Bernardino, CA 92415-0763
(909) 38 -PARKS • Fax (909) 387-2052

COUNTY OF SAN BERNARDINO

KEITH LEE, Director

November 19, 2012

Mr. Aaron Burton, Branch Chief
California Department of Transportation, District 8 Environmental Studies "B"
Attn: "I-10 Corridor Project"
464 West 4th Street, MS 829
San Bernardino, CA 92401-1400

**RE: Concerns over I-10 corridor widening**

Dear Aaron

On behalf of San Bernardino County Regional Parks Department, I'd like to thank you for the opportunity to respond to the proposed I-10 Corridor Project.

Regional Parks has identified a specific location where the I-10 Corridor Project may have some impacts to a portion of one of our facilities. The Santa Ana River Trail (SART) is a Cal Trans Class 1 Bikeway, completely separated from motor vehicle traffic that currently runs from Waterman Avenue in San Bernardino all the way to Newport Beach.

The San Bernardino County portion of the SART is referred to in "phases" with the specific area of concern occurring in Phase 2. Phase 2, from Waterman Avenue in San Bernardino to La Cadena Avenue in Colton, crosses underneath I-10, west of the I-215 interchange and east of the Mount Vernon off-ramp for the west bound traffic (see attached map). Regional Parks is concerned about any temporary or permanent impacts, their duration, including any closures or detours.

The SART is heavily used by cyclists, walkers and groups. It would be to the mutual benefit of the project and trail user base to make any impacts to the SART known to all user groups as soon as this information is available.

Regional Parks is requesting all specific planning and/or engineering information regarding this location, prior to the finalization of plans, for review and evaluation of safety and operational criteria. Regional Parks is further requesting consideration of minimal trail closure periods, restricting them primarily to weekday, daylight periods when trail traffic is typically light.

We would hope to coordinate safety measures and closure periods with you directly once the planning effort is a point to do so. Please don't hesitate to contact me if you have any questions or concerns regarding theses comment or the SART.

Coordinates: 34° 3'53.45"N 117°18'4.40"W
APN for affected area of SART: 0164202480000

Sincerely,

AJ Gerber
Environmental Planner
Regional Parks Department
(909) 387-2410
agerber@parks.sbcounty.gov

GREGORY C. DEVEREAUX
County Administrative Officer

Board of Supervisors
BRAD MITZELFELT . . . . . First District
JANICE RUTHERFORD . . . Second District
JOSIE GONZALES . . . . . Fifth District
NEIL DERRY . . . . . Third District
GARY C. OVITT . . . . . Fourth District

# City of Rialto
California

November 19, 2012

David Bricker, Deputy District Director
Department of Transportation – Division of Environmental Planning
464 West Fourth Street, MS 1222
San Bernardino, CA 92401-1400

**SUBJECT: Interstate 10 Corridor Project Participation**

Dear Mr. Bricker:

Please accept this letter as notification that the City of Rialto would like to be a participating agency on the Interstate 10 Corridor Project.

The contact person for this project will be:

Marcus L. Fuller, P.E., P.L.S., Public Works Director/City Engineer
Phone: 909-421-7279
Fax: 909-421-7210
Email: mfuller@rialtoca.gov

Please send all correspondences regarding this project to the attention of Mr. Fuller at the following address:

City of Rialto – Public Works Department
150 S. Palm Avenue
Rialto, CA 92376

Sincerely,

Michele R. Aguirre, Executive Assistant

cc: Michael Story, City Administrator
Marcus Fuller

Los Angeles County
Department of Regional Planning

*Planning for the Challenges Ahead*

Richard J. Bruckner
Director

November 20, 2012

Mr. Aaron Burton
Branch Chief
California Department of Transportation
464 West 4th Street, MS 829
San Bernardino, Ca 92401-1400

Dear Mr. Burton:

**INVITATION TO BECOME A PARTICIPATING AGENCY ON THE INTERSTATE 10 CORRIDOR PROJECT**

We have received your invitation to be a participating agency for the Interstate 10 Corridor Project located between the City of Pomona in Los Angeles County and the City of Redlands in Riverside County. We accept your request and look forward to working with you and others on this important transportation project.

If you have any questions, please feel free to contact me at (213) 974-6461 or via e-mail at pmccarthy@planning.lacounty.gov between 7:30 a.m. and 6:00 p.m., Monday through Thursday. Our offices are closed on Friday.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner
Director

Paul D. McCarthy, Supervising Regional Planner
Impact Analysis Section

RJB:PMC:pmc

320 West Temple Street • Los Angeles, CA 90012 • 213-974-6411 • Fax: 213-626-0434 • TDD: 213-617-2292

CALIFORNIA
Water Boards

Santa Ana Regional Water Quality Control Board

November 20, 2012

Aaron Burton, Branch Chief
Environmental Studies "B"
California Department of Transportation, District 8
464 W. Fourth Street, MS 829
San Bernardino, CA 92401-1400

**CALTRANS REQUEST FOR REGIONAL BOARD PARTICIPATION IN INTERSTATE 10 CORRIDOR PROJECT, EASTERN LOS ANGELES COUNTY/SOUTHWEST SAN BERNARDINO COUNTY, SCH# 2012101082**

Dear Mr. Burton:

We have received and considered your October 29, 2012 request for the Santa Ana Regional Water Quality Control Board (RWQCB) to become a participating and cooperating agency in the environmental review of the Interstate 10 (I-10) Corridor Project (Project). We understand that the California Department of Transportation, District 8, will be the lead agency for compliance with both the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). As a responsible agency under CEQA, the RWQCB looks forward to contributing to this process as resources allow.

The Project proposal is to widen I-10 along a 35-mile corridor between Pomona (within the jurisdiction of the Los Angeles RWQCB) and Ford Street in the City of Redlands (within the Santa Ana RWQCB's jurisdiction). We concur with the October 29, 2012 letter that a Clean Water Act Section 401 Water Quality Standards Certification will likely be required for the Project. We note that while the project takes place within the jurisdiction of two regional boards, we have confirmed that all impacts to waters of the U.S. that will require certification are in the Santa Ana Region.

Please contact Glenn Robertson of our Regional Planning Programs Section at (951) 782-3259 or at Glenn.Robertson@waterboards.ca.gov, or Mark Adelson, Chief of our Regional Planning Programs Section, at (951) 782-3234 or at Mark.Adelson@waterboards.ca.gov with any questions.

Sincerely,

Kurt Berchtold
Executive Officer
Santa Ana Regional Water Quality Control Board

Cc: SWRCB 401 Certifications Unit – Bill Orme

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

NOV 2 1 2012

Aaron Burton
California Department of Transportation
Environmental Studies "B"
464 West 4th Street, 6th Floor MS 829
San Bernardino, California 92401-1400

Subject: Scoping Comments for Interstate 10 Corridor Project Draft Environmental Impact Statement

Dear Mr. Burton:

The U.S. Environmental Protection Agency (EPA) has reviewed the Notice of Intent (NOI) published in the Federal Register on November 5, 2012, requesting comments on the California Department of Transportation (Caltrans) proposal to prepare a Draft Environmental Impact Statement (DEIS) for the Interstate 10 Corridor Project from approximately 2 miles west of the Los Angeles/San Bernardino County line in the City of Pomona to Ford Street in the City of Redlands, California. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508) and Section 309 of the Clean Air Act. We recognize that the state of California has assumed responsibilities under NEPA for this project pursuant to the *Memorandum of Understanding Between the Federal Highway Administration and the California Department of Transportation Concerning the State of California's Participation in the Surface Transportation Project Delivery Pilot Program.*

We are also responding to your letter (undated, received by EPA on November 7, 2012) inviting EPA to become a Participating and Cooperating Agency for this project. EPA accepts "Participating Agency" (as defined in 23 USC 139) and "Cooperating Agency" (as defined in NEPA) status for this project. As a Participating and Cooperating Agency, we define EPA's role in the development of the project to include the following as they relate to our jurisdiction by law or areas of expertise:

1) Provide meaningful and early input on defining purpose and need, determining the range of alternatives to be considered, and the methodologies and level of detail required in alternatives analysis;
2) Participate in coordination meetings and joint field reviews as appropriate and as resources allow *(Note: Given that the EPA Region 9 Office and staff are located in San Francisco, we request use of teleconferencing and/or webconferencing for meetings which do not require in-person participation to accomplish meeting goals);*
3) Participate in the development and implementation of the coordination plan; and
4) Timely review and comment on early project information (e.g., draft technical reports regarding air quality, wetlands/waters, biological resources, cumulative impacts assessment,

growth/community impacts, and conceptual mitigation; and EIS Administrative Drafts) to reflect the views and concerns of EPA on the adequacy of the document(s), alternatives considered, anticipated impacts, and avoidance, minimization, and mitigation strategies.

In addition, should the project have greater than 5 acres of permanent impacts to waters of the United States, project coordination would follow the April 2006 *National Environmental Policy Act and Clean Water Action Section 404 Integration Process for Federal Aid Surface Transportation Projects in California Memorandum of Understanding* (NEPA/404 MOU). The NEPA/404 MOU includes specific agreement points to assist in developing the EIS and involves active participation in meetings and document reviews. We encourage Caltrans to contact the NEPA/404 signatory agencies once more information about the potential impact to waters of the United States is available so that the agreement points can be addressed as early as possible in the EIS process.

Please note that EPA's involvement as a Participating and Cooperating Agency does not constitute formal or informal approval of any part of this project under any statute administered by EPA, nor does it limit in any way EPA's independent review of the Draft and Final EISs pursuant to Section 309 of the Clean Air Act. EPA's cooperating agency status may be acknowledged in the EIS; but the EPA seal or symbol must not be used unless Caltrans receives prior written approval from EPA, and then only if a disclaimer is attached stating that the use of the Agency seal or symbol on this document does not imply any agency's endorsement of the project.

EPA provides the following scoping comments for the proposed Interstate 10 Corridor Project:

**Purpose and Need and Range of Alternatives**
As a Participating Agency, we look forward to providing feedback once a draft Purpose and Need Statement and subsequent draft Range of Alternatives are provided to Participating Agencies for comments under the Efficient Environmental Review Process at 23 USC 139. At this time, EPA provides the following general comments on Purpose and Need and Range of Alternatives as briefly described in the NOI:

*Purpose and Need*
The Purpose and Need should focus on the underlying problems to address and the reasons a project is considered, and not prescribe or imply a predetermined solution such as an expansion of a freeway. Freeway capacity enhancements may be an included component of the potential solution to the problems identified in a Purpose and Need; however, the Purpose and Need should allow for the analysis of a full scope of alternatives, including other modes of transportation or alternatives which might be less impactful to the environment or public health that would accomplish the underlying mobility/accessibility the project seeks to provide.

*Range of Alternatives*
The DEIS should explore and objectively evaluate a range of reasonable alternatives, including the no action alternative, and briefly discuss the reasons for eliminating some alternatives from further evaluation (40 CFR 1502.14). Additionally, the proposed project should not preclude also enhancing transit access, or implementing a comprehensive Transportation System Management and Transportation Demand (TSM/TDM) plan as a part of other build alternatives. We encourage Caltrans

to explore the feasibility of implementing such alternatives simultaneously in the interest of minimizing environmental impacts and accommodating future travel demands.

In exploring the option to enhance transit access, that DEIS should clearly identify what forms of transit facilities are currently in operation and the plans for future expansion. The DEIS should identify activities that can be undertaken by Caltrans and/or other responsible agencies to enhance transit ridership that will effectively increase overall mobility within and through the corridor. We encourage Caltrans to consider concurrently implementing measures that provide incentives for increased transit ridership as a means of decreasing single occupancy vehicle travel.

EPA recommends that the DEIS include a summary of the screening methodology used to determine the Range of Alternatives for inclusion in the DEIS. The methodology summary should include information about which criteria and measures were used at each screening level and how they were integrated in a comprehensive evaluation. The DEIS should also include a description of alternatives that were considered but withdrawn with a summary of why they were eliminated. The DEIS should identify opportunities for the alternatives to further avoid or minimize adverse environmental and community impacts while fulfilling the project purpose. This may generally include alignment shifts, buffers, localized design modifications, changes in construction practices, or spanned crossings of sensitive biological resources.

**Impacts of Increased Vehicle Travel**

The identified alternatives will increase motor vehicle capacity. Any analysis of emissions of greenhouse gases (GHGs) or other air pollution, noise, and other impacts to human health and the environment that increase with increased vehicle miles traveled should be based upon travel demand modeling which takes into account the increased demand for vehicle travel caused by this increased capacity. Because the additional vehicle travel that results from this induced demand will distribute itself throughout the regional roadway network, it is important to use a travel demand model that will capture the increased vehicle load on other highways and local streets anywhere that increase is significant. The DEIS should describe how any traffic estimates were developed and how these traffic estimates relate to regional transportation estimates. Any supporting documents on which the conclusions of the project's impacts to air quality are based, such as traffic data and other air analyses, should be included in an appendix to the DEIS.

**Integration with Existing Transportation Facilities**

The DEIS should explore the extent to which proposed alternatives will integrate with existing transportation facilities. The document should discuss how the project will impact existing vehicle lanes, or any bicycle lanes/pedestrian paths, such as the Santa Ana River Trail, due to project construction or operation. All potential alternatives should identify the opportunities available to better connect all modes of transportation, including rail, bus service, and pedestrian and bicycle facilities. Measures to minimize or mitigate impacts to vehicle lanes, bicycle lanes, and pedestrian paths should be addressed in the DEIS.

**Phasing**

The DEIS should disclose whether the project will be constructed in phases and if so, include the anticipated timeline for construction, identify what specific activities will occur during each phase, and analyze both the construction and operational impacts of the project for each phase.

**Air Quality**

Because the South Coast Air Basin has some of the worst 8-hour ozone and $PM_{2.5}$ problems in the nation, it is important to reduce emissions of ozone precursors and particulate matter from this project to the maximum extent.

*Recommendations:*

- Ambient Conditions: The DEIS should include a detailed discussion of ambient air conditions (i.e., baseline or existing conditions), the area's attainment or nonattainment status for all National Ambient Air Quality Standards (NAAQS), and potential air quality impacts (including cumulative and indirect impacts) from the construction and operation of the project for each fully evaluated alternative. The DEIS should include estimates of all criteria pollutant emissions and diesel particulate matter (DPM). EPA also recommends that the DEIS disclose the available information about the health risks associated with construction and truck emissions and how the proposed project will affect current emission levels.
- Relevant Requirements: The DEIS should describe any applicable local, state, or federal requirements. The DEIS should describe applicable requirements for Federal Actions that require Federal Transit Administration (FTA) or FHWA funding or approval and are subject to the Transportation Conformity requirements in 40 CFR part 93, subpart A and for Federal Actions that are subject to the General Conformity requirements in 40 CFR part 93, subpart B.
- Conformity: The DEIS should ensure that the emissions from both the construction and the operational phases of the project conform to the approved State Implementation Plan and do not cause or contribute to violations of the NAAQS. To meet the transportation conformity requirements, the DEIS should demonstrate that the project is included in a conforming transportation plan and transportation improvement program.
- PM and CO Project-Level Hotspot Analyses: Project-level hot spot analyses for $PM_{10}$, $PM_{2.5}$, and carbon monoxide (CO) are required for the portion of the project that will be funded or approved by FHWA or FTA. The DEIS should ensure the $PM_{2.5}$ and $PM_{10}$ project-level hotspot analyses are performed following EPA's December 2010 procedures if the project is deemed, via interagency consultation, to be a Project of Air Quality Concern. Note that there is a NEPA policy memo (February 8, 2011, "Using the MOVES and EMFAC Models in NEPA Evaluations") which describes how the transition period from the 2006 to the 2010 guidance applies to NEPA. The NEPA policy memo can be found at the following web site: http://www.epa.gov/compliance/resources/policies/nepa/
- Construction: The proposed project will likely involve construction and staging along populated sections of the corridor. Caltrans should identify and commit to specific requirements to reduce any substantial emissions or exposure to emissions for sensitive receptors along the corridor. The DEIS should include SCAQMD requirements to reduce emissions. In addition to these measures, EPA recommends the following additional measures to reduce the impacts resulting from future construction associated with this project.

  The responsible agency should include a Construction Emissions Mitigation Plan in the DEIS and adopt this plan in the Record of Decision (ROD). In addition to all applicable local, state, or federal requirements, EPA recommends that the following mitigation measures be included in the Construction Emissions Mitigation Plan in order to reduce impacts associated with emissions

of particulate matter (PM) and other toxics from construction-related activities, including the following:

*Fugitive Dust Source Controls:*

- Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative where appropriate. This applies to both inactive and active sites, during workdays, weekends, holidays, and windy conditions.
- Install wind fencing and phase grading operations where appropriate, and operate water trucks for stabilization of surfaces under windy conditions.
- When hauling material and operating non-earthmoving equipment, prevent spillage and limit speeds to 15 miles per hour (mph). Limit speed of earth-moving equipment to 10 mph.

*Mobile and Stationary Source Controls:*

- Minimize use, trips, and unnecessary idling of heavy equipment.
- Maintain and tune engines per manufacturer's specifications to perform at EPA certification levels, where applicable, and to perform at verified standards applicable to retrofit technologies. Employ periodic, unscheduled inspections to limit unnecessary idling and to ensure that construction equipment is properly maintained, tuned, and modified consistent with established specifications. The California Air Resources Board has a number of mobile source anti-idling requirements which could be employed. See their website at: http://www.arb.ca.gov/msprog/truck-idling/truck-idling.htm
- Prohibit any tampering with engines and require continuing adherence to manufacturer's recommendations.
- If practicable, lease new, clean equipment meeting the most stringent of applicable Federal[1] or State Standards[2]. In general, meet and ideally go beyond CARB requirements for in-use diesel engines and equipment, particularly for non-road construction fleets. Through December 31, 2014, ensure that all construction equipment meets or exceeds equivalent emissions performance to that of U.S. EPA Tier 3 standards for non-road engines. From January 1, 2015 onward, ensure that all construction equipment meets or exceeds equivalent emissions performance to that of U.S. EPA Tier 4 standards for non-road engines.
- Utilize EPA-registered particulate traps and other appropriate controls where suitable to reduce emissions of diesel particulate matter and other pollutants at the construction site.

*Administrative controls:*

- Identify all commitments to reduce construction emissions and update the air quality analysis to reflect additional air quality improvements that would result from adopting specific air quality measures.
- Identify where implementation of mitigation measures is rejected based on economic infeasibility.
- 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. (Suitability of control devices is based on: whether there is reduced normal availability of the construction equipment due to increased downtime and/or power output, whether there may be significant damage caused to the construction equipment engine, or whether there may be a significant

[1] EPA's website for nonroad mobile sources is http://www.epa.gov/nonroad/.
[2] For ARB emissions standards, see: http://www.arb.ca.gov/msprog/offroad/offroad.htm.

risk to nearby workers or the public.) Meet EPA diesel fuel requirements for off-road and on-highway, and, where appropriate, use alternative fuels such as natural gas and electric.
  - Develop a construction traffic and parking management plan that minimizes traffic interference and maintains traffic flow.
- Best Available Control Technology (BACT): To ensure a commitment for use of the most advanced impact-reducing technology, EPA recommends requiring BACT during construction and operation of projects, meeting the most stringent alternatives available (e.g., CARB's in-use diesel off-road BACT requirements; EPA's most stringent non-road Tier standards available), including but not limited to:
  a) Soliciting bids that include use of energy and fuel-efficient fleets;
  b) Soliciting preference construction bids that use BACT, particularly those seeking to deploy zero-emission technologies;
  c) Employing the use of alternative fueled vehicles;
  d) Using lighting systems that are energy efficient, such as LED technology;
  e) Using the minimum feasible amount of greenhouse gas (GHG)-emitting construction materials that is feasible;
  f) Use of cement blended with the maximum feasible amount of flash or other materials that reduce GHG emissions from cement production;
  g) Use of lighter-colored pavement where feasible;
  h) Recycling construction debris to maximum extent feasible; and
  i) Planting shade trees in or near construction projects where feasible.

*Mobile Source Air Toxics (MSAT)*

The I-10 corridor has several residential communities that abut the freeway and a number of hospital/medical facilities, parks and recreational areas, schools, and other sensitive receptors that are directly adjacent or in close proximity. Because the existing highway already accommodates a tremendous volume of traffic and a number of sensitive receptors and neighboring residential communities are likely currently exposed to substantial MSAT emissions, additional increases in MSATs may have significant impacts. Many studies have measured elevated concentrations of pollutants, which are emitted directly by motor vehicles, near large roadways. These elevated concentrations generally occur within approximately 200 meters of the road, although the distance varies depending on traffic and environmental conditions. Pollutants measured with elevated concentrations include benzene, polycyclic aromatic hydrocarbons, carbon monoxide, nitrogen dioxide, black carbon, and coarse, fine, and ultrafine particles. For a thorough review of near-roadway monitoring studies, see Section 3.1.3 of EPA's "Regulatory Impact Analysis: Control of Hazardous Air Pollutants from Mobile Sources" (February 2007, http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2005-0036-1168).

A large number of recent studies have examined the association between living near major roads and different adverse health effects. Several peer reviewed epidemiologic studies have shown associations with cardiovascular effects, premature adult mortality, and adverse birth outcomes, including low birth weight and size. Traffic-related pollutants have been repeatedly associated with increased prevalence of asthma-related respiratory symptoms in children. Also, based on toxicological and occupational epidemiologic literature, several of the MSATs, including benzene, 1, 3-butadiene, and diesel exhaust, are classified as known and likely human carcinogens. Thus, near roadway environments present an

elevated cancer risk, including childhood leukemia. For additional information on MSATs, please see EPA's MSAT website at http://www.epa.gov/otaq/toxics.htm.

Expanding a roadway in the immediate vicinity of residential neighborhoods and other sensitive receptors could result in increased, localized MSAT impacts in the project area to nearby receptors. EPA recommends including a quantitative analysis in the DEIS to determine if there are problematic MSAT hot spots and if so, to inform avoidance, minimization, and mitigation options. This is especially important, given the significant concerns about adverse health effects from mobile source pollutants and the project's potential to increase localized emissions in areas abutting residential communities and sensitive receptors.

*Recommendations*:

- Identify project segments and/or areas that may have potential for hot spot impacts, such as:
  1) Project segments with the closest sensitive receptors and residential areas,
  2) Project segments with the largest increases in vehicle miles traveled (VMT) or highest baseline emissions, and
  3) Project segments with the largest emissions changes and distance reductions to sensitive receptors and residential areas.

- Quantify emissions and assess whether the project will result in potential MSAT hotspots. Include dispersion modeling and an assessment of health risk for the six primary MSATs for areas above that appear to have potential hot spot concerns. This analysis is further described in the March 2007 report entitled "Analyzing, Documenting, and Communicating the Impacts of Mobile Source Air Toxic Emissions in the NEPA Process" conducted for the American Association of State Highway and Transportation Officials (AASHTO) Standing Committee on the Environment and funded by the Transportation Research Board (http://www.trb.org/NotesDocs/25-25(18)_FR.pdf). Procedures for toxicity-weighting, which EPA has found to be especially useful for the targeting of mitigation, are described in EPA's Air Toxics Risk Assessment Reference Library (Volume 3, Appendix B, beginning on page B-4, http://epa.gov/ttn/fera/data/risk/vol_3/Appendix_B_April_2006.pdf).

- If significant impacts are identified, include appropriate mitigation or design changes to reduce potential operational impacts in the DEIS.

These recommendations, and the recommendations included in the report for AASHTO referenced above, differ from the September 30, 2009 FHWA Interim Guidance Update on Mobile Source Air Toxic Analysis in NEPA Documents. While there are positive elements to this guidance, especially the acknowledgement of potential MSAT concerns, EPA continues to disagree with major elements of this approach nationally.

*Greenhouse Gas Emissions*

The State of California continues to increase its focus on potential climate change and impacts of increasing GHG emissions. Specifically, the Global Warming Solutions Act of 2006 and the Governor's Executive Order S-3-05 recognize the impact that climate change can have within California and provide direction for future reductions of greenhouse gases. As a major transportation corridor in Southern California, this Project will likely be a contributing source of GHGs.

*Recommendations:*

- EPA recommends that Caltrans identify and commit to specific mitigation measures needed to 1) as appropriate, protect the project from the effects of climate change, 2) reduce the project's adverse air quality effects, and/or 3) promote pollution prevention or environmental stewardship. Caltrans and the project proponents should incorporate all relevant, feasible air quality and GHG mitigation measures listed in Appendix G of the 2012 Southern California Association of Governments Regional Transportation Plan / Sustainable Communities Strategy Program Environmental Impact Report (PEIR).

**Children's Health and Safety**

Executive Order 13045 "Protection of Children from Environmental Health Risks and Safety Risks"[3] requires federal agencies to ensure that their policies, programs, activities, and standards address disproportionate risks to children that result from environmental health risks or safety risks. EPA recommends that the DEIS assess any potential environmental health risks and safety risks that may disproportionately affect children. For possible impacts to schools and child care centers near the project, include measures identified in the voluntary EPA School Siting Guidelines (http://www.epa.gov/schools/siting/download.html), and Draft State School Environmental Health Program Guidelines (http://www.epa.gov/schools/ehguidelines/index.html). EPA's Office of Children's Health Protection has also posted a compilation of scientific data and methods to help improve the scientific understanding of children's environmental health concerns at: http://yosemite.epa.gov/ochp/ochpweb.nsf/content/whatwe_scientif.htm. This site contains information on risk assessment, toxicity and exposure assessment, and other information to help better understand potential environmental impacts on children's health.

**Memorandum of Understanding (MOU) on Environmental Justice and Executive Order 12898**

On August 4, 2011, several federal agencies, including the U.S. Department of Transportation and EPA, finalized an MOU[4] advancing agency responsibilities outlined in the 1994 Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations." The MOU, in part, states that each Federal agency will identify and address, as appropriate, any disproportionately high and adverse human health or environmental effects of its programs, policies and activities on minority populations and low-income populations in the following areas: 1) NEPA implementation; 2) implementation of Title VI of the Civil Rights Act; 3) impacts from climate change; and 4) impacts from commercial transportation and supporting infrastructure ("goods movement"). EPA recommends that the DEIS address the MOU as suitable for the project.

The DEIS should identify whether the proposed alternatives may disproportionately and adversely affect low income or minority populations in the surrounding area and should provide appropriate mitigation measures for any adverse impacts. Executive Order 12898 addresses Environmental Justice in minority and low income populations, and the Council on Environmental Quality has developed guidance concerning how to address Environmental Justice in the environmental review process (http://www.epa.gov/environmentaljustice/resources/policy/ej_guidance_nepa_ceq1297.pdf). Community involvement activities supporting the project should include opportunities for incorporating

[3] Available on-line at: http://ceq.hss.doe.gov/nepa/regs/eos/eo13045.html .

[4] A copy of the Memorandum of Understanding on Environmental Justice and Executive Order 12898 is available on-line at: http://epa.gov/environmentaljustice/resources/publications/interagency/ej-mou-2011-08.pdf .

public input, especially in Environmental Justice communities, into the facility design process to promote context sensitive design.

*Recommendations:*

- Identify whether the proposed alternatives may disproportionately and adversely affect low-income or minority populations and provide appropriate mitigation measures for any adverse impacts. Assessment of the project's impacts should reflect consultation with affected populations and mitigation measures should be considered where feasible to avoid, mitigate, minimize, rectify, reduce, or eliminate impacts associated with a proposed project (See 40 C.F.R. § 1508.20). Mitigation measures identified in the DEIS should reflect the needs and preferences of the affected low-income and minority populations to the extent practicable.

- Document the process used for community involvement and communication, including all measures to specifically outreach to potential environmental justice communities. Include an analysis of results achieved by reaching out to these populations. EPA has developed a model plan for public participation that may assist Caltrans in this effort. *The Model Plan for Public Participation*, EPA OECA, February 2000, is available at: http://www.epa.gov/compliance/ej/resources/publications/nejac/model-public-part-plan.pdf

**Waters of the U.S.**

The project crosses the Santa Ana River and several other jurisdictional waters along this 35-mile project corridor. The DEIS should identify if the project will involve the discharge of dredged or fill material into jurisdictional wetlands and waterways and impact water quality or hydrology. Discharges of dredged or fill material into waters of the U.S. require authorization by the U.S. Army Corps of Engineers (Corps) under Section 404 of the Clean Water Act (CWA). The Federal Guidelines at 40 CFR Part 230 promulgated under CWA Section 404 (b)(1) provide substantive environmental criteria that must be met to permit such discharges into waters of the U.S.

*Avoidance, Minimization and/or Mitigation Measures*

To demonstrate compliance with CWA Guidelines, the DEIS should identify measures and modifications to avoid and minimize impacts to water resources. Temporary and permanent direct and indirect impacts to waters of the U.S. for each alternative studied should be quantified; for example, acres of waters impacted, etc. For each alternative, the DEIS should report these numbers in table form for each impacted water and wetland feature.

*Recommendations:*

- Identify if the project will affect waters of the U.S.
- Include a summary of the projects impacts to hydrology.
- Discuss mitigation for temporary and unavoidable permanent direct and indirect impacts. Temporary impact mitigation should consider additional compensatory mitigation for temporal loss of functions as well as establishing numeric criteria and monitoring of the temporary impact site to ensure that aquatic functions are fully restored. The link to the final Mitigation Rule, which went into effect on June 9, 2008, can be found at http://www.epa.gov/EPA-WATER/2008/April/Day-10/w6918a.pdf. Indirect impact mitigation should consider opportunities to reduce any potential effects from shading and to compensate for possible wetland habitat fragmentation.

- Include the classification of waters and the geographic extent of waters and adjacent riparian areas.
- Characterize the functional condition of waters and adjacent riparian areas.
- Describe the extent and nature of stream channel alteration, riverine corridor continuity, and buffered tributaries.
- Characterize the hydrologic linkage to any impaired water body.

*Water Quality/Stormwater*
The DEIS should address techniques proposed for minimizing surface water contamination due to increased runoff from additional highway surfaces. The project will require a National Pollutant Discharge Elimination System (NPDES) permit and an accompanying Stormwater Pollution Prevention Plan (SWPPP). Where the proposed project will widen existing roads, the current stormwater detention basins and structures may no longer be effective.

*Recommendations:*
The water quality analysis in the DEIS should include an estimate of increase in impervious surfaces, estimates of increases in stormwater runoff locations and volume, and locations for specific design features to minimize discharges and dissipate energy. The DEIS should include the following:

- Identify specific locations, on a map, where runoff is expected, along with a map indicating where specific design features for stormwater management will be placed (bioswales, etc.). These options should be presented as a part of the DEIS process and not deferred until a later stage.
- Include stormwater performance standards for both construction site sediment control and post-construction project design standards in the DEIS.
- Provide information regarding the placement, selection, and performance of proposed Best Management Practices (BMPs) in the DEIS.
- Commit to design, install, and maintain BMPs to control total suspended solids (TSS) carried in post-construction runoff.
- Commit to employ BMPs to maintain or reduce the peak runoff discharge rates, to the maximum extent practicable, as compared to the pre-development conditions.

**Biological Resources**
The proposed project may have direct and indirect impacts on federal- and state-listed threatened and endangered species. EPA recommends that Caltrans identify all petitioned and listed threatened and endangered species and critical habitat within the project area and assess the direct and indirect impacts of each alternative. Include the status of any Endangered Species Act Section 7 consultation process and describe efforts to avoid and/or minimize impacts to species and their associated habitats. Given that the project would likely involve construction on freeway crossings, Caltrans should work with local, state, and federal wildlife agencies to identify opportunities to remove any existing critical wildlife movement barriers and/or improve existing crossings utilized for wildlife movement.

**Cumulative Impact Analysis**
The cumulative impacts associated with the proposed project may contribute to significant degradation of sensitive resources and significant impacts to communities in this corridor. The corridor is a major

truck route with nearby airports and is located just north of the Colton Crossing of Union Pacific (east-west) and BNSF (north-south) railroads.

*Recommendations:*

- Conduct a thorough cumulative impact assessment. Include a complete list of reasonably foreseeable actions, including non-transportation projects.
- EPA recommends the use of the June 2005 *Guidance for Preparers of Indirect and Cumulative Impacts Analysis* developed jointly by Caltrans, FHWA, and EPA [http://www.dot.ca.gov/ser/cumulative_guidance/purpose.htm]. The guidance will assist in identifying cumulative impacts and preparing an analysis that is sound, well documented, and compliant with 404(b)(1) Guidelines.

**Growth-related Impacts**

EPA is concerned about the potential indirect impacts (40 CFR Part 1508.8(b)) of this project. The project would benefit from analysis of growth-related impacts early in project development. A growth-related impact analysis assists with compliance requirements of NEPA by considering environmental consequences as early as possible and providing a well-documented and sound basis for government decision making.

The May 2006 *Guidance for Preparers of Growth-related, Indirect Impact Analyses* (Guidance) [http://www.dot.ca.gov/ser/Growth-related_IndirectImpactAnalysis/gri_guidance.htm] developed jointly by Caltrans, FHWA, and EPA, provides an approach to developing a growth-related impact analysis. After the potential for growth is identified for each alternative, the Guidance recommends assessing if growth-related impacts affect resources of concern.

*Recommendations*:

- Identify the types of resources that are likely to occur in geographic areas that may be affected by growth. If it is determined that there will be no or insignificant impacts to resources of concern, then document the process and report the results. EPA recommends following the Step-by-Step Approach for Conducting the Analysis in Chapter 6 of the Guidance.
- Include a discussion of mitigation strategies to reduce impacts if adverse impacts cannot be avoided or minimized. Section 6.3 of the Guidance provides an approach to address mitigation for growth-related impacts.

**Tribal Coordination**

We recommend that Caltrans ensures the Interstate 10 Corridor Project DEIS fully documents tribal consultation and coordination for any potential impacts to tribal resources from this project as required by federal law and policies. Executive Order 13175, *Consultation and Coordination with Indian Tribal Governments* (November 6, 2000), was issued for federal agencies to establish tribal consultation and collaboration processes for the development of federal policies that have tribal implications, and to strengthen the United States government-to-government relationships with Indian tribes.

*Recommendations:*

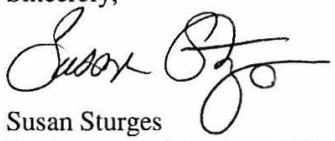
- Describe in the DEIS: 1) the process and outcome of any informal coordination and formal government-to-government consultation between FHWA, given that government-to-government

consultation was not assigned to Caltrans per NEPA delegation, or other relevant federal agency, and each of the tribal governments within the project area.

- Discuss issues that were raised (if any), how those issues were addressed in relation to the proposed action and the selection of the proposed alternative, and how impacts to tribal or cultural resources will be avoided or mitigated consistent with Section 106 of the National Historic Preservation Act, Executive Order 13007, Indian Sacred Sites, and/or other relevant federal laws and policies.

If you have any questions regarding the recommendations provided, please feel free to contact me, the lead EPA reviewer for this project. I can be reached at sturges.susan@epa.gov or (415) 947-4188. When you are ready to submit your DEIS, please note that EPA Headquarters no longer accepts paper copies or CDs of EISs for official filing purposes. Submissions must now be made through EPA's new electronic EIS submittal tool: *e-NEPA*. While this system eliminates the need to submit paper or CD copies to EPA Headquarters to meet official filing requirements, lead agencies should continue to distribute 1 CD copy and 2 hard copy EISs for review to the EPA Region 9 San Francisco Office. Electronic submission does not change requirements for distribution of EISs for public review and comment. To begin using *e-NEPA*, you must first register with EPA's electronic reporting site - https://cdx.epa.gov/epa_home.asp.

Sincerely,



Susan Sturges
Environmental Review Office

CC via Email: Veronica Chan, U.S. Army Corps of Engineers
Karin Cleary-Rose, U.S. Fish and Wildlife Service
Jeff Brandt, California Department of Fish and Game
John Chisholm, Caltrans District 11

November 26, 2012

David Bricker
Caltrans – District 8
Environmental Planning/Local Assistance MS 1222
464 W. 4th Street
San Bernardino, CA 92401-1400

**Subject: Interstate 10 Corridor Project**

Dear David:

In response to your request inviting the City of Colton to be a participating agency, this letter will serve to inform you that the City of Colton will participate in the environmental review process for this Project. Please transmit all correspondence and documents to the following address:

Amer Jakher, P.E.
Public Works Director
160 South 10th Street
Colton, CA 92324
e-mail: ajakher@ci.colton.ca.us

Thank you for inviting us for this very important transportation improvement project. If you need additional information, do not hesitate to contact me at (909) 370-5065 or Victor Ortiz, P.E., Engineering Manager, at (909) 514-4210, email: vortiz@ci.colton.ca.us.

Sincerely,

Amer Jakher, PE
Public Works Director

cc Mark Tomich – City of Colton Development Services Director

CIVIC CENTER
650 N. La Cadena Drive
Colton, CA 92324
(909) 370-5099

United States Department of the Interior
FISH AND WILDLIFE SERVICE
Ecological Services
Palm Springs Fish and Wildlife Office
777 East Tahquitz Canyon Way, Suite 208
Palm Springs, California 92262

In Reply Refer To:
FWS-SB-08B0758-13CPA0011

NOV 27 2012

Mr. David Bricker
Deputy District Director
Department of Transportation
464 West Fourth Street, MS 1222
San Bernardino, California 92401

Subject: Invitation to Become a Participating Agency and Cooperating Agency on the Interstate 10 Corridor Project, San Bernardino County, California

Dear Mr. Bricker:

We received your letter dated November 5, 2012, inviting us to serve as a participating and cooperating agency with section 6005 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) 2005, for the Corridor Project widening project. The project as proposed would improve and widen a 35-mile segment of the Interstate 10 freeway from 2 miles west of the Los Angeles/San Bernardino County line in the city of Pomona to Ford Street in the city of Redlands, San Bernardino County, California. We thank you for the invitation to participate, but decline to officially act as a cooperating agency for the subject project because of significant workload constraints. We will however continue to provide technical assistance as a participating agency under section 6002 of SAFETEA-LU, and look forward to working with the San Bernardino Association of Governments and your staff on the project.

We appreciate the opportunity to participate in the transportation planning process and look forward to our continued coordination on the project. If you have any questions regarding this letter, please contact John M. Taylor of this office at 760-322-2070, extension 218.

Sincerely,

for Kennon A. Corey
Assistant Field Supervisor

**From:** Aaron Burton
**Sent:** Wednesday, November 28, 2012 4:05 PM
**To:** Blanco, Stephanie
**Cc:** Shawn Oriaz
**Subject:** I-10 Comment/Request

Hi Stephanie,

I spoke with Mr. Martin Willis who works with the Ontario School District. He would like to be added to the mailing list for the project to receive any updates provided to the public. Thanks.

Aaron P. Burton
Senior Environmental Planner
Environmental Studies "B"
California Department of Transportation, District 8

----- Forwarded by Aaron Burton/D08/Caltrans/CAGov on 11/28/2012 04:03 PM -----

| | | |
|---|---|---|
| **Martin Willis** | To | '"Aaron_Burton |
| | cc | |
| 11/28/2012 10:01 AM | Subject | |

Hello Aaron,
Thanks for the information this morning. If you would please add me to future information bulletins.
Thanks and have a great day,
Marty

Martin Willis
Transportation Manager
Ontario-Montclair School District

DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, CORPS OF ENGINEERS
P.O BOX 532711
LOS ANGELES, CALIFORNIA 90053-2325

December 13, 2012

REPLY TO
ATTENTION OF:
Regulatory Division

Mr. David Bricker
Deputy District Director
California Department of Transportation
Division of Environmental Planning
464 West 4th Street, MS 1222
San Bernardino, California 92401-1400

Dear Mr. Bricker:

I am responding to your invitation, dated October 1, 2012, for the U.S. Army Corps of Engineers (Corps) to be a cooperating agency on the preparation of an environmental impact statement (EIS) for the proposed ***Interstate 10 Corridor Project*** located in San Bernardino and Los Angeles Counties, California. I understand the California Department of Transportation (Caltrans) has assumed the lead Federal agency responsibilities under the National Environmental Policy Act (NEPA) on behalf of the U.S. Department of Transportation, Federal Highway Administration, pursuant to 23 U.S.C. 327(a)(2)(A), and therefore, will prepare the EIS in accordance with the Council of Environmental Quality (CEQ) regulations on implementing NEPA procedures (40 C.F.R. Parts 1500 – 1508). In addition, your letter requests we be a participating agency as defined by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) and its superseding legislation entitled Moving Ahead for Progress in the 21st Century (MAP-21).

Based on our jurisdiction by law and special expertise pursuant to section 404 of the Clean Water Act (33 U.S.C. 1344) and section 14 of the Rivers and Harbors Act (33 U.S.C. 408), the Corps accepts your invitation to cooperate and participate on the development of the Interstate 10 Corridor Project EIS. We will do so based on the availability of our resources and funding and at a level commensurate with the extent of impacts to jurisdictional waters of the United States. As a cooperating agency, we anticipate our role will facilitate the Corps' ability to adopt Caltrans' Final EIS, or portions thereof, should we determine a need to do so to fulfill our independent NEPA responsibilities for our Federal action. The Corps expects to participate in the NEPA process in the following ways:

- Provide input on defining the purpose and need statement;
- Offer input on the range of alternatives to be evaluated in the EIS;
- Provide guidance on the methodologies and level of detail required in the alternatives analysis, including the requirements of the section 404(b)(1) Guidelines (as applicable);
- Issue an approved or preliminary jurisdictional determination (JD) to establish the Corps' geographic jurisdiction;

- Review of engineering and hydraulic analyses related to the effects of maintenance and operation of Corps-built flood control projects;
- Review and approve any compensatory mitigation measures for unavoidable impacts to waters of the United States (as applicable);
- Participate in coordination meetings and field visits; and
- Provide timely review comments on administrative draft and final and public versions of the NEPA document(s), including but not limited to, the adequacy of technical documents, alternatives considered, anticipated impacts to the aquatic ecosystem, study methodologies and proposed mitigation.

In addition, should the Interstate 10 Corridor Project result in five or more acres of permanent impacts to waters of the United States, Caltrans would need to ensure the environmental review process follows the coordination, checkpoint agreement response, and dispute resolution procedures set forth in the *NEPA and Clean Water Section 404 Integration Process for Federal Aid Surface Transportation Projects in California Memorandum of Understanding* (April 2006).

As you complete your formal NEPA scoping process and begin to define the project purpose and need statement, identify significant issues to be considered in the EIS, and determine the range of alternatives that will be evaluated, we encourage you to find ways to avoid and minimize adverse impacts on the aquatic environment and to ensure your proposal is not contrary to the public interest. The Corps looks forward to working with you and the San Bernardino Associated Governments (SANBAG) on the preparation of the EIS. Should you have any questions or require further information, please contact Ms. Veronica Chan, Project Manager, in our Transportation and Special Projects Branch at (213) 452-3292 or at Veronica.C.Chan@usace.army.mil regarding CWA section 404 issues or Mr. Stephen Vaughn, in our Engineering Division at (213) 452-3654 or Stephen.H.Vaughn@usace.army.mil regarding 33 U.S.C section 408 issues. Alternatively, you may contact me at (805) 585-2152 or at Spencer.D.Macneil@usace.army.mil.

Sincerely,

Spencer D. MacNeil, D.Env.
Chief, Transportation & Special Projects Branch

Copies Furnished:
Ms. Susan Sturges, U.S. Environmental Protection Agency, Region IX
Ms. Felicia Sirchia, U.S. Fish and Wildlife Service
Mr. Aaron Burton, Caltrans, Division of Environmental Planning

THE CITY OF
POMONA

MARK LAZZARETTO
Director
Community Development Department

Planning Division

January 16, 2013

David Bricker, Deputy District Director
Caltrans-District 8
464 W. 4th Street
San Bernardino, CA 92401-1400

Dear Mr. Bricker:

Thank you for the opportunity to participate in this important regional project. Please accept this letter as notification that the City of Pomona would like to be a participating agency on the Interstate 10 Corridor Project Environmental Impact Statement (EIS) process.

The contact person for this project will be:

Ron Chan
Senior Civil Engineer
Phone: 909.620.2286
ronald_chan@ci.pomona.ca.us

Please send all correspondence regarding this project to the attention of Mr. Chan at the following address:

City of Pomona-Public Works Department
505 S. Garey Avenue
Pomona, CA 91769

Sincerely,

Brad Johnson
Planning Manager

CC: Ati Eskandari, City Engineer

MONTCLAIR

January 23, 2013

Mr. David Bricker, Deputy District Director
Environmental Planning
Division of Environmental Planning
California Department of Transportation
464 West Fourth Street, MS 1222
San Bernardino, CA 92401-1400

Re: Invitation to Become a Participating Agency on the Interstate 10 Corridor Project

Dear Mr. Bricker:

Pursuant to your request concerning our interest in becoming a Participating Agency for the NEPA process associated with the Interstate 10 Corridor Project, please consider this letter as our acceptance of your invitation.

For future correspondence related to this project and process, please address your comments to:

Mr. Steve Lustro
Community Development Director
City of Montclair
5111 Benito Street
Montclair, CA 91763

I would appreciate it if you would also copy me on the correspondence as well. While the environmental process is typically worked through our Community Development Department, our Public Works Department is working concurrently with its own project to widen Monte Vista Avenue through the Interstate 10 interchange.

If you have any questions, please call me at 909-625-9441.

CITY OF MONTCLAIR
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION

Michael C. Hudson
City Engineer

cc: Edward C. Starr
Marilyn J. Staats
Steve Lustro

CITY OF MONTCLAIR
5111 Benito Street, P.O. Box 2308, Montclair, CA 91763 (909) 626-8571 FAX (909) 621-1584

Mayor Paul M. Eaton • Mayor Pro Tem Bill Ruh • Council Members: Leonard Paulitz, Carolyn Raft, J. John Dutrey • City Manager Edward C. Starr

Upland Unified School District
390 N. Euclid Avenue
Upland, CA 91786-4763
www.upland.k12.ca.us
(909) 985-1864

**Sherri Black, Interim Superintendent**

**Assistant Superintendents:**
Deo Persaud, Business Services
Patrick W. Kelleher, Interim Human Resources
Lori Thompson, Educational Services

January 30, 2013

Department of Transportation
Division of Environmental Planning
Attention: David Bricker
464 West Fourth Street, MS 122
San Bernardino, CA 92401-1400

Subject: Invitation to Become a Participating Agency on the Interstate 10 Corridor Project

Dear Mr. Bricker,

We have received your letter inviting the Upland Unified School District to become a "Participating Agency on the Interstate 10 Corridor Project".

We expressed our interest some time ago in becoming a "Participating Agency on the Interstate 10 Corridor Project" to Aaron Burton as requested in your invitation letter. It appears however that you did not receive this information. Though unsure of what significant contribution we could make to the Project we would like to be involved and kept abreast of developments as you move forward.

Please consider this letter as an acceptance of your invitation to participate. Please send future communications to my attention and should you have any questions please do not hesitate to contact me.

Respectfully,

Christopher Williams
Director of Facilities and Construction

BOARD OF TRUSTEES: Linda Angona • Wes Fifield • Steve Frazee • P. Joseph Lenz • Michael J. Varela

City of
REDLANDS
Incorporated 1888
35 Cajon Street, Suite 15A, Redlands, CA 92373
Municipal Utilities and Engineering Department

Melissa Saavedra
35 Cajon St. Ste 15A
Redlands, CA 92373
January 28th, 2013

Aaron Burton
Branch Chief
California Department of Transportation- District 8
464 West Fourth Street, MS-829
San Bernardino, CA 92401

Dear Mr. Burton:

Please acknowledge this letter as acceptance to your invitation to be a Participating Agency on the Interstate 10 Corridor Project. The City of Redlands welcomes the opportunity to provide any prudent information that can be used in your environmental document.

The City of Redlands has appointed Don Young, Principal Project Manager, as its City's representative. Mr. Young can be reached at 909-798-7585 ext. 6 or dyoung@cityofredlands.org.

There is a definite need for all surrounding agencies to cooperate and assist in this innovative project and the City of Redlands appreciates the invitation to participate. Please feel free to contact Mr. Young with any questions or concerns.

Sincerely,

Melissa Saavedra
Senior Administrative Technician

Upland Unified School District
390 N. Euclid Avenue
Upland, CA 91786-4763
www.upland.k12.ca.us
(909) 985-1864

**Sherri Black, Interim Superintendent**

**Assistant Superintendents:**
Deo Persaud, Business Services
Patrick W. Kelleher, Interim Human Resources
Lori Thompson, Educational Services

January 30, 2013

Department of Transportation
Division of Environmental Planning
Attention: David Bricker
464 West Fourth Street, MS 122
San Bernardino, CA 92401-1400

Subject: Invitation to Become a Participating Agency on the Interstate 10 Corridor Project

Dear Mr. Bricker,

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Respectfully,

Christopher Williams
Director of Facilities and Construction

BOARD OF TRUSTEES: Linda Angona • Wes Fifield • Steve Frazee • P. Joseph Lenz • Michael J. Varela

| | |
|---|---|
| **From:** | Alzubaidi, Samer |
| **To:** | Todaro, Ryan |
| **Cc:** | Mendez, Jorge |
| **Subject:** | Invitation to become a Participating Agency for the Interstate 10 Corridor Project - San Bernardino City Unified School District |
| **Date:** | Thursday, January 31, 2013 4:48:45 PM |
| **Attachments:** | image002.gif |

Hello Mr. Todaro,
Thanks for your invitation. We would like to participate in your efforts to improve the I-10 Corridor and I requested from our Assistant Director (Mr. Jorge Mendez) to participate in your meetings and discussions. Jorge also happens to be an Architect and he is coordinating our department's design and pre-construction work. Should you have any question, please do not hesitate to contact me at (909) 388-6100

Thanks,

Samer Alzubaidi
Director of Facility
SBCUSD

**From:** Ian MacMillan
**Sent:** Tuesday, February 05, 2013 2:11 PM
**To:** Todaro, Ryan
**Subject:** FW: Invitation to become a Participating Agency for the Interstate 10 Corridor Project - South Coast Air Quality Management District

Mr. Todaro,

Is it too late to request to be a participating agency for this project? I'm sorry this is getting to you late, we had some staff absences recently and I'm just now getting around to this. If it isn't too late, we would like to be a participating agency. If it is too late, we would request that we still be included on all environmental planning notifications for this project.

Regards,
Ian MacMillan

Program Supervisor - CEQA Intergovernmental Review
South Coast Air Quality Management District

NATURAL RESOURCES AGENCY EDMUND G. BROWN JR., GOVERNOR

DEPARTMENT OF CONSERVATION

*Managing California's Working Lands*

DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 324-0850 • FAX 916 / 327-3430 • TDD 916 / 324-2555 • WEB SITE conservation.ca.gov

January 14, 2015

Mr. David Bricker, Deputy District Director
Department of Transportation
Division of Environmental Planning
464 West 4th Street, MS 1222
San Bernardino, CA 92401-1400

INTERSTATE 10 (I-10) CORRIDOR PROJECT, SAN BERNARDINO AND LOS ANGELES COUNTIES

Dear Mr. Bricker:

The Department of Conservation's (Department) Division of Land Resource Protection has received your letter dated December 31, 2014 regarding the Interstate 10(I-10) Corridor Project, which will impact agricultural lands in San Bernardino and Los Angeles Counties. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation Act (LCA), and other agricultural land conservation programs. The Department provides technical assistance to public agencies attempting to complete the Notice process stipulated in Government Code (GC) §§51290 - 51295.

Project Description

The California Department of Transportation (Caltrans) in cooperation with the San Bernardino Associated Governments (SANBAG), proposes to improve and widen an existing 35-mile segment of Interstate 10 (I-10) freeway mainline from 2 miles west of the Los Angeles - San Bernardino Boundary Line (post Mile 46.12) in the City of Pomona to Ford Street in the City of Redlands (Post Mile 33.80). The proposed project is to facilitate the movement of people and goods through the I-10 corridor by managing traffic demand, improving travel times and increasing the use of carpooling and transit.

The Land Conservation Act of 1965 statute states that public agencies shall notify the Director of the Department, ***before*** making a decision to acquire property located in an agricultural preserve (GC §51291(b)). To date, the Department has not been made aware whether any properties intended for acquisition by Caltrans for the project are located within an agricultural preserve. The effect of GC §51291(b) is to enable the acquiring agency to evaluate the ramification of purchasing land located within an agricultural preserve and consider the Department's comments before land is acquired, as required by statute.

Government Code §51290.5 defines a public improvement as *"facilities or interests in real property, including easements, rights-of-way, and interests in fee title, owned by a public agency or person, as defined in subdivision (a0 of Section 51291."*

Government Code §51291(a) defines a public agency as *"any department or agency of the United States, or the state, and any county, city, school district, or other local public district, agency, or entity."*

There are four instances stated in GC §51291 requiring a public agency to provide notice to the Department about activities related to the acquisition of a property located in an agricultural preserve. Notice is required in the following instances.

1. Notice before making a decision to acquire property in an agricultural preserve;
2. Notice within 10 days when the property is actually acquired;
3. Notice if the public entity proposes any significant changes to the acquisition; and
4. Notice is required after acquisition if the acquiring public agency decides not to acquire the property for the intended purpose (GC §51291(d)).

When agricultural properties are restricted by Land Conservation Act and/or Farmland Security Zone contracts pursuant to Article XIII, §8 of the California Constitution and GC §51252, only acquisitions made via eminent domain (or in lieu of) will nullify the contract, assuming other necessary requirements are met (GC §51295). Although a public entity may have eminent domain authority, unless the entity has made a commitment to exercise that authority, and the seller sold under a credible threat of condemnation, the acquisition is not made in lieu of eminent domain[i].

Enclosed for your benefit is a copy of the Public Acquisition Notification Provisions of the Land Conservation Act, which we offer as a guide for the process. Additional information is available on the Department of Conservation's website at the following link:

http://www.conservation.ca.gov/dlrp/lca/basic_contract_provisions/Pages/public_acquisitions.aspx

We look forward to receiving the notification as required by GC §51291. If you have any questions or need further assistance, please contact Jacquelyn Ramsey, Associate Environmental Planner, at (916) 323-2379 or via email at Jacquelyn.Ramsey@conservation.ca.gov.

Sincerely,

Molly A. Penberth, Manager
Division of Land Resource Protection
Conservation Support Unit

Enclosure

cc: San Bernardino County Board of Supervisors
San Bernardino County Farm Bureau
Los Angeles County Board of Supervisors
Los Angeles County Farm Bureau

[i] Johnson v. County of Sonoma et al (2002) 100 Cal. App. 4th 973 987

# Department of Conservation
## Division of Land Resource Protection

### Public Acquisition Notification Procedures
### A Step by Step Guide

The following information explains the public acquisition notification procedures for a public agency's acquisition of land located in an Agricultural Preserve and/or under a Land Conservation (Williamson) Act contract.

If you have additional questions, or suggestions for improvement of this document, please contact the Williamson Act Program at 916-324-0850.

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A public acquisition is the acquisition of land located in an agricultural preserve by a public agency or person, acting on behalf of a public agency[1], for a public improvement[2]. Land acquisition includes interests in real property, including partial interests such as utility and conservation easements.

**When is a Notice Required?**

Public Acquisition Notice is required whenever it appears that land within an agricultural preserve may be required by a public agency, or by a person (acting on behalf of a public agency) for a public use. The public agency or person shall advise the Director of the Department of Conservation (Department) and the local governing body (city/county) responsible for the administration of the agricultural preserve of its intention to consider the location of a public improvement within an agricultural preserve (GC § 51291(b)), or on property restricted by a Land Conservation Act contract.

**Does the CEQA Process Constitute a Public Acquisition Notice?**

No. Notice of the intention to acquire a property located in an agricultural preserve must be provided separately from a California Environmental Quality Act (CEQA) environmental notice.

The California Environmental Quality Act (CEQA) notice and review is a separate process and does not substitute for the notice of the intention to acquire a property located in an agricultural preserve. Senate Bill 985 (Johnston, statutes of 1999) clarified that CEQA notice does not equal the Public Acquisition Notification procedure stipulated in the Land Conservation Act[3].

**What are the Legal Requirements for a Public Acquisition Notice?**

The requirement to notice occurs four times in the Land Conservation Act of 1965 statute.

1. Notice is required before making a decision to acquire property located in an agricultural preserve (GC §51290(b));

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[1] Government Code § 51291(a)
[2] Government Code § 51290.5
[3] Government Code § 51290 – § 51295

2. Notice is required within 10 days of acquisition of the property (GC 51291(c));
3. Notice is required if the public entity proposes any significant changes to the acquisition, and
4. Notice is required after acquisition if the acquiring public agency decides not to acquire the property for the intended purpose (GC 51291(d)).

## PUBLIC ACQUISITION NOTICE REQUIREMENTS

**FIRST NOTICE -** A public agency must notify:

1. The Director of the Department of Conservation,
2. The local jurisdiction (city/county) administering the agricultural preserve, when the public agency has the intention to acquire land in an agricultural preserve or a property restricted by Williamson Act contract for a public purpose[4].

The first notice, must occur ***before*** the public agency makes a decision to acquire a property located in an agricultural preserve[4]. The first notice is required to be complete and accurate and should include the following information:

1. The public agency's explanation of its preliminary considerations of the findings of Government Code §51292 (a) and (b):
   a. *"The location is not based primarily on a consideration of the lower cost of acquiring land in an agricultural preserve (§51292(a))."*
   b. *"There is no other land within or outside of the preserve on which it is reasonably feasible to locate the public improvement (§51292(b))."*
2. A description of the agricultural preserve land it intends to acquire;
3. A copy of the Land Conservation Act contract on property that pertains to any land subject to the restrictions of such a contract between the local governing body, city or county, responsible for the administration of the agricultural preserve where the property to be acquired is located.

***Things to Remember***

- The Department of Conservation must be notified in advance of any proposed public acquisition and specific findings must be made (see number "1"under the heading first notice above).
- The public agency must review the Department's comments and provide any additional information requested by the Department to complete the administrative record before taking action to acquire the property.

> Note: The Department will provide a comment in writing advising the public agency whether additional information is required or that the notice is sufficient and the administrative record is complete. In addition, Department staff may telephone or fax to request information to complete the notification process.

- The public agency must acquire the property via eminent domain or in lieu of eminent domain in order to make the contract null and void (Government Code §51295).
- The public agency is required to provide evidence that the acquisition actually occurred via eminent domain or in lieu of eminent domain (e.g., documents such as copies of

[4] Government Code § 51291(b)

condemnation orders or a copy of the offer letter made to the landowner in lieu of eminent domain).

**SECOND NOTICE**

A second notice is required within 10 working days after acquisition[5] (escrow has closed). The second notice shall include the following, if not previously provided due to some exemption in Government Code § 51290 – § 51295 (please state the applicable exemption in second notice):

1. The notice shall include a general explanation of the decision and the findings made pursuant to Government Code §51292.
2. A general description, in text or by diagram, of the agricultural preserve land acquired (a vicinity map is good); and
3. A copy of the applicable Land Conservation Act contract(s).

Note: If the information and documents, noted above, were provided to the Department in the first notice then the second notice need only list the documents as having been previously provided, and reference the date of the public agency's original letter to the Department. In cases where documentation is lacking or there are discrepancies in the information provided, the Department may request resubmission of the documentation to ensure that the administrative record is complete.

**THIRD NOTICE**

A third notice is required **if** there is a significant change in the public improvement that the public agency intends to locate on land that is acquired in an agricultural preserve for such a purpose. The public agency must provide notice to the Department and the local jurisdiction (city/county) regarding increases or decreases in the amount of land acquired; **OR**

**THIRD / FOURTH NOTICE**

A third/fourth notice is required if the public agency does not acquire the land it notified the Department it intended to acquire in the first notice and/or the public agency determines not to use the property it acquired for the purpose identified in the first notice. The land must be reenrolled under a contract that is as restrictive as the one it was under before the acquisition occurred (Government Code § 51295).

All notices should be sent to:

Mark Nechodom, Director
Department of Conservation
c/o Division of Land Resource Protection
801 K Street, MS 18-01
Sacramento, CA 95814-3528

[5] Government Code § 51291(c)

**Colton Joint Unified School District**
Jerry Almendarez, Superintendent
Jaime R. Ayala, Assistant Superintendent, Business Services Division
Owen Chang, Director, Facilities, Planning, and Construction

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Feb 1, 2015

MR. David Bricker, Deputy District Director
Environmental Planning
Division of Environmental Planning
California Department of Transportation
464 West Fourth Street, MS 1222
San Bernardino, CA 92401-1400

Dear Mr. Bricker,

Thank you for providing us the opportunity to participate and comment on the proposed I-10 Corridor Project in San Bernardino and Los Angeles Counties.

Based on the packet of information dated December 31, 2014 received, our only concern at this time is the time and financial impact that the construction activities along the I-10 will have on our transportation department. As you may be aware, our attendance boundary encompasses Fontana through the City of Grand Terrace. We rely heavily on the I-10 to transport our students to and from all our campuses daily. Depending on the duration, phasing, and extent of the improvements, the construction may require us to utilize local bus routes thus increase our transportation labor and material cost.

We look forward to your response. Please do not hesitate to call or email me at owen_chang@cjusd.net with any questions. I can also be reached at 909.580.6642.

Regards,

Owen Chang
Director of Facilities, Planning and Construction

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

February 2, 2015

David Bricker
Deputy District Director
Department of Transportation
Division of Environmental Planning
464 West Fourth Street, MS 1222
San Bernardino, California 92401-1400

Subject: Comments on Purpose and Need, Project Description/Range of Alternatives, and Coordination Plan for the Proposed I-10 Corridor Project in San Bernardino and Los Angeles Counties in California

Dear Mr. Bricker:

The United States Environmental Protection Agency (EPA) has reviewed the Draft Purpose and Need, Project Description/Range of Alternatives, and Coordination Plan for the Proposed I-10 Corridor Project in San Bernardino and Los Angeles Counties in California. Thank you for the opportunity to provide feedback on these documents. This letter provides feedback in accordance with Moving Ahead for Progress in the 21st Century (MAP-21), the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508) and Section 309 of the Clean Air Act.

The EPA is a Participating Agency (as defined in 23 USC 139) and Cooperating Agency (as defined in NEPA) for this project and previously provided comments on the November 5, 2012 Notice of Intent (NOI) for the project in a November 21, 2012 scoping letter. Thank you for including the EPA's scoping letter in the draft Coordination Plan. Our comments provided below supplement feedback provided in our November 21, 2012 scoping comment letter and provide feedback based on the materials provided.

**Request to Review Updated Purpose and Need and Range of Alternatives**
While the EPA appreciates the opportunity to provide early feedback on the proposed project's Purpose and Need and Project Description/Range of Alternatives, the information provided is so preliminary in nature, and lacking in sufficient detail, for the EPA to provide robust and substantive feedback at this time. For example, regarding the Range of Alternatives, it is unclear what actions and infrastructure changes are being proposed regarding "Railroad Involvement" because the document only states that several crossings "would be affected" (Page 5, Page 7). Are new rail crossings being proposed as connected actions? How many and what is the footprint of new crossings? Further, the document states "several drainage structures would be improved", yet there is no map indicating what structures, to what extent, what type of design is warranted, or even if there would be any temporary or permanent impact to waters. The EPA requests an opportunity to have further discussions with Caltrans once more detailed information regarding the Purpose and Need and Project

Description/Range of Alternatives is available for our feedback. We also request more refined maps in order to better understand what is being proposed.

**Purpose and Need**
The EPA reiterates our Purpose and Need comments provided to Caltrans in our scoping letter. The EPA recommends that the Purpose and Need for the project allow for the analysis of a full scope of alternatives, including other modes of transportation, or alternatives which might be less impactful to the environment and public health, while also meeting the underlying mobility/accessibility needs the project seeks to provide.

We also recommend that the Purpose and Need chapter include sufficient supporting information for the identified needs, to better justify and develop the scope of the project and the range of alternatives. Specifically, the EPA recommends summarizing the most recent census/population data and growth projections and characterizing both the deficiencies in safety/emergency access and the mobility of people and goods. Identify the likely origins and destinations of anticipated local and regional vehicle trips in the corridor. Describe current and projected goods movement occurring within and/or through the project area. These justifications should accompany the Purpose and Need Statement to further understand the baseline conditions, identify the problem(s), and substantiate the underlying need(s) for improvements within the corridor. This is especially important in justifying the need for additional lane expansion, which has the potential to introduce a greater volume of vehicles and higher greenhouse gas emissions.

As requested above, the EPA recommends sharing the Purpose and Need chapter with us, once Caltrans has included the additional information discussed above in sufficient detail, so that we can provide more meaningful feedback about Caltrans proposed Range of Alternatives, and how that range meets the Purpose and Need or whether additional alternatives should be included as reasonable alternatives.

At this time, the EPA has one specific edit to the fourth objective discussing consistency with the SCAG Regional Transportation Plan. Please add "where feasible and in compliance with Federal and State regulations" to the end of that bullet.

**Project Description/Range of Alternatives**
The EPA reiterates our Range of Alternatives comments provided to Caltrans in our November 21, 2012 scoping letter. The Range of Alternatives should explore and objectively evaluate a range of reasonable alternatives, including the no action alternative, and briefly discuss the reasons for eliminating some alternatives from further evaluation (40 CFR 1502.14). Additionally, the proposed project should not preclude also enhancing transit access, or implementing a comprehensive Transportation System Management and Transportation Demand (TSM/TDM) plan as a part of other build alternatives. We encourage Caltrans to explore the feasibility of implementing such alternatives simultaneously in the interest of minimizing environmental impacts and accommodating future travel demands. It is unclear, from reviewing the materials provided, to what extent transit access is being considered. This is especially critical where new ingress and egress lanes are being proposed and where, if at all, the proposed project may conflict with future high speed train or other modes of travel in the corridor.

In exploring the option to enhance transit access, Caltrans should clearly identify what forms of transit facilities are currently in operation, and what plans exist for future expansion in the corridor (Metrolink, proposed high speed train, other?). The Purpose and Need chapter, and the range of reasonable alternatives discussion, should address transit options and activities that can be undertaken by Caltrans and/or other responsible agencies to enhance transit ridership that will effectively increase overall mobility within and through the corridor. We encourage Caltrans to consider concurrently implementing measures that provide incentives for increased transit ridership as a means of decreasing single occupancy vehicle travel, and including this in the described range of reasonable alternatives as feasible.

The EPA recommends that Caltrans summarize the screening methodology used to determine the Range of Alternatives for inclusion in the DEIS. The methodology summary should include information about which criteria and measures were used at each screening level and how they were integrated in a comprehensive evaluation. The range of alternatives discussion should also include a description of alternatives that were considered but withdrawn with a summary of why they were eliminated. Caltrans should identify all opportunities for the alternatives to further avoid or minimize adverse environmental and community impacts while fulfilling the project purpose. This may generally include alignment shifts, buffers, localized design modifications, changes in construction practices, or spanned crossings of sensitive biological resources.

The EPA recommends modifying the maps to show the locations of Haven, California and Ford, which are discussed in the narrative but not shown on the maps. Please also provide maps which depict the main features of each alternative, including the location of the proposed additional lanes. And provide additional detail on location and types of structures and drainage that will be impacted by the alternatives.

As requested above for the Purpose and Need chapter, the EPA recommends also sharing the updated Project Description/Range of Alternatives discussion with us, once Caltrans has included the additional information discussed above in sufficient detail. This will allow for better interagency coordination and more meaningful feedback on the alternatives proposed for analysis.

**Independent Utility**

Although the proposed project is one of a number of highway improvement projects in the area, it is unclear whether these other projects are separate projects with independent utility and logical termini, or if the projects are dependent on one another to meet the regional transportation needs. We recommend that Caltrans further describe the proposed project in the context of the adjacent highway improvements to alleviate concerns with possible project segmentation. The EPA recommends that Caltrans clearly demonstrate the independent utility of the proposed project in light of other identified proposed transportation improvements in the project area. If the project need cannot be met without future planned improvements, then the scope of the project should be expanded to include the additional improvements, since these would be considered connected and similar actions (40 CFR 1508.25). The EPA believes this is the most effective way to address indirect and cumulative environmental impacts, and also ensures that a broader scope is applied in the identification and evaluation of project alternatives that may be less environmentally damaging.

**Integration with Existing Transportation Facilities**
Caltrans should fully explain the extent to which proposed alternatives will integrate with existing transportation facilities. Caltrans should discuss how the project will impact existing vehicle lanes, or any bicycle lanes/pedestrian paths, due to project construction or operation. All potential alternatives should identify the opportunities available to better connect all modes of transportation, including rail, bus service, and pedestrian and bicycle facilities. Measures to minimize or mitigate impacts to vehicle lanes, bicycle lanes, and pedestrian paths should be considered now, as alternatives are being refined.

**Coordination Plan**
As discussed in the EPA's November 21, 2012 scoping letter, the EPA is both a Participating and Cooperating Agency. Please update Table 1.1 to reflect both roles for the EPA.

In Table 1.2, Agency Contact Information, please update the EPA contact information to:

Debbie Lowe Liang
Environmental Review Section
US EPA
75 Hawthorne St (ENF-4-2)
San Francisco, CA 94105
lowe.debbie@epa.gov
415-947-4155

Please also update the Coordination Plan Table 2-2 to reflect the EPA's role in Project Level Transportation Conformity Analysis and interagency consultation regarding air quality analysis methodology. The EPA will continue to be available to Caltrans to provide feedback on analysis methodology and results as the analysis is refined. The agency contact for this consultation is Karina O'Connor.

As discussed in the EPA's November 21, 2014 scoping letter, the EPA is interested in providing review and comment on early project information, such as draft technical reports regarding air quality, wetlands/waters, biological resources, cumulative impacts assessments, growth/community impacts, and conceptual mitigation. In addition, as stated above, the EPA requests additional review of the updated Purpose and Need and Project Description/Range of Alternatives, once additional information is available for review. As provided, the information is too preliminary in nature for the EPA to provide substantive, meaningful input on whether or not the Range of Alternatives meets the stated Purpose and Need. Please reflect this additional, requested early coordination on these issues in Section 2.1, Table 2-1 Coordination Points.

**Greenhouse Gas Emissions and Climate Change**

On December 18, 2014, the Council on Environmental Quality released revised draft guidance for public comment that describes how Federal departments and agencies should consider the effects of greenhouse gas emissions and climate change in their National Environmental Policy Act reviews. The revised draft guidance supersedes the draft greenhouse gas and climate change guidance released by CEQ in February 2010. This guidance explains that agencies should consider both the potential effects of a proposed action on climate change, as indicated by its estimated greenhouse gas emissions, and the implications of climate change for the environmental effects of a proposed action.

Caltrans should ensure that the discussion of climate change for the I-10 Corridor Project is consistent with this recent guidance. This guidance is available in full at:
http://www.whitehouse.gov/sites/default/files/docs/nepa_revised_draft_ghg_guidance_searchable.pdf

Thank you for requesting our comments on the Draft Purpose and Need, Project Description/Range of Alternatives, and Coordination Plan. We look forward to continued participation in this project as a Participating and a Cooperating Agency, meeting with you to discuss these comments, and reviewing the next draft of these documents. Please feel free to direct any questions you may have concerning our comments to me at 415-947-4155 or contact me via email at lowe.debbie@epa.gov. Thank you in advance for your interest and cooperation.

Sincerely,

Debbie Lowe Liang
Environmental Review Section

cc: Brenda Powell-Jones, Caltrans

**From:** Taylor, John [mailto:john_m_taylor@fws.gov]
**Sent:** Friday, February 06, 2015 2:08 PM
**To:** Burton, Aaron P@DOT
**Subject:** Comments on Interstate 10 Corridor Project - Efficient Environment Review Process (FWS-SB-08B0758-15TA0185)

Mr. Burton,
Thank you for the opportunity to comment on the Interstate 10 (I-10) Corridor Project package received by our office January 12, 2015. At this time, the the U.S. Fish and Wildlife Service Palm Springs Office (Service) is unable to assist in the development of materials related to the Environmental Impact Statement, but submit the following comments for clarification purposes in future revisions:

I-10 Corridor Project - Draft Project Description and Range of Alternatives

1. **Introduction:** Caltrans no longer assumes Federal Highway Administration's responsibility for NEPA under the *Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users* (SAFETEA-LU) MOU. This was superseded by the *Moving Ahead for Progress in the 21st Century Act* (MAP-21) in 2012.
2. **Alternative 2:** In the discussion regarding extension of the existing HOV land in each direction, is this activity the "mainline widening" as mentioned in the next sentence?
3. **Alternative 2:** The last sentence states "Existing auxiliary lanes will be re-established in kind and additional auxiliary lanes added where warranted". The Service requests explicit location information to assess environmental impacts.
4. **Alternative 2 Interchange Improvements:** It is mentioned several interchanges ramps will require reconstruction. Please identify the number and/or locations of proposed interchanges impacted by this alternative.
5. **Alternative 2 Structure Improvements:** Please identify types of structures requiring replacement (e.g. bridges, medians, culverts, etc.).
6. **Alternative 2 Drainage Improvements:** Please identify what "improvements" are proposed. In addition, please provide the number of drainage structures subject to this alternative.
7. **Alternative 3:** It is unclear whether the addition of HOV lanes requires widening, if so to what extent, and/or striping to accommodate the additional HOV lanes of the I-10 facility. Please update the proposed alternative with this information.
8. **Ingress/Egress Access Points:** The text does not identify what these access points are associated with. Please revise with either HOV lanes or other project related item.
9. **Alternative 3 Interchange Improvements:** It is mentioned several interchanges ramps will require reconstruction. Please identify the number and/or locations of proposed interchanges impacted by this alternative.
10. **Alternative 3 Structure Improvements:** Please identify types of structures requiring replacement (e.g. bridges, medians, culverts, etc.)

11. **Alternative 3 Drainage Improvements:** Please identify what "improvements" are proposed. In addition, please provide the number of drainage structures subject to this alternative.

Sincerely,

_____

John M. Taylor
Fish & Wildlife Biologist
U.S. Fish and Wildlife Service - Palm Springs
777 East Tahquitz Canyon Way, Suite 208
Palm Springs, CA 92262
Ph: 760-322-2070 x218
john_m_taylor@fws.gov

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(909) 395-2000
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TREASURER

February 13, 2015

Department of Transportation
Division of Environmental Planning
Attn: Mr. David Bricker
464 West Fourth Street, MS 1222
San Bernardino, California 92401-1400

**RE: Environmental Impact Statement for the Proposed I-10 Corridor Project**

Dear Mr. Bricker,

Thank you for allowing the City of Ontario Planning Department an opportunity to review and comment on the above referenced project. We ask that the following information be provided/incorporated into the document:

**Purpose of Project**

- One of the bullet items states "Provide a facility that is compatible with transit and other modal options;" Please explain what modal options other than buses would be allowed on an interstate freeway. If it is rail, how is rail being integrated into the project planning and design?

**Project Description/Range of Alternatives**

- The list of Alternative 2 mainline improvements should be expanded to include the auxiliary lanes listed in Alternative 3. It seems logical that these auxiliary lanes would be necessary regardless of which alternative is constructed.

- Both Alternatives 2 and 3 indicate that a number of existing bridge structures and local street interchanges are to be replaced, reconstructed and/or widened to accommodate the mainline freeway improvements. The text should be expanded to include a list of all the affected structures and interchanges and what is proposed to be done.

- Alternative 3 states ten at-grade ingress/egress (I/E) points are proposed along the corridor. The I/E points should be provided.

**Coordination Plan**

- Please change the listed City of Ontario contact information from Jerry Blum to Scott Murphy, Planning Director, smurphy@ci.ontario.ca.us, 909-395-2036, 303 East B Street, Ontario, California 91764.

**Other Comments**

- Potential impacts on local streets due to underpass/overpass structure changes should be assessed and mitigated to insure that roadway design standards such as intersection and driveway sight lines and grades are not compromised.

- The existing 4th Street bridge structure clearance is 14 ft. 6 in. which is less than Caltrans required 15 ft. The structure should be replaced to provide the proper clearance height and span width for the future master planned number of lanes on 4th Street in accordance with the City's General Plan and the approved I-10 /Grove Avenue Interchange project PSR and PA&ED effort currently underway.

- The existing Grove Avenue bridge structure clearance is 15 ft. 3 in. Lengthening the structure may decrease the clearance to less than the Caltrans required 15 ft. The structure should be replaced to provide the proper clearance height and span width for the future master planned number of lanes on Grove Avenue in accordance with the City's General Plan and the approved I-10/Grove Avenue Interchange project PSR and PA&ED effort currently underway.

- The total cost for the Grove Avenue and 4th Street bridge replacements should be included in the managed lane project budget so Ontario's I-10 Freeway at Grove Avenue/4th Street Interchange project does not have to incur additional costs later because of design exceptions granted to the managed lane project now and to limit the mainline freeway disruption when the Grove Avenue interchange is built.

- Ontario requests to retain the northbound to westbound Euclid Avenue loop ramp – or modified as may be necessary – unless there is sufficient justification to change it to a hook ramp.

- Ontario requests that the northbound approach at Euclid Avenue and the I-10 Freeway eastbound ramp intersection to be constructed with 5 lanes - four through lanes plus one right turn lane for the east bound freeway on ramp.

- The southbound Euclid Avenue to east bound I-10 Freeway on-ramp left turn storage should be designed for future year 2045 traffic volumes.

- The Euclid Avenue at 7th Street intersection should be reconstructed to eliminate the inadequate vehicle storage capacity in the median space between the north and south bound lanes. The final intersection geometry and traffic signal should operate as a single, eight phase intersection.

- The bridge design needs to accommodate Class II bike lanes consistent with the Cities of Ontario and Upland master plans and the San Bernardino County Non-Motorized Transportation Plan.

- The total cost to reconstruct the entire Euclid Avenue interchange, including the bridge structure, the Euclid Avenue approaches to the interchange, the Euclid Avenue/7th Street intersection, and 7th Street between Euclid Avenue and Second Avenue should be included in the managed lane project budget.

- There is likely to be greater congestion on the freeway during construction of the HOV or Express Lanes which would cause some motorists to detour to parallel local streets resulting in impacts on local streets and intersections. The environmental document should assess and provide mitigation for any identified impacts.

- Similar too, and more likely, will be local street and intersection impacts during reconstruction of the bridge structures and interchanges. The environmental document should assess and provide mitigation for any identified impacts.

We appreciate being involved in the environmental review of the project and look forward to continued communications regarding this project. Please keep us abreast of all proposed changes concerning the overall project. If you have any questions regarding our comments, please contact me at (909) 395-2419, or Richard Ayala, Senior Planner, at (909) 395-2421.

Sincerely,

Scott Murphy
Planning Director

**BOARD OF TRUSTEES**
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# Ontario-Montclair
School District

950 West D Street, Ontario, California 91762 • (909) 418-6369 FAX: (909) 459-2550

FACILITIES PLANNING AND OPERATIONS

James Q. Hammond, Ed.D.
*Superintendent*

Phil Hillman
*Chief Business Official*

Craig Misso
*Director*
*Facilities Planning & Operations*

**Sent Via Certified Mail**
**Receipt No. 7012 1010 0002 2748 4582**
**Return Receipt Requested**

July 13, 2015

David Bricker, Deputy District Director
Department of Transportation
District 8, Division of Environmental Planning
464 West 4th Street
San Bernardino, CA 92401

**RE: PROPOSED I-10 CORRIDOR PROJECT**

Dear Mr. Bricker:

The District is in receipt of your correspondence dated November 3, 2014, concerning the proposed I-10 Corridor Project ("I-10 CP Project"). This letter shall set forth the Ontario-Montclair School District's concerns regarding the proposed I-10 CP Project.

Based on the information provided, it does not appear that Alternative 1 will significantly impact the District's facilities. However, the District is very concerned about impacts arising from Alternatives 2 and 3 of the proposed I-10 CP Project.

As you are aware, Edison Elementary School ("Edison ES") is located adjacent to the I-10 freeway at Sultana Avenue. Edison ES will be severely impacted by Alternative 3 of the proposed I-10 CP Project. Specifically, Alternatives 2 and 3 of the proposed I-10 CP Project will impact Edison ES's soccer fields, Multi-Purpose Building as well as other portions of the Edison ES campus.

As you are also aware Serrano Middle School ("Serrano MS") is also located adjacent to the I-10 freeway between I-10 and San Jose Street (in the vicinity of Monte Vista Avenue and I-10). The proposed I-10 CP Project will also have direct impacts on the Serrano MS Campus as well.

The District has the following concerns regarding potential adverse impacts resulting from the I-10 CP Project:

**General Concerns for Both Edison ES and Serrano MS**

1. Student Safety Impacts
    a. Duration of project
    b. Contractors' hours of operation
    c. Department of Justice clearance for all construction workers
    d. Supervision of employees, subcontractors, and independent contractors
    e. Disruption to instruction from construction activities, including vibration, increased noise and air pollution
    f. Location and duration of construction easement
    g. Construction activities on or near District property
    h. Disruptive work that impacts instruction (e.g., pile-driving/compaction, etc.)
    i. Temporary/replacement fencing and barricades
    j. Damage to and restoration of District property

2. Safety of Students and Parents (as pedestrians or bus riders)
    a. Crossing guards/other mitigation measures
    b. Road closures/detours
    c. Transporting of additional students that qualify for transportation as a result of the Sultana Avenue overpass closure
    d. Operational impacts to school's schedule and facility limitations

3. Traffic Impacts
    a. Limited access for student drop-off and pick-up
    b. Construction material storage
    c. Construction equipment and vehicle storage/parking

4. Operational/Fiscal Impacts
    a. Transporting of additional students
    b. Crossing guards
    c. Potential loss of ADA from (increased absences/out-bound inter-district transfers)
    d. Operational disruptions during start and end of school
    e. Other costs, including additional staffing, to implement temporary mitigation measures

**Specific Concerns for Edison ES**

1. Accommodation of additional buses due to increased number of transported students should alternate routes exceeding the District's established walking distances
2. Use of double safety fencing (e.g., two fencing panels with a 5' separation) to provide an additional layer of separation between students and the work area
3. Replacement fence/block wall to be installed on top of retaining wall
4. Reseeding of entire playfield
5. DSA approved and certified construction methods for any work occurring on District property
6. Emergency exiting of occupants from the multipurpose room ("MPR")
7. Costs incurred associated with granting of easement for retaining wall footing (appraisal, legal costs, recording, etc.)

**Specific Concerns for Serrano MS**

1. Use of double safety fencing (e.g., two fencing panels with a 5' separation) to provide an additional layer of separation between students and the work area
2. Use of slated temporary fencing to reduce visibility from freeway
3. DSA approved and certified construction methods for any work occurring on District property
4. Student safety (as pedestrians) using Monte Vista Avenue underpass during partial closure
5. Impact to bus routes traveling to Peach Wood from Monte Vista Avenues
6. Costs incurred associated with acquisition of land (appraisal, legal costs, recording, etc.)
7. Use of high security fencing and slatted to reduce visibility and deter entry to schools through construction areas

***Project Impacts to Physical Education Fields and Hard Courts***

The taking of property for the project will result in a loss of acreage of the Edison ES and Serrano MS sites. The project will directly impact Edison ES's physical education ("P.E.") soccer fields located in the vicinity of Sultana Avenue and the I-10 freeway. The project will directly impact Serrano MS's fields located adjacent to the I-10 freeway.

As a result of the impacts of the project, the P.E. fields may need to be temporarily or permanently realigned. This realignment will in turn impact Edison ES's other fields used for physical education activities. The District is also concerned about damage to its property during the pendency of the proposed project and restoration of its property at the end of the proposed project.

Finally, as a result of the taking of property, both on a temporary and permanent basis, significant portion of the fencing along the perimeter of Edison ES and Serrano MS will be impacted and will need to be replaced. In addition, Edison ES has a large access gate along Sultana Avenue, which will need to be maintained in its current location or relocated.

***Project Impacts to Multi-Purpose Building (MPR)***

Alternatives 2 and 3 proposed temporary construction easement will have a significant adverse impact on the District operations and use of Edison ES's MPR. As proposed temporary construction easement appears to abut Edison ES's MPR. As a result, the emergency exits located on the west side of the MPR will be blocked, which will at least limit Edison ES's use of the MPR during the pendency of the proposed project, if not preventing its use entirely.

***Project Impacts to School Site Access***

Alternatives 2 and 3 proposed temporary construction easement will have a significant adverse impact on the District's access to the site. The site access along Sultana Avenue north of Edison ES's MPR must be retained. In addition, it appears that there will be operational disruptions of Edison ES as they pertain to the arrival and departure of students.

***Project Traffic and Noise Impacts***

In addition to the impacts set forth above, the project will also result in increased traffic noise and air quality impacts. Both Edison ES and Serrano MS campuses will be detrimentally impacted. The project will also significantly limit access for student drop off and pickup at Edison ES.

***Project Impacts on Student Walking Distances***

Alternatives 2 and 3 will disrupt students walking to and from school, lengthen their routes of travel and thereby will increase danger to walking students. In addition, student safety may be jeopardized by having adult construction workers and others present at the school site during construction of the proposed project, unless all personnel are screened for serious and violent offenses, controlled substances offenses, and sex offenses before being permitted on site and properly supervised throughout the duration of the project.

***Suggested Mitigation Measures***

The following suggested mitigation measures are not intended to be a complete listing of all necessary measures to be implemented for the project.

1. Compensate the District for the fair market value of any land taken for the proposed project.

2. Compensate the District for any costs incurred associated with the proposed project.

3. Incorporate sound mitigation measures at Edison ES along Sultana Avenue and I-10 to reduce construction noise, vibration and traffic noise impacts from the proposed project.

4. Replace Edison ES's perimeter fencing located along Sultana Avenue and the I-10 freeway. The replacement perimeter fencing should be constructed of graffiti and vandalism resistant materials. In particular, the District is concerned that block wall fencing will attract graffiti and vandalism.

5. Replace Serrano MS's perimeter fencing located along the I-10 freeway. The replacement perimeter fencing should be constructed of graffiti and vandalism resistant materials.

6. Relocate and realign athletic fields as necessary as a result of the proposed project.

7. Repair any and all damage to Edison ES's and Serrano MS's property and fields.

8. Repair any and all damage to Edison ES's MPR.

9. Maintain access to the Edison ES school site along Sultana Avenue north of Edison ES's MPR.

10. Construct the proposed project only during the summer recess in order to minimize impact on Edison ES and Serrano MS.

11. Do not allow any disruptive construction activities to occur during dates/times when Edison ES and Serrano MS are in session.

12. Construct temporary fencing to screen the public and students from the proposed projects during construction at Edison ES and Serrano MS.

13. Prior to any work occurring, fingerprint and screen all construction personnel who are working in proximity to Edison ES and Serrano MS for serious and violent offenses, controlled substances offenses, and sex offenses and properly supervise these employees, subcontractors, and independent contractors throughout the duration of the project.

14. Construct designated walkways and crosswalks for student travel to and from school for Edison ES and Serrano MS during the proposed project including, but not limited to, walkways and crosswalks along Sultana Avenue.

15. Employ crossing guards to monitor and assist student travel to and from Edison ES and Serrano MS during the proposed project.

16. Manage construction material storage and construction equipment and vehicle storage/parking (including workers' personal vehicles) in a manner that does not disrupt Edison ES and Serrano MS or jeopardize student safety.

The District anticipates that its comments and suggested mitigation measures will be given serious consideration and incorporated into the project design. Any project impacts on Edison ES and Serrano MS, as well as, site modifications necessitated by the project impacts will result in a financial impact to the District. Although the costs of these impacts are not known at this time, the District anticipates that these costs will be fully funded by the agencies constructing the project.

If you have any further questions, please contact the undersigned.

Sincerely,

Craig Misso
Director, Facilities Planning and Operations

**DEPARTMENT OF TRANSPORTATION**
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SAN BERNARDINO, CA 92401-1400
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FAX (909) 383-6494
TTY (909) 383-6300

*Serious drought.*
*Help save water!*

November 12, 2014

Daniel F. McCarthy
Director
Cultural Resource Management Department
26569 Community Center Drive
Highland, CA 92346

08-SBd-10-PM 0.0/R37.0
Interstate 10 Corridor
Project

EA 0C250 (#0800000040)

Dear Mr. McCarthy:

Subject: Interstate 10 Corridor Project Archaeological Survey Report Transmittal for Review

During the initial consultation efforts for this project, Ms. Ann Brierty expressed concerns for Native American resources which may be located near the portion of the project east of San Timoteo Wash. Ms. Brierty has also requested copies of the cultural technical study for review, and a desire for government to government consultation between the Tribe and Caltrans.

Included in this package is a copy of the current draft Archaeological Survey Report for you review. If possible we would like to receive your comments on the draft report by Wednesday, December 31, 2014. If additional time will be required for your review, please let me know as soon as possible.

Your time and involvement in this process is appreciated.

Respectfully,

GARY JONES
Associate Environmental Planner, Archaeologist
District 8 Native American Coordinator
Environmental Support/Cultural Studies

Enclosure
Draft Archaeological Survey Report for the Interstate 10 Corridor Project (EA 0C250)

**DEPARTMENT OF TRANSPORTATION**
DISTRICT 8
ENVIRONMENTAL PLANNING (MS 825)
464 W. FOURTH STREET, 6TH FLOOR
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4042
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*Serious drought.*
*Help save water!*

November 12, 2014

William Madrigal Jr.
Cultural Heritage Program Coordinator
Cultural Resource Management Department
12700 Pumarra Road
Banning, CA 92220

08-SBd-10-PM 0.0/R37.0
Interstate 10 Corridor
Project

EA 0C250 (#0800000040)

Dear Mr. Madrigal:

Subject: Interstate 10 Corridor Project Archaeological Survey Report Transmittal for Review

During the initial consultation efforts for this project, Mr. Madrigal requested copies of the cultural technical study for review, and a desire for government to government consultation between the Tribe and Caltrans.

Included in this package is a copy of the current draft Archaeological Survey Report for you review. If possible we would like to receive your comments on the draft report by Wednesday, December 31, 2014. If additional time will be required for your review, please let me know as soon as possible.

Your time and involvement in this process is appreciated.

Respectfully,

GARY JONES
Associate Environmental Planner, Archaeologist
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