



## FINAL ENVIRONMENTAL IMPACT REPORT

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**FINAL  
ENVIRONMENTAL IMPACT REPORT  
PERRIS VALLEY LINE  
RIVERSIDE COUNTY, CALIFORNIA**

**State Clearinghouse No. 2009011046**

**VOLUME 1 OF 2**

**PREPARED FOR:**

**RIVERSIDE COUNTY TRANSPORTATION COMMISSION**

**PREPARED BY:**



**Kleinfelder  
5015 Shoreham Place  
San Diego, California 92122  
(858) 320-2000**

**and**



**STV Incorporated  
9130 Anaheim Place, Suite 210  
Rancho Cucamonga, California 91730  
(909) 484-0660**

**July 2011**



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The proposed Perris Valley Line project is located in western Riverside County, extending about 24 miles, between the city of Riverside and south of the city of Perris. The proposed project would extend commuter rail service into the Interstate 215 corridor.

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State Clearinghouse No. 2009011046

**Submitted Pursuant with the California Environmental Quality Act (CEQA) of 1970 (Public Resources Code Section 21000 *et seq.*) and the CEQA Guidelines (California Code of Regulation (CCR), Title 14, Section 15000 *et seq.*)**

**Riverside County Transportation Commission**



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## 0.1 INTRODUCTION AND SUMMARY

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This Final Environmental Impact Report (Final EIR) has been prepared in accordance with the California Environmental Quality Act (CEQA) as amended (Public Resources Code §21000 et seq.), and CEQA Guidelines (California Administrative Code §15000 et seq.).

- According to the CEQA Guidelines §15132, the Final EIR shall consist of the following:
- The Draft Environmental Impact Report (Draft EIR) or a revision of the Draft;
- Comments and recommendations received on the Draft EIR, either verbatim or in summary;
- A list of persons, organizations, and public agencies commenting on the Draft EIR;
- The responses of the Lead Agency to significant environmental points raised in the review and consultation process;

In accordance with these requirements, the PVL Final EIR is comprised of the following:

### 0.1.1 Format of the Final EIR

- Draft EIR, PVL (April, 2010) (SCH No. 2009011046)
- This Final EIR document, July 2011, which incorporates the information required by § 15132.

This document is organized as follows:

#### **Section 0.1 Introduction**

This section describes CEQA requirements and content of this Final EIR.

#### **Section 0.2 Revisions, Updates, and Corrections**

This section lists revisions, updates, and corrections made to the Draft EIR and its supporting Technical Reports subsequent to its release for public review.

#### **Section 0.3 Response to Comments Received on the Draft EIR**

This section presents comment letters received and individual responses to written comments. In accordance with Public Resources Code §21092.5, copies of the written proposed responses to public agencies will be forwarded to the agencies at least 10 days prior to certifying the EIR. The responses will conform to the legal standards established for response to comments on the Draft EIR.

#### **Section 0.4 Mitigation, Monitoring, and Reporting Plan**

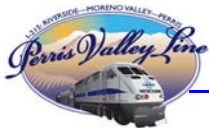


## FINAL ENVIRONMENTAL IMPACT REPORT

### 0.1 INTRODUCTION AND SUMMARY

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The Mitigation, Monitoring, and Reporting Plan (MMRP) is presented as a table that lists each of the mitigation measures required to reduce or eliminate the project's significant adverse impacts. Two columns list the timing for each measure and the party(ies) responsible to ensure each measure is implemented. The next two columns will be used to document the actions taken to implement each measure and the verification date for each. In addition, these columns will be used as a reference for verifying each mitigation measure is implemented and that ongoing measures are monitored and regularly checked.



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## 0.2 REVISIONS, UPDATES, AND CORRECTIONS

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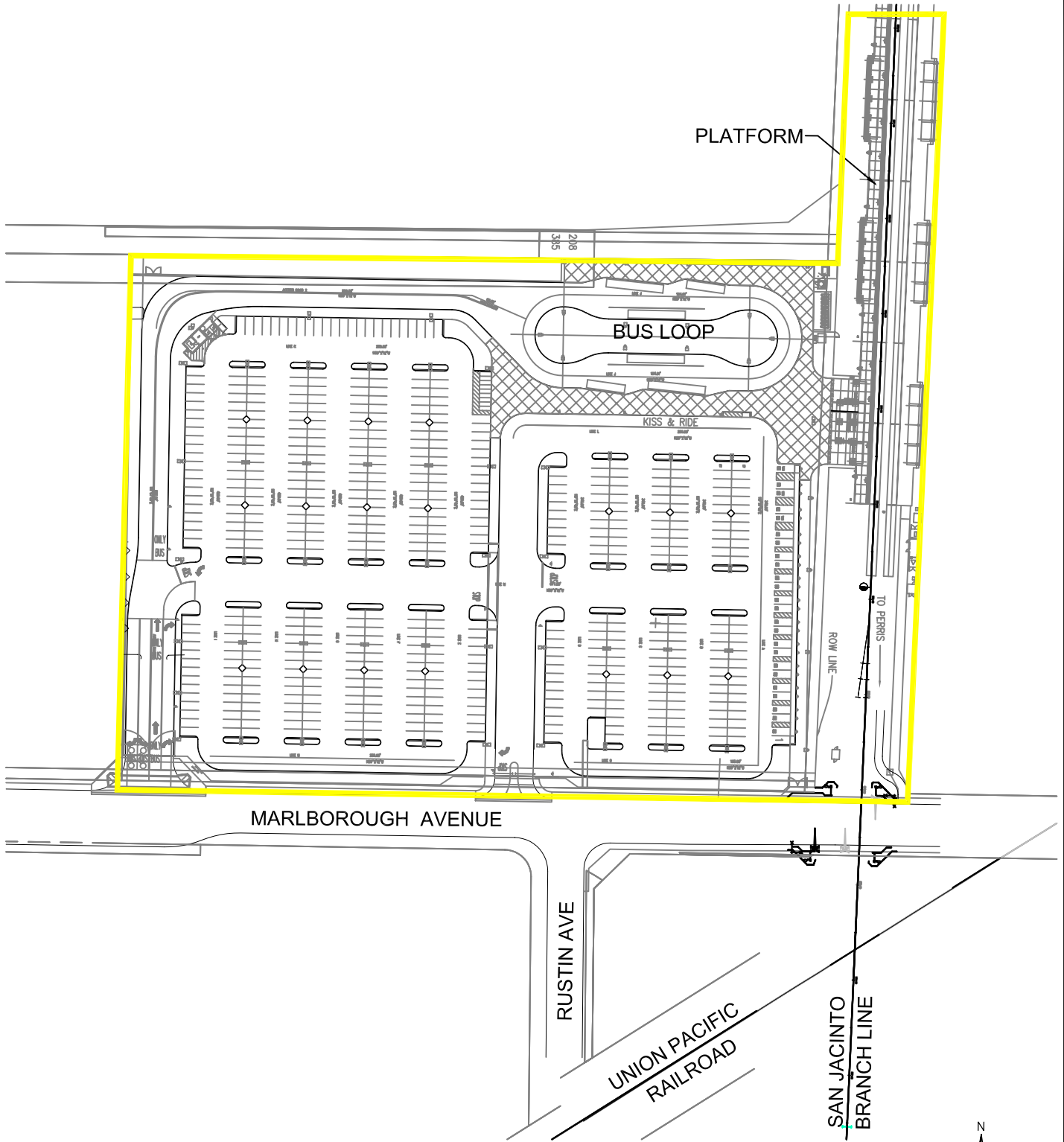
This section of the Final EIR lists revisions to information included in the Draft EIR April, 2010 based upon: (1) additional or revised information required to prepare a response to a specific comment; (2) updated information required due to of the passage of time; and/or (3) typographical errors. Given the minor changes associated with the document, which represents new information that clarifies, amplifies, and/or makes insignificant changes to an adequate Draft EIR, recirculation is not required pursuant to §15088.5(b) of the State CEQA Guidelines.

### 0.2.1 Selection of Hunter Park Station Location

Three station sites were analyzed and considered for the Hunter Park station in the Draft EIR. The Palmyrita option was proposed for the east side of the SJBL track east of Iowa Avenue between Palmyrita and Columbia Avenues. The Columbia and Marlborough options were proposed for the west side of the SJBL track, with entry and exit from Columbia and Marlborough Avenues, respectively. Each of the three options were evaluated in the Draft EIR, subsequently, RCTC during the development of the Final EIR has selected the Marlborough site to be the Hunter Park Station.

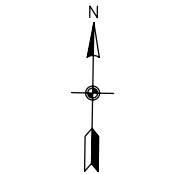
The environmental setting and existing site conditions for each of the three proximate sites is described herein. The Palmyrita site is currently under development with the construction of a warehouse building. A second track for the Palmyrita site would need to be constructed east of the existing SJBL to accommodate freight activities. The Columbia site currently hosts industrial facilities and a citrus orchard. The citrus orchard at the Columbia station site is bordered on three sides by commercial buildings. Low levels of pesticides were detected in the soil at this site, and any off-site soil disposal may need to be managed as hazardous waste.

The Marlborough site is located on cleared, disturbed vacant land. The current owner obtained approval of a development plan for multiple office buildings for the site from the City of Riverside. After a thorough review of the potential sites, while weighing the site access, engineering and cost considerations for all sites, the Marlborough site has been identified as the most suitable site for location of the PVL station location.



**LEGEND**

SITE BOUNDARY



NOT TO SCALE

SOURCE:  
90% DESIGN DRAWING UPDATE

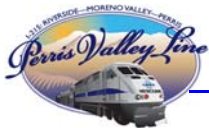


PROJECT NO.	92666
DRAWN:	2/3/11
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FILE NAME:	92666marIE_final.dwg

**HUNTER PARK STATION  
MARLBOROUGH AVENUE OPTION  
ENGINEERING SITE PLAN**

FINAL ENVIRONMENTAL IMPACT REPORT  
RIVERSIDE COUNTY TRANSPORTATION COMMISSION  
PERRIS VALLEY LINE  
RIVERSIDE, CALIFORNIA

FIGURE  
**0.2-1**



### 0.2.2 Relationship to Sunnyvale Decision

State CEQA Guidelines section 15125 requires that an EIR include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time that the notice of preparation is published. Normally, these existing conditions constitute the baseline physical conditions against which a lead agency determines whether an impact is significant. (*Id.*)

It has long been held by CEQA courts that a lead agency *may* use a baseline other than the existing physical conditions at the time the notice of preparation is published if there is substantial evidence in the record to support the use of the alternative baseline. (*Save Our Peninsula Comm. v. Monterey County Bd. of Sups.* (2001) 87 Cal.App.4th 99, 125-26; *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316).

Moreover, a lead agency *may* evaluate project impacts by utilizing a two baseline approach where the lead agency compares the project to both the existing physical conditions and a potential future development condition under the proposed project. (*Woodward Park Homeowners Ass'n v. City of Fresno* (2007) 150 Cal.App.4th 683, 707). In this circumstance, the lead agency must actually carry out a comparison of both scenarios paying particular attention to the comparison of the project against the existing condition. (*Id.*)

In December 2010, the Sixth Appellate Division of the California Court of Appeal rendered an opinion in the case of *Sunnyvale West Neighborhood Ass'n et al. v. City of Sunnyvale City Council* (2010) 190 Cal.App.4th 1351 ("*Sunnyvale*"). In *Sunnyvale*, the City prepared an environmental impact report for a four lane street extension project. (*Id.* at 1358). The EIR used a 2020 baseline for purposes of evaluating traffic impacts instead of the existing physical conditions at the time that the notice of preparation was published. (*Id.*) The EIR was challenged and Petitioner asserted that the City underreported the project impacts by utilizing an improper baseline. (*Id.*) In its defense, the City argued that such a baseline was warranted based on recommendations from the local transportation authority's traffic impact analysis guidelines and the fact that the project would not become operational until 2020. (*Id.* at 1359-60).

The Court of Appeal disagreed with the City. The Court explained that the proper baseline is normally the existing conditions at the time the notice of preparation is published. (*Id.* at 1377). Recognizing established precedent, the Court explained that in some circumstances it is appropriate for a lead agency to deviate from the general rule regarding setting the baseline at the time the notice of preparation is published. (*Id.* at 1377-79). However, based on the specific record before it, the Court found that there was no substantial evidence to support the City's use of the 2020 future baseline. (*Id.* at 1384.) Indeed, the Court noted that the City could not even give a narrow range within which its project would become operational, nor did the City explain what assumptions it used to project the 2020 conditions. Therefore, the City's use of a 2020 baseline amounted to little more than a hypothetical baseline. Therefore, the Court held that the City's use of the alternative 2020 baseline was improper based upon the facts of that case. (*Id.*)

Operational traffic impacts that result from transportation improvement projects generally do not manifest until such time that the project is constructed and opened. (*Sunnyvale, supra*, 190 Cal.App.4th at 1378 [quoting *Save Our Peninsula, supra*, 87 Cal.App.4th at p. 125-26].) Unlike the construction of a residential, commercial, or industrial development projects, construction of a transportation project can often take a number of years. (*Id.*) And, as a matter of common sense, a project will not create any operational impacts until and unless it actually becomes





operational. (See State CEQA Guidelines, § 15384 [Substantial evidence includes “reasonable assumptions predicated upon facts.”]). As a result, to capture and evaluate the full extent of operational impacts that would result from a transportation project, it is important to compare the project’s operational impacts against the opening year conditions.

### The Perris Valley Line Project

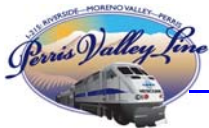
The Notice of Preparation (NOP) for the PVL Project was circulated in 2008. Consistent with the requirements of State CEQA Guidelines section 15125 – and even though the Project was not anticipated to become operational until 2012 – the Draft EIR fully described the physical environmental conditions in the vicinity of the project, as they existed at that time (Draft EIR, Technical Report D, Table 2). However, recognizing that the PVL project would not actually become operational until several years later, in 2012, the Draft EIR evaluated the project’s potential traffic impacts against those opening year (2012) conditions.

Use of the opening year (2012) conditions for purposes of evaluating the PVL project’s impacts on the environment was proper in this case. Unlike in the *Sunnyvale* case, the opening year (2012) conditions here do not represent a hypothetical date in the future. The opening year conditions are next year and capture the true essence of what impacts of the PVL project would be. The 2012 year was selected because it was identified as the year in which the PVL project would be open and operational. The opening year (or “build year”) is developed based upon project planning and construction; this is standard industry practice for the preparation and development of environmental impact assessments. This analytical approach has been developed as the standard industry practice because it provides a rational and demonstrable means of identifying and disclosing actual impacts that may be attributed to a proposed project or action, rather than identifying potential past impacts that aren’t representative of actual conditions at the time of Project operations. It further allows for the identification of appropriate and effective mitigation for identified environmental impacts. Based upon this substantial evidence and the use of a 2012 baseline, the Draft EIR confirmed that – with the imposition of feasible mitigation – no potentially significant impacts would result from the PVL project’s implementation (Draft EIR, Section 4.11.4).

Nonetheless, and although the existing analysis is fully supported by substantial evidence, RCTC has herein provided supplemental analysis which utilizes a baseline of 2008 conditions. Again, as it is currently 2011 and no longer 2008, this analysis is primarily for informational purposes. Nonetheless, it confirms that the ultimate performance of all roadways and intersections affected by the PVL project using 2008 conditions would be equal to or better than the ultimate performance of those roadways and intersections using the 2012 conditions. Accordingly, this analysis does not provide any new information of substantial importance that might otherwise require recirculation. (See State CEQA Guidelines, § 15088.5.) To the contrary, it merely clarifies and amplifies the analysis and conclusions already provided in the Draft EIR. (*Ibid.*)

### Analytical Structure

As described above, the “Baseline” Conditions for purposes of this supplemental analysis are those conditions that existed in the Project study area as of 2008, when the NOP was published. The first traffic scenario evaluated in this EIR is the “Baseline” Conditions (2008) + Project. The Baseline Conditions (2008) + Project scenario assumes that the Project would be



built instantaneously and that operations would begin in 2008. The next traffic scenario evaluated in this EIR is the No Build Conditions (2012) + Project. The No Build Conditions (2012) scenario assumes the Project is constructed and is operating without any improvements that would have been constructed between the “Baseline” Conditions (2008) and 2012. Thirdly, the EIR evaluates the Build Conditions (2012) + Project conditions. The Build Conditions (2012) + Project scenario adds predicted project impacts to the predicted 2012 conditions without the project.

Because the Project introduces commuter rail service onto the existing San Jacinto Branch Line, traffic impacts are limited to the four new stations to be constructed (Hunter Park, Moreno Valley/March Field, Downtown Perris, and South Perris). The changes to traffic conditions were evaluated at all proposed stations, and the resultant air quality implications at affected local streets/intersections are based on the changes in traffic impacts for each scenario. The following analyses present each scenario and summarize the traffic and air quality changes associated with each. This is a qualitative analysis focusing on the various changes that would be realized with each scenario (“Baseline + Project” and “No Build + Project”) and is presented below.

### **Traffic**

For each proposed PVL station, traffic impacts under the Baseline, Baseline+Project, and No Build+Project analysis scenarios are described below. The proposed mitigation and an evaluation of the mitigation and the significance of the impacts with mitigation are also presented.

#### **Hunter Park Station**

##### Baseline Scenario

Movements at the study intersections operate at LOS D or better during both the AM and PM analysis hours, with the exception of Iowa Avenue at Center Street, where the northbound Iowa Avenue through movement operates at LOS E during the PM analysis hour.

##### Baseline + Project Scenario

No significant impacts would be expected at the study intersections with implementation of the project for any of the three alternative station locations.

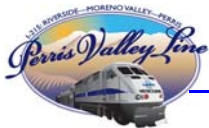
##### No Build + Project Scenario

No impacts would be expected at the study intersections in the vicinity of the Hunter Park Station for any of the three alternative station locations compared to 2012 conditions without the Project.

##### Comparison of Baseline + Project Scenario to the No Build + Project Scenario

The PVL project would not result in any significant impacts under either the Baseline+Project or the No Build Conditions+Project scenarios.

#### **Moreno Valley/March Field Station**



Baseline Scenario

The intersection operations are at LOS D or better during both analysis hours with the following exceptions:

- At Alessandro Boulevard and Mission Grove Parkway, westbound Alessandro Boulevard and southbound Mission Grove Parkway left-turn movements operate at LOS E during the PM analysis hour.
- Westbound Cactus Avenue's through movement at Old 215 operates at LOS E during the PM analysis hour.

Baseline + Project Scenario

One significant impact would be expected at one study intersection with implementation of the Project:

- Cactus Avenue's eastbound through movement at southbound I-215 ramps would worsen from Baseline LOS D conditions to Baseline+Project LOS E during the PM analysis hour.

This impact would not actually occur and deterioration in levels of service would not actually be realized as a result of the PVL project because of the substantial improvements that have been implemented by the Cactus Avenue Extension/Railroad Bridge Widening project at this location since 2008. These improvements include the widening of east and westbound Cactus Avenue from one to two through lanes, addition of eastbound right-turn storage, and prohibition of southbound through and left-turn movements, which would result in increased capacity. The increased intersection capacity and improved levels of service resulting from the improvements fully mitigate the impacts that would have otherwise resulted from the 2008+Project scenario.

No Build + Project Scenario

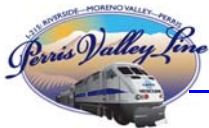
A significant impact would be expected at one study intersection with implementation of the Project:

- The westbound Cactus Avenue through movement at Old 215 would experience a significant impact over 2012 conditions without the Project by incurring just above two seconds of delay within LOS F during the PM analysis hour. However, Mitigation Measure TT-1 in the Draft EIR would mitigate this impact to less than significant levels by reducing north/southbound Old 215's maximum green time to 15 seconds during the PM analysis hour.

Cactus Avenue's eastbound through movement at southbound I-215 ramps would operate at LOS C during the PM analysis hour. This is not an impact, and is cited here for informational purposes only.

Comparison of Baseline + Project Scenario to the No Build + Project Scenario

The Baseline Condition+Project suggests an impact at a different intersection (at Cactus Avenue and I-215 Ramps) compared to No Build Conditions+Project (at Cactus Avenue at Old



215). However, this impact at the intersection of Cactus Avenue and I-215 Ramps would not actually occur, as improvements by other project initiatives (such as the Cactus Avenue Extension/Railroad Bridge Widening project, which included the widening of Cactus Avenue, and the addition of turn lanes) would mitigate the impacts that would have otherwise resulted from the PVL project and the impact at Cactus Avenue at Old 215 in the No Build Conditions+Project scenario would be mitigated by Mitigation Measure TT-1 in the Draft EIR. Therefore, the PVL project would result in less than significant impacts.

### **Downtown Perris Station**

#### Baseline Scenario

Movements at the study intersections operate at LOS D or better during both the AM and PM analysis hours, with the exception of the D Street northbound shared through/left-turn movements at SR-74, which operates at LOS E during the PM, and the southbound C Street shared through/left-turn movements at SR-74, which operates at LOS F, during both the AM and PM analysis hour.

#### Baseline + Project Scenario

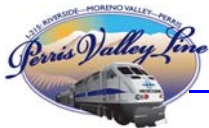
Significant impacts would be expected at three study intersections with implementation of the Project:

- At SR-74 and D Street, the northbound D Street through/ left-turn movement would incur approximately four seconds of additional delay within LOS E during the PM analysis hour. Mitigation Measure TT-2 identified in the Draft EIR would mitigate this impact to less than significant levels by reducing the maximum green time for the east/westbound SR-74 left-turn phase to 14 seconds during the PM analysis hour.
- At San Jacinto and Redlands Avenues, northbound Redlands Avenue would deteriorate from Baseline LOS D to Baseline+Project LOS E during the PM analysis hour.

A traffic signal is planned to be installed at this location by a private developer for the Venue at Perris project (a project that is unrelated to the PVL project) as a condition of approval required by the City of Perris upon the completion of the SR-74 and I-215 Interchange Improvement project in early 2012, prior to the opening of the PVL. This signal would mitigate the impacts that would otherwise result from the PVL project; however, in the event that those improvements are not implemented by the time that the PVL project commences construction, the PVL project will install those improvements.

- At SR-74 and C Street, the northbound C Street approach would deteriorate from Baseline LOS B to Baseline+Project LOS F during the PM, and southbound C Street's shared through/ left-turn movement would incur approximately 13 and 200 seconds of delay within LOS F during the AM and PM analysis hours, respectively.

This impact would not actually occur and deterioration in levels of service due to the PVL project would not actually be realized because this intersection has been signalized and the conditions that existed in 2008 no longer exist today at this intersection. The existing traffic



signal operation alleviates delays on the southbound C Street approach, allowing the intersection to accommodate the traffic volume increment added by the PVL project.

No Build + Project Scenario

Significant impacts would be expected at two study intersections compared to 2012 conditions without the Project during the PM analysis hour:

- At SR-74 and D Street, both north and southbound D Street through/left-turn movements would incur approximately ten and 20 seconds of additional delay within LOS F, respectively. Mitigation Measure TT-2 identified in the Draft EIR would mitigate this impact to less than significant levels by reducing the maximum green time for the east/westbound SR-74 left-turn phase to 14 seconds during the PM analysis hour.
- At San Jacinto and Redlands Avenues, westbound San Jacinto Avenue's through/left-turn movements and northbound Redlands Avenue would incur four to eight seconds of additional delay within LOS F.

A traffic signal is planned to be installed at this location by a private developer for the Venue at Perris project (not part of the PVL project) as a condition of approval by the City of Perris upon the completion of the SR-74 and I-215 Interchange Improvement project, prior to the opening of the PVL. This signal would mitigate the impacts that would otherwise result from the PVL project. However, if those improvements are not implemented by the time that the PVL project commences construction, then the PVL project will install those improvements.

At SR-74 and C Street, the north and southbound C Street approaches would operate within LOS D during the AM and PM analysis hours. This is not an impact, as the intersection approaches operate within an acceptable LOS, and is cited here for informational purposes.

Comparison of Baseline + Project Scenario to the No Build + Project Scenario

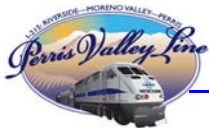
The Baseline Conditions+Project suggests an additional impact (at SR-74 and C Street) compared to No Build Conditions+Project. However, this impact would not actually occur, since Baseline conditions have changed since 2008 with the signalization of this intersection, which mitigates the impacts that would have otherwise resulted from the PVL project. Therefore, the PVL project would result in less than significant impacts.

**South Perris Station**

Baseline Scenario

Movements at the three study intersections operate at LOS C or better during both analysis hours with the following exceptions:

- The Bonnie Drive eastbound right-turn movement at southbound I-215 ramps operates at LOS F during the PM analysis hour.



- The Sherman Road northbound left-turn movement at SR-74 operates at LOS F during both the AM and PM analysis hours, and southbound left/right-turn movement operates at LOS F during the PM analysis hour.

Baseline + Project Scenario

Significant impacts would be expected at two study intersections with implementation of the Project:

- Eastbound Bonnie Drive's left-turn movement at southbound I-215 ramps would deteriorate from Baseline LOS C to Baseline+Project LOS F during the AM and PM analysis hours, and the right-turn movement would worsen within LOS F by incurring approximately 164 seconds of additional delay during the PM analysis hour. Mitigation Measure TT-3 identified in the Draft EIR would mitigate this impact to less than significant levels by requiring the installation of a new traffic signal at this intersection.
- The Northbound Sherman Road left-turn movement onto SR-74 would incur approximately 35 and 75 seconds of additional delay within LOS F during the respective AM and PM analysis hours. Southbound Sherman Road would worsen within LOS F by incurring eight seconds of additional delay during the PM analysis hour.

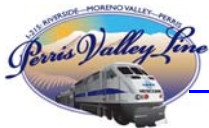
A traffic signal is planned to be installed by the SR-74/I-215 Interchange Improvement project at this location prior to the opening of the PVL. This signal would mitigate the impacts that would otherwise result from the PVL project. However, in the event that those improvements are not implemented by the time that the PVL project commences construction, the PVL project will install those improvements.

No Build + Project Scenario

Significant impacts would be expected at all three study intersections compared to 2012 conditions without the Project:

- The Eastbound Bonnie Drive left-turn movement at southbound I-215 ramps would deteriorate from LOS D to F during the AM and PM analysis hours, and the right-turn movement would worsen within LOS F by incurring approximately 240 seconds of additional delay during the PM analysis hour. Mitigation Measure TT-3 identified in the Draft EIR would mitigate this impact to less than significant levels by requiring the installation of a new traffic signal at this intersection.
- Northbound Sherman Road's left-turn movement onto SR-74 would incur approximately 110 and 290 seconds of additional delay within LOS F during the respective AM and PM analysis hours. Southbound Sherman Road would deteriorate from LOS E to F during the AM, and worsen within LOS F by incurring 160 seconds of additional delay during the PM analysis hours.

A traffic signal planned to be installed by the SR-74/I-215 Interchange Improvement project at this location prior to the opening of the PVL. This signal would mitigate the impacts that would otherwise result from the PVL project. However, in the event that those improvements



are not implemented by the time that the PVL project commences construction, the PVL project will install those improvements.

- SR-74 at northbound I-215 off-ramp would deteriorate from LOS D to E during the AM and PM analysis hours.

Improvements by the SR-74/I-215 Interchange Improvement Project at this location will be implemented prior to the opening of the PVL. These improvements would mitigate the impacts that would otherwise result from the PVL project. However, in the event that those improvements are not implemented by the time that the PVL project commences construction, the PVL project will install those improvements.

#### Comparison of Baseline + Project Scenario to the No Build + Project Scenario

The No Build Conditions+Project would result in one additional impact (at SR-74 and northbound I-215) compared to the Baseline Conditions+Project. However, improvements by another project initiatives would mitigate the impacts that would have otherwise resulted from the PVL project this impact. Therefore, the PVL project would result in less than significant impacts.

#### **Air Quality**

Air quality impacts under all analysis scenarios are described below based on their proximity to the proposed station locations and nearby sensitive receptors.

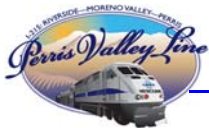
Under SCAQMD procedures, no air quality assessment of intersections is required for the “Baseline”<sup>1</sup> condition. Thus, for these conditions, there are no air quality metrics (i.e. maximum pollutant concentrations) available to describe traffic-related air quality. As a result, the metric utilized here to describe “Baseline” conditions is the traffic LOS, which measures the level of intersection congestion. Traffic congestion has a major influence on potential increases in pollutant concentrations at the microscale (sidewalk) level. Consequently, the SCAQMD LOS screening procedures were used, as the tool to select those intersections where more detailed mobile source air quality analysis could be appropriate. Based on SCAQMD screening procedures, intersections with a LOS of C or better are not of concern with respect to air quality. As a result, those intersections which would be considered a LOS D or worse were selected for comparison.

For the No Build + Project scenario<sup>2</sup>, SCAQMD screening criteria recommends a detailed air quality analysis for signalized<sup>3</sup> intersections exhibiting an LOS D or worse and an increase of 2% or more in volume to capacity ratio (v/c) ratio when measured from the “No Build” to the No Build + Project condition. For the PVL environmental documents, four intersections meeting the SCAQMD criteria were selected for a detailed air quality analysis. These selected intersections

<sup>1</sup> “Baseline” represents traffic intersection conditions in 2008 when the data collection effort was undertaken.

<sup>2</sup> Conditions in 2012 opening year of the PVL project; therefore, this condition includes the PVL project, No Build projects, and changes to the roadway network since 2008.

<sup>3</sup> Unsignalized intersections are generally not analyzed for air quality impacts because such locations are not characterized by lengthy queuing.



would have the greatest potential to have an adverse air quality impact due to the large amount of expected parking, project-generated trips and projected traffic growth.

For the Baseline + Project scenario<sup>4</sup>, SCAQMD screening criteria were also utilized to determine the number of intersections that would potentially require a detailed analysis. SCAQMD mobile source analysis criteria are designed to measure the differences between the No Build and No Build + Project scenarios. However, the criterion was also applied for the Baseline and Baseline + Project scenario in order to facilitate a qualitative comparative assessment between the No Build + Project scenario and the Baseline + Project scenario. Because the comparative assessment only requires the use of the LOS for selected traffic intersections, no detailed air quality analysis was performed as a result of the selection of intersections under this analysis scenario.

### **Hunter Park Station**

#### Baseline Scenario

For the Hunter Park Station, the PVL traffic analysis for the three location options (Palmyrita, Columbia, and Marlborough) resulted in the analysis of four signalized intersections. Only one of these four intersections operated at LOS D or worse during the PM peak period. LOS D represents the point at which a traffic intersection starts to experience some noticeable decrease in operational efficiency. These inefficiencies could result in an increase in pollutant concentrations nearby. The Baseline traffic intersection with an overall LOS D Condition is

- Iowa Avenue at Center Street - LOS D

#### Baseline + Project Scenario

Under all of the analyzed station location options, only one of the four intersections would display a LOS D or worse and an increase in volume to capacity (V/C) ratio of two percent or more, meeting the SCAQMD criteria for a mobile source air quality analysis:

- Iowa Avenue at Center Street - LOS E

None of the other studied traffic intersections would meet the SCAQMD criteria requiring a detailed analysis.

#### No Build + Project Scenario

Under SCAQMD criteria, a quantitative assessment is recommended for signalized intersections operating at LOS D or worse while having an increase in volume-to-capacity ratio (v/c) of at least two percent. Under the "No Build + Project" scenario, two intersections met the SCAQMD criteria for detailed mobile source air quality analysis for the proposed Hunter Park Station location.

- Iowa Avenue at Center Street - LOS E

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<sup>4</sup> Assumes that only the PVL project is overlaid on 2008 Baseline Conditions; therefore, this condition excludes No Build projects and future changes to the roadway network.





- Iowa Avenue at Columbia Avenue - LOS D

None of the other studied traffic intersections would meet the SCAQMD criteria requiring a detailed analysis.

Comparison of Baseline + Project Scenario to the No Build + Project Scenario

The Baseline + Project scenario indicates that one intersection would meet the criteria for a mobile source air quality analysis as compared to the No Build + Project scenario, for which two intersections would meet the SCAQMD criteria for mobile source analysis.

**Moreno Valley/March Field Station**

Baseline Scenario

Four signalized intersections were analyzed for the traffic study at the proposed Moreno Valley/March Field station location. Only one of these four studied intersections near this station operated at LOS D or worse during the PM peak period. The Baseline traffic intersection with a LOS D Condition is shown below:

- Cactus Avenue at Valley Spring Pkwy/Old SR-215 – LOS D

Baseline + Project Scenario

Only one of the four intersections analyzed in the traffic study displayed a LOS of D or worse and an increase in V/C ratio of two percent or more, meeting the criteria for a mobile source air quality analysis, as recommended by SCAQMD.

- Cactus Avenue at I-215 SB Ramp – LOS D

None of the other studied traffic intersections would meet the SCAQMD criteria requiring a detailed analysis.

No Build + Project Scenario

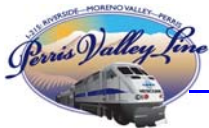
Following SCAQMD screening criteria, a quantitative assessment is recommended for signalized intersections operating at LOS D or worse while having an increase in volume-to-capacity ratio (v/c) of at least two percent. Under the “No Build + Project” scenario, one of the four studied intersections would meet the criteria for a mobile source air quality analysis.

- Cactus Avenue at I-215 SB Ramp – LOS F

None of the other studied traffic intersections would meet the SCAQMD criteria requiring a detailed analysis.

Comparison of Baseline + Project Scenario to the No Build + Project Scenario

The Baseline + Project scenario indicates that one intersection would meet the criteria for a mobile source air quality analysis. The No Build + Project scenario also indicates one intersection that would meet the SCAQMD criteria for mobile source analysis.



## Downtown Perris Station

### Baseline Scenario

Six signalized intersections were analyzed for the traffic study at the proposed Downtown Perris station location. One of the studied intersections near this station operated at LOS D or worse during the PM peak period. The Baseline traffic intersection with a LOS D Condition is shown below:

- San Jacinto Avenue at Perris Blvd – LOS D.

### Baseline + Project Scenario

Two of the six analyzed traffic intersections displayed a LOS of D or worse and an increase in v/c ratio of two percent or more, meeting the SCAQMD criteria for a mobile source air quality analysis.

- SR-74/W. 4<sup>th</sup> Street at Navajo Road – LOS D
- San Jacinto Avenue at Perris Blvd – LOS D.

None of the other studied traffic intersections would meet the SCAQMD criteria requiring a detailed analysis.

### No Build + Project Scenario

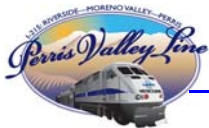
Following SCAQMD screening criteria, a quantitative assessment is recommended for signalized intersections operating at LOS D or worse while having an increase in volume-to-capacity ratio (v/c) of at least two percent. Under the “No Build + Project” scenario, four of the six studied intersections would meet the criteria for a mobile source air quality analysis.

- SR-74/W. 4<sup>th</sup> Street at Navajo Road – LOS D
- SR-74/W. 4<sup>th</sup> Street at D Street – LOS F
- San Jacinto Avenue at Perris Blvd – LOS D
- San Jacinto Avenue at D Street – LOS D

None of the other studied traffic intersections would meet the SCAQMD criteria requiring a detailed analysis.

### Comparison of Baseline + Project Scenario to the No Build + Project Scenario

For the Baseline Conditions + Project scenario, two intersections would meet the criteria for a mobile source air quality analysis as compared to four intersections under the No Build Conditions + Project scenario. Since the initial air quality assessment, one additional intersection was included with those selected for the No Build Conditions + Project scenario because conditions for this intersection have since changed (a traffic signal has since been



installed at this location). As a result, the intersection, SR-74/W. 4<sup>th</sup> Street at C Street – LOS D would now meet the SCAQMD criteria for a mobile source analysis.

### **South Perris Station**

#### Baseline Scenario

At the proposed South Perris Station location, no signalized intersections would meet the SCAQMD LOS D air quality screening analysis criteria. The relocated Mapes Road and Station Access Road intersection, which would be improved as part of the PVL project, does not currently exist and therefore, would be analyzed based on future conditions only.

#### Baseline + Project Scenario

Intersections built or modified as a result of the project (such as the relocated Mapes Road) do not have an existing condition for comparison of V/C ratios. Consequently, the SCAQMD criteria for a mobile source air quality analysis is not applicable. However, in the future condition, the newly created Mapes Road at Station Access Road intersection would operate at a LOS C. As a result, it is not an intersection of concern with respect to air quality.

#### No Build + Project Scenario

Intersections modified as a result of the project would not have a “No Build” condition for comparison of V/C ratios. Consequently, the SCAQMD criteria for a mobile source air quality analysis is not applicable. However, in the future condition, the newly created Mapes Road at Station Access Road intersection would operate at a LOS C. As a result, it is not an intersection of concern with respect to air quality.

#### Comparison of Baseline + Project Scenario to the No Build + Project Scenario

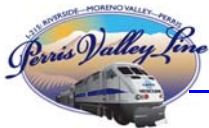
For the Baseline + Project scenario and the No Build + Project scenario, no intersections would meet the SCAQMD criteria such that they would require a detailed mobile source air quality analysis. In addition, the newly created Mapes Road a Station Access Road intersection would operate at a LOS C. As a result, it is not an intersection of concern with respect to air quality.

### **Project Total Summary**

#### Baseline Scenario

Under the baseline condition for all of the studied traffic intersections, the traffic study indicates that only three signalized intersections operated at LOS of D or worse. LOS D represents the point at which a traffic intersection starts to experience some noticeable decrease in operational efficiency. These inefficiencies could result in an increase in pollutant concentrations nearby. These intersections are:

- Iowa Avenue at Center Street - LOS D
- Cactus Avenue at Valley Spring Pkwy/Old SR-215 – LOS D
- San Jacinto Avenue at Perris Blvd – LOS D



Baseline + Project Scenario

Under the “Baseline + Project” condition for all of the studied traffic intersections, the SCAQMD air quality screening criteria results in the selection of four signalized intersections at which more detailed air quality analysis may be required. The LOS at these intersections are:

- Iowa Avenue at Center Street - LOS E
- Cactus Avenue at I-215 SB Ramp – LOS D
- SR-74/W. 4th Street at Navajo Road – LOS D,
- San Jacinto Avenue at Perris Blvd – LOS D.

No Build + Project Scenario

Under the “No Build + Project” condition for all of the studied traffic intersections, the SCAQMD air quality screening criteria would result in the selection of seven signalized intersections at which more detailed air quality analysis may be required. The LOS at these intersections are:

- Iowa Avenue at Center Street - LOS E
- Iowa Avenue at Columbia Avenue - LOS D
- Cactus Avenue at I-215 SB Ramp – LOS F
- SR-74/W. 4<sup>th</sup> Street at Navajo Road – LOS D
- SR-74/W. 4<sup>th</sup> Street at D Street – LOS F
- San Jacinto Avenue at Perris Blvd – LOS D
- San Jacinto Avenue at D Street – LOS D.

In addition, the following intersection will be changed from unsignalized to signalized under the No Build Condition and meets the SCAQMD criteria for detailed air quality analysis.

- SR-74/W. 4<sup>th</sup> St at C St – LOS D.

Comparison of Baseline + Project Scenario to the No Build + Project Scenario

The Baseline + Project scenario indicates that a total of four intersections would meet the criteria for a mobile source air quality analysis as compared to the No Build + Project scenario for which a total of eight intersections would meet the criteria for mobile source analysis.



For the No Build + Project scenario, four intersections were selected for a detailed mobile source analysis. The potential for adverse impacts from mobile sources of pollutants is greatest at locations that feature high vehicular volumes and high numbers of idling vehicles. The selected four worst case intersections were all located near the proposed Downtown Perris station and represent the highest combinations of vehicular volumes and potential for vehicle idling (due to high intersection delays and large, proposed parking areas). These worse case intersections selected for a quantitative air quality analysis under the “No Build + Project” scenario are:

- SR-74/W. 4<sup>th</sup> Street at D Street
- SR-74/4<sup>th</sup> Street at Perris Blvd
- SR-74/W. 4<sup>th</sup> Street at C Street
- San Jacinto Avenue at D Street

A detailed air quality assessment was conducted at these four intersections for the environmental document. The results of the assessment concluded that none of the predicted concentrations for these intersections would surpass the National or California Ambient Air Quality Standards (NAAQS or CAAQS) and therefore no air quality impacts would result in the “No Build + Project” scenario and no mitigation for air quality impacts was required.

As indicated above, the four intersections that were analyzed in detail under the “No Build + Project” conditions would not be the same as those selected for detailed air quality analysis under the “Baseline + Project Scenario”. The intersections selected under the Baseline + Project” conditions, in general, would experience lower volumes and less severe LOS when compared to the four intersections selected under the “No Build + Project” scenario. These differences between the 2008 Baseline + Project condition and the 2012 “No Build + Project” condition exist primarily due to the absence of the interim four years of projected background traffic growth in the 2008 Baseline + Project condition. The interim four year growth included in the 2012 “No Build + Project” condition consequently results in worsened intersection conditions. Therefore, the associated pollutant levels would be expected to be lower at the intersections in the “Baseline + Project” scenario than at the intersections selected under the “No Build + Project” scenario. Since detailed analyses for the “No Build + Project” scenario resulted in a determination of no impacts, it is therefore reasonable to conclude that no impacts would result in “Baseline + Project” scenario, where pollutant concentrations would be expected to be lower.



0.2.3 Corrections, Revisions, and Additions

**Table 0.2.3-1  
Corrections, Revisions, and Additions**

Draft EIR Section	Page Number(s)	Action
Table of Contents Technical Reports	viii	Added Zeta Tech Report reference as Technical Report H.
Executive Summary, Section ES.4.0 Summary of Impacts and Mitigation Measures	Pages ES-4 Table ES.4-1	Clarified Aesthetics Mitigation Measure AS-1.
Executive Summary, Section ES.4.0 - Summary of Impacts and Mitigation Measures	Pages ES-4 to ES-8 Table ES.4-1	Clarified Biological Resources Mitigation Measures BR-1 through BR-17.
Executive Summary, Section ES.4.0 Summary of Impacts and Mitigation Measures	Pages ES-8 to ES-10 Table ES.4-1	Clarified Cultural Resources Mitigation Measures CR-1 through CR-5.
Executive Summary, Section ES.4.0 Summary of Impacts and Mitigation Measures	Pages ES-10 to ES-12 Table ES.4-1	Clarified Hazards and Hazardous Materials Mitigation Measures HHM-1 through HHM-4.  Also, included addition of coordination with local emergency response agencies (HHM-3).  Mitigation measure HHM-4 was deleted. Instead, revisions to HHM-3 and TT-4 adequately address HHM-4. As such, HHM-3 is referenced.
Executive Summary, Section ES.4.0 Summary of Impacts and Mitigation Measures	Pages ES-13 to ES-15 Table ES.4-1	Clarified Noise and Vibration Mitigation Measures NV-1 through NV-4.  Typographical error in the length of NB 7 for Mitigation Measure NV-1.  Provided additional text to clarify that implementation of either NV-3 or NV-4 between Sta. 263+00 and 275+00 will eliminate the 2 VdB impact predicted in the UCR area of Riverside.
Executive Summary, Section ES.4.0 Summary of Impacts and Mitigation Measures	Pages ES-15 to ES-16 Table ES.4-1	Revised Transportation and Traffic Mitigation Measures TT-1 in response to comments on the Draft EIR received from representatives of Riverside Unified School District.  Revised Transportation and Traffic



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Draft EIR Section	Page Number(s)	Action
		<p>Mitigation Measure TT-2 in response to comments on the Draft EIR received from the City of Perris Public Works Department. Also, added text to clarify that SR-74 is known as 4<sup>th</sup> Street in downtown Perris.</p> <p>Clarified Transportation and Traffic Mitigation Measure TT-3.</p> <p>Provided additional text to clarify that in the event that planned traffic signals are not installed by other projects (unrelated to the PVL) prior to the opening year of the PVL, the installation of additional traffic signals at three locations where significant impacts are expected will be incorporated as PVL project features.</p> <p>Clarified Transportation and Traffic Mitigation Measure TT-4 by providing additional information regarding the Traffic Management Plan.</p>
Chapter 1.0 Introduction Section 1.5 Draft EIR Review Process	Page 1-4	Updated text to reflect the additional Public Hearing conducted in response to a request from the UCR neighborhood. As such, RCTC conducted three Public Hearings for the project.
Chapter 2.0 Proposed Project Section 2.4 Project Description	Page 2-4 to 2-9	Updated text to reflect the Highgrove option.
Chapter 2.0 Proposed Project Section 2.4 Project Description	Page 2-11	Clarified text regarding landscape walls in response to comments received on the Draft EIR.
Chapter 2.0 Proposed Project Section 2.4 Project Description	Page 2-14	<p>Clarified locations where landscape walls shall be provided.</p> <p>Updated text regarding MP locations for track improvement work based on project refinement subsequent to circulation of the Draft EIR.</p>
Chapter 2.0 Proposed Project Section 2.4.3 Acquisitions and Relocations	Page 2-34	Updated property acquisition acreage and Assessor's Parcel Numbers (APNs) resulting from



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Draft EIR Section	Page Number(s)	Action
		project refinement subsequent to circulation of the Draft EIR.
Chapter 2.0 Proposed Project Section 2.4.3 Acquisitions and Relocations	Page 2-35	Updated project related street improvements.
Chapter 2.0 Proposed Project Section 2.4.3 Acquisitions and Relocations	Pages 2-35 to 2-36 Table 2.4-1	Updated property acquisition acreage, owners, and APNs as a result of project refinement subsequent to circulation of the Draft EIR.
Chapter 2.0 Proposed Project Section 2.4.3 Acquisitions and Relocations	Figures 2.4-20 to 2.4-24	Updated property acquisition acreage, owners, and Assessor's Parcel Numbers (APNs) as a result of project refinement subsequent to circulation of the Draft EIR.
Chapter 2.0 Proposed Project Section 2.4.3 Acquisitions and Relocations	Figure 2.4-25	Figure deleted because San Jacinto Avenue Improvements Parcel Acquisition is now shown on revised Figure 2.4-24 along with other street improvement sites.
Chapter 2.0 Proposed Project Section 2.4.6 Grade Crossings	Page 2-43 to 2-44	Added text regarding the proposed closure of existing grade crossings at Poarch Road and 6 <sup>th</sup> Street due to project refinement subsequent to circulation of the Draft EIR. Clarified text regarding 5 <sup>th</sup> Street in downtown Perris. Added text to reflect the closure of Commercial Street.
Chapter 2.0 Proposed Project Section 2.4.8 Communication Systems	Page 2-48	Updated text to include underground cables due to project refinement subsequent to circulation of the Draft EIR.
Chapter 2.0 Proposed Project Section 2.4.9 Landscape Walls	Pages 2-48 to 2-49	Clarified text regarding landscape walls in response to comments received on the Draft EIR.
Chapter 2.0 Proposed Project Section 2.4.11 Operations	Pages 2-50 to 2-51 Table 2.4-2	Updated operating schedule because of project refinement subsequent to circulation of the Draft EIR.
Chapter 3.0 Alternatives Section 3.1.3 CEQA Guidelines	Page 3-3	Corrected a misspelling.





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Draft EIR Section	Page Number(s)	Action
Chapter 4.0 Environmental Analysis Section 4.1 Aesthetics	Pages 4.1-12 to 4.1-14	Clarified text regarding landscape walls in response to comments received on the Draft EIR.  Provided details on the length and height of the landscape wall near Highland Elementary School.  Added text to indicate landscape wall would block view of railroad right of way and I-215 from Nan Sanders School.
Chapter 4.0 Environmental Analysis Section 4.1 Aesthetics	Figure 4.1-4	Figure revised to show where the landscape wall and noise barrier walls are for Highland Elementary School.
Chapter 4.0 Environmental Analysis Section 4.1 Aesthetics	Page 4.1-21	Clarified Mitigation Measure AS-1.
Chapter 4.0 Environmental Analysis Section 4.3 Air Quality	Page 4.3-1	Revised reference to Air Quality Technical Report B.
Chapter 4.0 Environmental Analysis Section 4.3 Air Quality	Page 4.3-9, Table 4.3-4	Added abbreviations for sulfates and hydrogen sulfide.
Chapter 4.0 Environmental Analysis Section 4.3 Air Quality	Page 4.3-11	Added reference to April 16, 2010 SCAG determination that the PVL is <u>not</u> a Project of Air Quality Concern (POAQC). Also, provided a reference to the new Appendix F in the Air Quality Technical Report, which includes the TCWG review form.
Chapter 4.0 Environmental Analysis Section 4.3 Air Quality	Page 4.3-14	Added explanatory text regarding air quality impact determination.
Chapter 4.0 Environmental Analysis Section 4.3 Air Quality	Page 4.3-15	Revised reference to Traffic Technical Report D.  Typographical error corrected regarding level-of-service.
Chapter 4.0 Environmental Analysis Section 4.3 Air Quality	Page 4.3-19	Added reference to April 16, 2010 SCAG determination that the PVL is <u>not</u> a Project of Air Quality Concern (POAQC). Also, provided a reference to the new Appendix F in the Air Quality Technical Report, which includes the TCWG review form.



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Draft EIR Section	Page Number(s)	Action
Chapter 4.0 Environmental Analysis Section 4.3 Air Quality	Pages 4.3-20 to 4.3-21	Clarified text regarding the health risk assessment.
Chapter 4.0 Environmental Analysis Section 4.3 Air Quality	Page 4.3-22	Deleted a redundant paragraph as the same information is shown on Page 4.3-13 in the Draft EIR.
Chapter 4.0 Environmental Analysis Section 4.3 Air Quality	Pages 4.3-22 to 4.3-23	Updated text regarding the amendment to the State CEQA Guidelines regarding analysis of greenhouse gases (GHG) in CEQA documents.
Chapter 4.0 Environmental Analysis Section 4.3 Air Quality	Page 4.3-22 Table 4.3-10	Clarified greenhouse gas assessment table.
Chapter 4.0 Environmental Analysis Section 4.3 Air Quality	Pages 4.3-23 to 4.3-24	Updated discussion on construction period air quality evaluation based on soil export information. Corrected a misspelling.
Chapter 4.0 Environmental Analysis Section 4.3 Air Quality	Page 4.3-25	Deleted two bullets under "other project control measures" as the same information is on Page 4.3-24 in the Draft EIR.  Revised reference to Air Quality Technical Report B.
Chapter 4.0 Environmental Analysis Section 4.3 Air Quality	Page 4.3-26 Table 4.3-11	Updated quantities for construction emissions table and text based on soil export information.
Chapter 4.0 Environmental Analysis Section 4.3 Air Quality	Page 4.3-29 to 4.3-30	Typographical errors (numerical) corrected in distances described between certain sensitive receptors and PVL alignment.
Chapter 4.0 Environmental Analysis Section 4.4 Biological Resources	Pages 4.4-26 to 4.4-28	Clarified Biological Resources Mitigation Measures BR-1 through BR-17 and made the measures more enforceable.
Chapter 4.0 Environmental Analysis Section 4.5 Cultural Resources	Pages 4.5-15 to 4.5-16	Clarified Cultural Resources Mitigation Measures CR-1 through CR-5 and made the measures more enforceable.
Chapter 4.0 Environmental Analysis Section 4.7 Hazards and Hazardous Materials	Pages 4.7-15 to 4.7-17	Text added to identify Riverside County Airport Land Use Commissions conditions for the Moreno Valley/March Field and South Perris Stations.



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Draft EIR Section	Page Number(s)	Action
Chapter 4.0 Environmental Analysis Section 4.7 Hazards and Hazardous Materials	Pages 4.7-18 to 4.7-19	Clarified Hazards and Hazardous Materials Mitigation Measures HHM-1 through HHM-4. Also, included addition of coordination with local emergency response agencies (HHM-3).  Mitigation Measure HHM-4 was deleted as a separate measure. Instead, revisions to HHM-3 adequately address HHM-4. As such, HHM-3 is referenced.
Chapter 4.0 Environmental Analysis Section 4.10 Noise and Vibration	Page 4.10-1	Revised reference to Noise and Vibration Technical Report C.
Chapter 4.0 Environmental Analysis Section 4.10 Noise and Vibration	Page 4.10-20	Clarified the reduction in noise with the use of wayside applicators.
Chapter 4.0 Environmental Analysis Section 4.10 Noise and Vibration	Page 4.10-23	Clarified project construction activities.
Chapter 4.0 Environmental Analysis Section 4.10 Noise and Vibration	Page 4.10-27	Revised reference to Noise and Vibration Technical Report C.
Chapter 4.0 Environmental Analysis Section 4.10 Noise and Vibration	Page 4.10-31 Table 4.10-11	Typographical error in table corrected regarding the tabulated train speeds near Highland Elementary School.
Chapter 4.0 Environmental Analysis Section 4.10 Noise and Vibration	Page 4.10-32	Revised reference to Noise and Vibration Technical Report C.
Chapter 4.0 Environmental Analysis Section 4.10 Noise and Vibration	Page 4.10-35 Table 4.10-14	Typographical error in table corrected regarding the tabulated train speeds near St. James School.
Chapter 4.0 Environmental Analysis Section 4.10 Noise and Vibration	Page 4.10-37	Added text regarding soil export information.
Chapter 4.0 Environmental Analysis Section 4.10 Noise and Vibration	Pages 4.10-37 to 4.10-39	Added text regarding project construction activities and examples of noise control measures.
Chapter 4.0 Environmental Analysis Section 4.10 Noise and Vibration	Page 4.10-38	Revised reference to Noise and Vibration Technical Report C.
Chapter 4.0 Environmental Analysis Section 4.10 Noise and Vibration	Page 4.10-39 to 4.10-40	Clarified Noise and Vibration Mitigation Measures NV-1 and NV-2. Typographical error in the length of NB 7 for Mitigation Measure NV-1.



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Chapter 4.0 Environmental Analysis Section 4.10 Noise and Vibration	Page 4.10-41, Table 4.10-16	Typographical error in the length of NB 7 for Mitigation Measure NV-1. Added information to the table regarding noise barrier placement and height.
Chapter 4.0 Environmental Analysis Section 4.10 Noise and Vibration	Figure 4.10-6	Updated the locations of the noise barriers due to project refinement subsequent to circulation of the Draft EIR.
Chapter 4.0 Environmental Analysis Section 4.10 Noise and Vibration	Page 4.10-43	Clarified Mitigation Measures NV-3 and NV-4. Added text to clarify where project-related vibration impacts are predicted to occur.  Provided additional text to clarify that implementation of either NV-3 or NV-4 between Sta. 263+00 and 275+00 will eliminate the 2 VdB impact predicted in the UCR area of Riverside.
Chapter 4.0 Environmental Analysis Section 4.11 Transportation and Traffic	Page 4.11-1	Revised reference to Traffic Technical Report D.
Chapter 4.0 Environmental Analysis Section 4.11 Transportation and Traffic	Page 4.11-7	Updated text to reflect that SR-74 is known as 4 <sup>th</sup> Street in downtown Perris.
Chapter 4.0 Environmental Analysis Section 4.11 Transportation and Traffic	Pages 4.11-13 to 4.11-14	Added a description of the 3 <sup>rd</sup> Street grade separation project (already included in Section 5.3, Cumulative Impacts) and updated the completion dates.  Added additional detail regarding the development and proposed uses comprising the March LifeCare Campus project in response to comments on the Draft EIR received from representatives of the Riverside Unified School District.  Added name of the roadway improvement project to widen Cactus Avenue (project already included and described in the Draft EIR and Traffic Technical Report).
Chapter 4.0 Environmental Analysis Section 4.11 Transportation and Traffic	Page 4.11-15	Correction made regarding when the mitigation measures for the Perris Marketplace project would



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Draft EIR Section	Page Number(s)	Action
		<p>be in place (2009).</p> <p>Revised title of a referenced report for the Towne Center project.</p> <p>Revised reference to Traffic Technical Report D.</p>
Chapter 4.0 Environmental Analysis Section 4.11 Transportation and Traffic	Page 4.11-16	Corrected error (direction).
Chapter 4.0 Environmental Analysis Section 4.11 Transportation and Traffic	Pages 4.11-16, 4.11-28, 4.11-31, and 4.11-34 to 4.11-37 Table 4.11-7 and 4.11-9	<p>Updated roadway system changes to be implemented by 2012 in the City of Perris in response to comments on the Draft EIR and a subsequent email (dated June 28, 2010) received from the City of Perris Public Works Department that provided new information related to the signalization of D Street and San Jacinto Avenue and the striping plans at the D Street/SR-74 and C Street/San Jacinto Avenue intersections. This new information required updating the level-of-service analyses (including text and tables) for the Downtown Perris Station area 2012 conditions without and with the project. Also, incorporated PVL project features to be implemented for the improvement of the San Jacinto Avenue crossing into the 2012 conditions with the project. The analysis did not reveal any new significant impacts and did not show an increase in severity of an environmental impact.</p>
Chapter 4.0 Environmental Analysis Section 4.11 Transportation and Traffic	Page 4.11-17	Clarified text by providing a definition of modal split.
Chapter 4.0 Environmental Analysis Section 4.11 Transportation and Traffic	Page 4.11-18	<p>Added text for the hours that represent the AM peak period and PM peak period.</p> <p>Added text to the title of Table 4.11-4.</p>
Chapter 4.0 Environmental Analysis Section 4.11 Transportation and Traffic	Page 4.11-19	Revised reference to Traffic Technical Report D.
Chapter 4.0 Environmental Analysis Section 4.11 Transportation and Traffic	Page. 4.11-20	<p>Revised reference to Traffic Technical Report D.</p> <p>Added text regarding the proposed</p>



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### 0.2 REVISIONS, UPDATES, AND CORRECTIONS

Draft EIR Section	Page Number(s)	Action
		closure of existing grade crossings at Poarch Road and 6 <sup>th</sup> Street due to project refinement subsequent to circulation of the Draft EIR. Clarified text regarding the status of 5 <sup>th</sup> Street in downtown Perris. Added text to reflect the closure of Commercial Street due to project refinement and subsequent to circulation of the Draft EIR.
Chapter 4.0 Environmental Analysis Section 4.11 Transportation and Traffic	Page 4.11-23 to 4.11-25 Table 4.11-5	Revised table heading. Updated the notes within the table to provide definitions for the abbreviations used within the table.
Chapter 4.0 Environmental Analysis Section 4.11 Transportation and Traffic	Pages 4.11-27 to 4.11-28, 4.11-34 to 4.11-37, and 4.11-39 Tables 4.11-6 and 4.11-9	Updated analyses for the Moreno Valley/March Field station area in response to comments on the Draft EIR received from representatives of the Riverside Unified School District that provided new information related to vehicle assignments included in the March LifeCare Campus EIR. This new information required updating the level-of-service analyses (including text and tables) for the Moreno Valley/ March Field Station area 2012 conditions without and with the project. As part of Transportation and Traffic Mitigation Measure TT-1, the seconds of delay at the intersection of Cactus Avenue at Old 215 were revised. However, as shown in the revised Draft EIR, the updated level-of-service analyses did not reveal new significant impacts and did not show an increase in severity of already identified impacts.
Chapter 4.0 Environmental Analysis Section 4.11 Transportation and Traffic	Page 4.11-28	Added text to clarify that SR-74 is known as 4 <sup>th</sup> Street in downtown Perris.
Chapter 4.0 Environmental Analysis Section 4.11 Transportation and Traffic	Page 4.11-32 Table 4.11-8	Corrected reference to Transportation and Traffic Mitigation Measure TT-3.  Corrected the table heading in the



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Draft EIR Section	Page Number(s)	Action
		first column.
Chapter 4.0 Environmental Analysis Section 4.11 Transportation and Traffic	Page 4.11-33	Clarified construction period impacts. Added text to clarify and expand on the discussion for Transportation and Traffic Mitigation Measure TT-4. Added a new discussion regarding soil export under Construction Period Impacts.
Chapter 4.0 Environmental Analysis Section 4.11 Transportation and Traffic	Page 4.11-34	Updated text regarding the proposed closure of existing grade crossings at Poarch Road and 6 <sup>th</sup> Street due to project refinement subsequent to circulation of the Draft EIR. Added text to reflect the closure of Commercial Street due to project refinement subsequent to circulation of the Draft EIR.
Chapter 4.0 Environmental Analysis Section 4.11 Transportation and Traffic	Page 4.11-36 Table 4.11-9	Updated Transportation and Traffic Mitigation Measure TT-2 in response to comments on the Draft EIR received from the City of Perris Public Works Department.
Chapter 4.0 Environmental Analysis Section 4.11 Transportation and Traffic	Page 4.11-40	Corrected reference to Table 4.11-10.
Chapter 4.0 Environmental Analysis Section 4.11 Transportation and Traffic	Pages 4.11-40 to 4.11-42	<p>Revised Transportation and Traffic Mitigation Measure TT-1 in the response to comments on the Draft EIR received from representatives of Riverside Unified School District.</p> <p>Revised Transportation and Traffic Mitigation Measure TT-2 in response to comments on the Draft EIR received from the City of Perris Public Works Department. Added text to clarify that SR-74 is known as 4<sup>th</sup> Street in downtown Perris.</p> <p>Clarified Transportation and Traffic Mitigation Measure TT-3.</p> <p>Provided additional text to clarify that in the event that planned traffic signals are not installed by other projects (unrelated to the PVL) prior to the opening year of the PVL, the installation of</p>



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### 0.2 REVISIONS, UPDATES, AND CORRECTIONS

Draft EIR Section	Page Number(s)	Action
		<p>additional traffic signals at three locations where significant impacts are expected will be incorporated as PVL project features.</p> <p>Clarified Transportation and Traffic Mitigation Measure TT-4 by providing additional information regarding the Traffic Management Plan.</p> <p>Clarified AM and PM analysis hours for Mitigation Measures TT-1, TT-2, and TT-3.</p>
Chapter 4.0 Environmental Analysis Section 4.12 Utilities and Service Systems	Page 4.12-2	<p>Updated number of existing grade crossings along the SJBL alignment along with the description of each.</p> <p>Mapes Road existing grade crossing was deleted since it is outside the boundary of the PVL project.</p>
Chapter 5.0 Other Environmental Considerations Section 5.3 Cumulative Impacts	Pages 5-3 to 5-4	<p>Clarified text regarding the cumulative projects and Riverside Grade Separations projects. Added No Build projects (already described in Section 4.11, Transportation and Traffic) to the list of cumulative projects in Section 5.3, Cumulative Impacts.</p>
Chapter 6.0 Effects Found Not To Be Significant Section 6.3 Public Services	Page 6-2	<p>Updated text regarding the proposed closure of existing grade crossings at Poarch Road and 6<sup>th</sup> Street due to project refinement subsequent to circulation of the Draft EIR. Added text to reflect the closure of Commercial Street due to project refinement and subsequent to circulation of the Draft EIR.</p>
Chapter 8.0 References	Page 8-1	<p>Added reference for March LifeCare Campus.</p>
Chapter 8.0 References	Page 8-8	<p>Revised publishing year of the technical reports for air quality, noise and vibration, and traffic.</p>





**0.2.4 Changes to Technical Reports**

Technical Reports for Air Quality, Noise and Vibration, and Traffic were revised since the publication of the Draft EIR on April 5, 2010. The revisions to the Technical Reports are based upon: (1) additional or revised information required to prepare a response to a specific comment; (2) updated information required due to of the passage of time; and/or (3) typographical errors. Given the minor changes associated with the document, the information added to the Technical Reports does not meet the requirements for recirculation pursuant to §15085.5 of the State CEQA Guidelines.

**Table 0.2.4-1  
Corrections and Additions to Technical Reports**

Technical Report	Page Number(s)	Corrections and Additions
<b>Air Quality Technical Report – Technical Report B</b>		
Air Quality Technical Report	Cover page	Updated publishing date based on revisions made in response to comments on the Draft EIR.
Air Quality Technical Report	Page i	Updated the list of Appendices based on the addition of a new appendix (Appendix F – SCAG TCWG Interagency Review Form For PVL Project).
Air Quality Technical Report	Pages 3, 22, and 31	Added reference to April 16, 2010 SCAG determination that the PVL is <u>not</u> a Project of Air Quality Concern (POAQC). Also, provided a reference to the new Appendix F in the Air Quality Technical Report, which includes the TCWG review form.
Air Quality Technical Report	Page 18	Typographical error corrected regarding level of service.
Air Quality Technical Report	Pages 19 to 20	Typographical errors (numerical) corrected in distances described between certain sensitive receptors and PVL alignment.
Air Quality Technical Report	Page 23	Clarified text regarding the health risk assessment. Corrected a misspelling.
Air Quality Technical Report	Pages 23 to 24	Updated discussion on construction period air quality evaluation based on soil export information.



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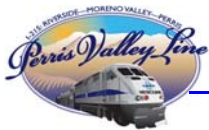
Technical Report	Page Number(s)	Corrections and Additions
Air Quality Technical Report	Page 25	Deleted two bullets under “other project control measures” as the same information is shown on Page 24 in the Air Quality Technical Report.
Air Quality Technical Report	Page 32 Table 12	Clarified greenhouse gas assessment table.
Air Quality Technical Report	Page 33 Table 13	Updated construction emissions table and analysis based on soil export information. Clarified text regarding soils.
Air Quality Technical Report Appendix D	Page 14	Updated construction emissions table based on soil export information.
Air Quality Technical Report Appendix D	Page 28	Added the new 90% Mass Haul Diagram Exhibit.
<b>Noise and Vibration Technical Report – Technical Report C</b>		
Noise and Vibration Technical Report	Cover page	Updated publishing date based on revisions made in response to comments on the Draft EIR.
Noise and Vibration Technical Report	Pages 7 and 12 Table 2	For clarification purposes, the noise and vibration discussions were separated in the document. Deleted vibration discussion from the description of existing noise environment conditions. Deleted vibration notes from noise measurements table.
Noise and Vibration Technical Report	Page 20	Updated discussion of wheel/rail noise to include the new quantitative assessment.
Noise and Vibration Technical Report	Pages 21, 23, and 24 Table 4	Based on the new quantitative assessment of wheel squeal, moved Table 4 (Summary of PVL Wheel Squeal Locations) and the discussion of the wheel squeal locations from Page 21 to Page 24 of the Noise and Vibration Technical Report. Added a new discussion (Wheel Squeal) to Page 23 of the Noise and Vibration Technical Report. The assessment did not reveal new significant impacts and did not show a substantial increase in severity of already identified impacts.
Noise and Vibration Technical Report	Page 26 Table 5	Clarified reference to Mitigation Measure NV-2 in footnote.



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Technical Report	Page Number(s)	Corrections and Additions
Noise and Vibration Technical Report	Page 27 Table 6	Deleted fifth footnote as it does not apply to this table.
Noise and Vibration Technical Report	Page 28, Table 7	Typographical error in table corrected regarding the tabulated train speeds nearby Highland Elementary School. All noise and vibration calculations for this school were performed using the speed of 60 mph in the Noise and Vibration Technical Report.
Noise and Vibration Technical Report	Page 29	Clarified the mitigation measures used to eliminate predicted noise impacts.
Noise and Vibration Technical Report	Page 35	Clarified text regarding use of FTA Guidance Manual noise prediction equations and tables.
Noise and Vibration Technical Report	Page 36	Typographical error corrected and wording revised for clarity. Clarified the reduction in noise with the use of wayside applicators.
Noise and Vibration Technical Report	Pages 38 to 39, Table 13	Updated civil station locations, lengths, and heights of noise barriers due to project refinement subsequent to circulation of the Draft EIR. Updated proposed noise barrier locations table; revised footnotes in table.
Noise and Vibration Technical Report	Page 40	Clarified the number of properties that would be provided with sound insulation.
Noise and Vibration Technical Report	Pages 41 to 44	Added text regarding project construction activities and examples of noise control measures.
Noise and Vibration Technical Report	Page 41	Added a new discussion regarding soil export under Construction Noise Impacts.
Noise and Vibration Technical Report	Page 46	Revised reference to Table 15. Added abbreviation for continuous welded rail (CWR).
Noise and Vibration Technical Report	Page 47	Added text regarding the construction noise assessment. Revised reference to Table 14.
Noise and Vibration Technical Report	Page 48	Clarified the noise impacts of the total project construction period.



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Technical Report	Page Number(s)	Corrections and Additions
Noise and Vibration Technical Report	Page 50	Clarified text regarding existing vibration conditions.
Noise and Vibration Technical Report	Page 56, Table 20	Typographical error in table corrected regarding the tabulated train speeds nearby St. James School. All noise and vibration calculations for this school were performed using the speed of 46 mph in the Noise and Vibration Technical Report.
Noise and Vibration Technical Report	Page 59, Table 21	Typographical error corrected regarding footnotes.
Noise and Vibration Technical Report	Page 61	Clarified Mitigation Measure NV-3. Provided additional text to clarify that implementation of either NV-3 or NV-4 between Sta. 263+00 and 275+00 will eliminate the 2 VdB impact predicted in the UCR area of Riverside.
Noise and Vibration Technical Report	Page 62	Added text regarding potential construction vibration impacts.
Noise and Vibration Technical Report Appendix D	Noise Barrier Locations figure	Updated the locations of the noise barriers due to project refinement subsequent to circulation of the Draft EIR.
<b>Traffic Technical Report – Technical Report D</b>		
Traffic Technical Report	Cover page	Updated publishing date based on revisions made in response to comments on the Draft EIR.
Traffic Technical Report	Pages 10, 63, and 75	Added text to clarify that SR-74 is known as 4 <sup>th</sup> Street in downtown Perris.
Traffic Technical Report	Page 30	Added a description of the 3 <sup>rd</sup> Street grade separation project. Revised the completion dates of the grade separation projects.
Traffic Technical Report	Page 31	Added additional detail regarding the development and proposed uses comprising the March LifeCare Campus project in response to comments on the Draft EIR received from representatives of the Riverside Unified School District.



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Technical Report	Page Number(s)	Corrections and Additions
Traffic Technical Report	Page 32	Added name of the roadway improvement project to widen Cactus Avenue (project already included and described in the Draft EIR and Traffic Technical Report).
Traffic Technical Report	Pages 32, 38, 40 to 45, 64 to 74, 77 to 82 Tables 3, 7, and 8	Updated roadway system changes to be implemented by 2012 in the City of Perris in response to comments on the Draft EIR and a subsequent email (dated June 28, 2010) received from the City of Perris Public Works Department that provided new information related to the signalization of D Street and San Jacinto Avenue and the striping plans at the D Street/SR-74 and C Street/San Jacinto Avenue intersections. This new information required updating the level-of-service analyses (including text and tables) for the Downtown Perris Station area 2012 conditions without and with the project. Also incorporated PVL project features to be implemented for the improvement of the San Jacinto Avenue crossing into the 2012 conditions with the project.
Traffic Technical Report	Pages 35, 40 to 45, 54, 60, 64 to 74, 75, 77 to 82 Figures 14, 20, and 26 Tables 3, 7, and 8	Updated analyses for the Moreno Valley/March Field station area in response to comments on the Draft EIR received from representatives of the Riverside Unified School District that provided new information related to vehicle assignments included in the March LifeCare Campus EIR. This new information required updating the level-of-service analyses (including text and tables) for the Moreno Valley /March Field Station area 2012 conditions without and with the project. As part of Transportation and Traffic Mitigation Measure TT-1, the seconds of delay at the intersection of Cactus Avenue at Old 215 were revised. However, as shown in the revised Draft EIR, the updated level-of-service analyses did not reveal new significant impacts and did not show an increase in severity of already identified impacts.



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Technical Report	Page Number(s)	Corrections and Additions
Traffic Technical Report	Page 38	Corrected error (direction).
Traffic Technical Report	Page 46	Clarified the AM and PM peak periods for the 2012 PVL ridership projections.
Traffic Technical Report	Page 49	Clarified text regarding improvements at grade crossings. Updated text regarding the proposed closure of existing grade railroad crossings at Poarch Road and 6 <sup>th</sup> Street due to project refinement subsequent to circulation of the Draft EIR.
Traffic Technical Report	Page 50	Corrected reference to Figure 23. Added text to reflect the closure of the northern end of Commercial Street due to project refinement subsequent to circulation of the Draft EIR.
Traffic Technical Report	Pages 63, 75 to 76, 77 to 82 Table 8	Revised Transportation and Traffic Mitigation Measure TT-1 in response to comments on the Draft EIR received from representatives of the Riverside Unified School District. Revised Transportation and Traffic Mitigation Measure TT-2 in response to comments on the Draft EIR received from the City of Perris Public Works Department. Eliminated Transportation and Traffic Mitigation Measures TT-3, TT-5, and TT-6 as these traffic signals are planned to be installed by other projects (unrelated to the PVL) as part of the future conditions without the project. Therefore, no mitigation measures will need to be implemented by the proposed PVL project at these intersections. Renumbered Transportation and Traffic Mitigation Measure TT-4 to TT-3 due to the elimination of TT-3. Provided additional text to clarify that in the event that planned traffic signals are not installed by other projects (unrelated to the PVL) prior to the opening year of the PVL, the installation of additional traffic signals at three locations where significant impacts are expected will be



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Technical Report	Page Number(s)	Corrections and Additions
		<p>incorporated as PVL project features.</p> <p>Added Transportation and Traffic Mitigation Measure TT-4 regarding the Traffic Management Plan.</p> <p>Clarified the AM and PM analysis hours for TT-1, TT-2, and TT-3.</p>
Traffic Technical Report	Page 83	<p>Clarified construction period impacts and corrected reference to TT-4 (Traffic Management Plan). Added a new discussion regarding soil export under Construction Period Impacts.</p>



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**0.3 RESPONSE TO COMMENTS**

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**0.3.1 Master Responses**

These Master Responses address several of the recurring topics raised in comments on the Draft EIR:

- #1. Quiet Zones
- #2. Kinder Morgan Pipeline Segment Near Highland Elementary School
- #3. Derailment (General)
- #4. Hazardous Materials Transport
- #5. Freight Operations
- #6. Noise
- #7. Emergency Planning and Response
- #8. Grade Crossings
- #9. Highland and Hyatt Elementary Schools (Increased Train Traffic)
- #10. Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment)
- #11. Recirculate EIR and the CEQA Process
- #12. Grade Separations

It should be noted that these Master Responses provide additional information on key project topics and do not propose any additional mitigation measures.

**Master Response #1 – Quiet Zones**

Many of the comment letters submitted in response to the Draft EIR raised concerns regarding the noise impacts of the PVL project. Specifically, the commenters encouraged RCTC to consider quiet zones at grade crossings within the City of Riverside. In addition, some commenters have asked why RCTC donated money to the City of Riverside to study the potential for establishing quiet zones rather than unilaterally establishing and implementing quiet zones as part of the PVL project.

Implementation of quiet zones, defined as designated areas where train horns (the primary source of train noise) would not be sounded at highway/rail grade crossings, is not part of the PVL project. The noise analysis in the Draft EIR shows that all potentially significant project-related noise impacts are mitigated to less than significant levels with implementation of the noise mitigation measures outlined at the end of Section 4.10. Specifically, the Draft EIR requires construction of noise barriers and noise insulation measures. Additionally, the train tracks themselves will be improved through new rail/ballast, lubrication, and use of vibration reducing ballast mats – all of which will reduce the project’s operational noise impacts. Because the noise impacts of the PVL project can be mitigated to a less than significant level, it is unnecessary for RCTC to seek or impose additional mitigation measures.

The California Environmental Quality Act (Pub. Res. Code § 21000, et seq., hereinafter “CEQA”) and the regulations for the implementation of CEQA (14 C.C.R. § 15000, et seq.,





hereinafter “State CEQA Guidelines”) require lead agencies to adopt all “feasible” mitigation measures that would “substantially lessen the significant environmental effects” of a proposed project (Pub. Res. Code § 21002; State CEQA Guidelines § 15021(a)(2)). This principle, however, does not require that a lead agency “adopt every nickel and dime mitigation scheme brought to its attention or proposed in the EIR” (*San Franciscans for Reasonable Growth v. City and County of San Francisco* (1989) 209 Cal.App.3d 1502, 1519). Instead, the scope of mitigation measures is tempered by the “rule of reason” and the principle that the goal of CEQA is to produce “informational documents” (*Concerned Citizens of South Central Los Angeles v. Los Angeles Unified School District* (1994) 24 Cal.App.4th 826, 841). The goal of imposing mitigation measures on a proposed action is to reduce potentially significant impacts, not necessarily to eliminate all impacts (Pub. Res. Code § 21100(b)(3); State CEQA Guidelines § 15126.4(a)(1)). Since the mitigation measures for the PVL project would reduce impacts to less than significant levels, no further mitigation measures are required.

However, because RCTC is sensitive to the concerns of residents, RCTC voluntarily increased the project scope to include design and construction of the physical improvements necessary for supporting the implementation of quiet zones (which for the PVL project would be considered “New Quiet Zones” according to 49 C.F.R. § 222.43) at the Marlborough Avenue, Spruce Street, Blaine Street, and Mount Vernon Avenue grade crossings in the UCR neighborhood, should quiet zones be implemented in the future. Section 4.10.2 of the Draft EIR introduces the federal regulations governing noise emissions from transit sources and explains that RCTC has previously donated \$26,000 to the City of Riverside to study the potential for establishing quiet zones at grade crossings in the City of Riverside.

Establishing a New Quiet Zone involves coordination between multiple entities regarding two main types of requirements: administrative work and the construction of physical structures. Administrative work includes: providing a written Notice of Intent (49 C.F.R § 222.43[a][1] and § 222.43[b]) to the railroads that operate over the proposed quiet zone, the state agency responsible for highway and road safety and the state agency responsible for grade crossing safety; inviting the State agency responsible for grade crossing safety and all affected railroads to participate in a diagnostic review of pedestrian crossings; and, if using the Public Authority Application to FRA method of obtaining a New Quiet Zone (the other option is to designate a New Quiet Zone without FRA approval), compiling an application to FRA for approval of a quiet zone (49 C.F.R. Appendix C to 49 C.F.R Part 222).

According to the Locomotive Horn Use Rules, the administrative work must be completed by a Public Authority (Appendix C to 49 C.F.R Part 222), only a “Public Authority may establish quiet zones,” and quiet zones may only be established at “public highway-rail grade crossings.” (71 Fed. Reg. 47640; 49 C.F.R. § 222.37.) A “Public Authority” is a public entity responsible for traffic control or law enforcement at the public highway-rail grade or pedestrian crossing. (71 Fed. Reg. 47636; 49 C.F.R 222.9). The construction of physical structures can be completed by any entity but can only be submitted for approval by the Public Authority. In the case of the PVL project, the Public Authority is the City of Riverside.

RCTC is a special district that does not have broad police powers and is not responsible for traffic control or law enforcement at public highway-rail grade or pedestrian crossings. Instead,



cities and counties have the general type of police powers referred to in the definition of “Public Authority.” Consequently, cities and counties would most likely have authority under the federal rules to establish quiet zones. Therefore, under a strict reading of the federal rule, RCTC is not considered a Public Authority and therefore does not have authority to complete the administrative work necessary to establish quiet zones. Accordingly, RCTC’s previous donation of funding to the City of Riverside was appropriately intended to assist the City, as the “Public Authority” under the Locomotive Horn Use Rules, to establish the quiet zones that RCTC lacks the authority to establish itself.

Assuming, however, that the definition of “Public Authority” could be broadly interpreted to include RCTC, as stated in the Draft EIR, RCTC does not have authority to unilaterally establish quiet zones at highway-rail grade crossings (71 Fed. Reg. 47640; 49 C.F.R § 222.37.) According to the Locomotive Horn Rules, if more than one Public Authority would have authority and control over the highway-rail grade crossing where a quiet zone is proposed, then the Public Authorities must agree to establishing the quiet zone and must jointly, or by delegating their authority to one another, take actions required by the federal rules to implement the quiet zone (71 Fed. Reg. 47640; 49 C.F.R. § 222.37). Hence, in order to establish and implement a New Quiet Zone within the PVL project area, the City of Riverside, RCTC, and any other Public Authority with responsibility for traffic control or law enforcement at the public highway-rail grade or pedestrian crossing would have to jointly agree to the New Quiet Zone and jointly take action to establish it.

As stated above, RCTC is able to, and has agreed to, include in the engineering design for the PVL project the physical structures required for the establishment of a New Quiet Zone. According to the plans, these designs include pedestrian swing gates, pedestrian warning devices and gates, pedestrian barricades and metal hand railings, concrete raised medians, double yellow medians and island noses, warning devices, safety lighting, and signs. Because these improvements are considered part of the design for the PVL project, they were included in the environmental analysis, which found that no significant, unmitigable impacts are anticipated as a result of the PVL project. RCTC does not have control over the administrative work that also must be completed in order to establish a New Quiet Zone. However, the City of Riverside has agreed to undertake that administrative work pursuant to a Memorandum of Understanding with RCTC.

The PVL project would have no significant noise impacts with mitigation measures incorporated and therefore no further mitigation is required under CEQA. RCTC would complete one of two main requirements that are necessary for the establishment of quiet zones by actually constructing the physical safety and crossing improvements that would be necessary to implement the quiet zone. The second main requirement, the administrative component, is the responsibility of the City of Riverside. Specifically, the City of Riverside has the obligation to file a Notice of Intent (“NOI”) with the Federal Railroad Administration, which would allow for the completion of this administrative component.

The Draft EIR was not changed as a result of this issue area.



## Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School

Several of the comments submitted in response to the Draft EIR raised concerns regarding the potential for hazard and safety impacts caused by adding commuter trains to the existing rail line. A portion of the existing SJBL/RCTC ROW contains a six-inch jet fuel line owned and operated by Kinder-Morgan. The pipeline operates within the SJBL/RCTC ROW under a lease agreement and extends from the Colton Terminal to the March Air Reserve Base (Draft EIR, Section 4.7-1). In one limited location, the jet fuel line is approximately 50-feet west of an existing school, Highland Elementary School (e.g., RUSD Comment Letter [dated May 21, 2010] at page 4; Draft EIR, Section 4.7-1). The railroad tracks are approximately 45 feet beyond the pipeline, making them a total of approximately 95 feet from the school. Based upon a field survey in which potholes were dug above the fuel pipeline in order to confirm the pipeline's depth, the pipeline is buried at depths ranging to 5'-2" in the area adjacent to Highland Elementary School. The concerns expressed by the commenters regarding the pipeline center around the potential for the PVL project (during construction and operation) to damage the existing pipeline and to result in rupture and release of jet fuel.

In response to concerns raised about the proximity of the rail line to the existing Kinder Morgan pipeline, RCTC commissioned a focused technical study to specifically evaluate potential safety and/or hazard impacts associated with the pipeline. (*Analysis of Safety Issues for the Proposed Commuter Rail Service on the Riverside County Transportation Commission's Perris Valley Line in the Vicinity of Highland and Hyatt Schools*, dated March 22, 2011 (the "Zeta Tech Report") included as Technical Report H).

The Zeta Tech report evaluated two questions. For purposes of this Master Response, the relevant question addressed in the Zeta Tech Report was whether the addition of commuter rail to the existing line would significantly increase the safety risks in the vicinity of the Highland Elementary School and the Kinder-Morgan pipeline near that school (Zeta Tech Report, page 2).

Zeta Tech's evaluation of the risks in the vicinity of Highland Elementary School were based on a derailment risk analysis (Zeta Tech Report, page 5). The derailment risk analysis examined general derailment risk related to Class 1 railroad (e.g., BNSF) operations, as well as derailment risk associated with the introduction of passenger trains; Zeta Tech further considered derailment risk in the context of a derailment energy analysis. The derailment energy analysis compared the maximum available energy at the time of derailment of a freight train to that of a passenger train on the Perris Valley Line (Zeta Tech Report, page 7). This analysis took into account the mass of a given train as well as the speed of that train.

With regard to derailment risk associated with current BNSF operations, the Zeta Tech study used derailment classes in the Federal Railroad Administration's ("FRA") accident database for years 2007-2009. (*Id.*) Based upon this analysis, Zeta Tech determined that the average derailment probability for these four Class 1 railroads, which include BNSF, is approximately 0.00084 total derailments per million gross ton miles per year (total derailments/MGTM/year). Further, Zeta Tech considered the risk of Class 1 railroad derailment in the vicinity of each



school. By applying these data to operations within one half mile of the school, in each direction, Zeta Tech determined that the total risk of BNSF derailment under current operations is approximately 0.000672 risk per train mile in the vicinity of each school, which, in other words, would approximate 1 derailment every 1500 years (Zeta Tech Report, page 6).

With regard to passenger train derailment risk, the Zeta Tech analysis used all derailment classes in the FRA accident database for the years 2007-2009. Based on this analysis, the passenger train average derailment probability is approximately 0.00032 total derailments/MGTM/year. This represents the incremental increase in risk associated with the introduction of passenger service. By applying these data to operations within one half mile of the school, in each direction, Zeta Tech determined that the risk of derailment associated with passenger service is approximately 0.00032 total derailments/MGTM in the vicinity of each school, which, in other words, would approximate 1 derailment every 3,000 years (Zeta Tech Report, page 6). Zeta Tech concluded that the increased risk is “small” (Zeta Tech Report, page 6) and supports the Zeta Tech conclusion that “...the addition of commuter rail to the existing railway line does not significantly increase the safety risks in the vicinity of the Highland Elementary School and the Kinder-Morgan pipeline near that school” (Zeta Tech Report, page 5).

The conclusions regarding “safety” risk are based on consideration of both the risk for derailment and the likelihood that the Kinder-Morgan pipeline compromised if a derailment were to occur in its proximity. Thus, notwithstanding the foregoing assessment of derailment risk, since both the school and the pipeline are adjacent to the railroad right of way, Zeta Tech also performed a derailment energy analysis to assess the risk associated with the additional passenger trains (Zeta Tech Report, page 6). The derailment energy analysis compared the maximum available energy at the time of derailment of a freight train to that of a passenger train on this line (Zeta Tech Report, page 7). As a result of this analysis, Zeta Tech concluded that if a derailment were to occur adjacent to Highland Elementary School, the passenger train would develop 63% of energy that would be developed by a freight train (i.e., approximately 37% less energy). Thus, Zeta Tech concluded, “This more than compensates for the small increase in derailment risk associated with the addition of the passenger trains, with a resulting combined risk of the order of 90% of the current freight operations” (Zeta Tech Report, page 7).

Accordingly, the Zeta Tech Report concludes that the addition of commuter rail to the existing railway line would not significantly increase the safety risks in the vicinity of Highland Elementary School and the Kinder-Morgan pipeline near that school (Zeta Tech Report, page 7).

The School Siting Requirements Under State Law And Department of Education Guidance Do Not Apply To The Project

Numerous comments were received stating that RCTC had an obligation under state law to prepare a particular type of safety study discussing the potential risks to the school from the existing railroad and pipeline operations. The basis for these comments appears to be current state law, which provides that newly proposed schools may be sited within 1,500 feet of a railroad track or within 1,500 feet of a hazardous pipeline easement only upon the completion of



certain safety studies (5 CCR § 14010). Contrary to many of the comments received, however, the responsibility for preparing those safety studies falls – not on the railroad or pipeline operator – but on the school district that is proposing the location of the new school (see *ibid.*; Educ. Code, § 17213). Moreover, Highland Elementary School is not a newly proposed school, but rather one that has been in this location for over 50 years. Accordingly, the plain language of these regulations and code requirements make clear that they do not apply to the PVL project.

Additionally, comments were received stating that RCTC “must” prepare a railroad safety study and pipeline risk assessment in the manner provided for in the California Department of Education’s Guidance Protocol for School Site Pipeline Risk Analysis (see Enclosure to RUSD Comment Letter [dated May 21, 2010]). However, the CDE Protocol is, by its own terms, inapplicable to the PVL project. First, the Protocol states that it is only “recommended guidance,” and is not mandatory (California Department of Education Guidance Protocol for School Site Pipeline Risk Analysis (February 2007) at p. ii available at: <http://www.cde.ca.gov/ls/fa/sf/protocol07.asp>)<sup>1</sup>. It also states that “its sole purpose” is to assist in analyzing the potential location of new schools (*ibid.*) Further, the Protocol states that it “is not directly required by any regulation or code.” (*ibid.*) These limitations are confirmed by the sample analysis provided by in the comment letters, in that the specific Risk Analysis provided by RUSD states (1) it was prepared in order to analyze potential risks to future residents of a new project, not to analyze existing conditions, (2) it was based on the CDE’s recommended protocol, not on any statutory or regulatory requirement, and (3) it was based on CDE’s 2002 protocol, not on the 2007 protocol that CDE currently recommends. Finally, the Protocol makes clear it is “for use by California local educational agencies,” and not for general use by all agencies proposing projects nearby existing schools (Protocol at p. ii).

In summary then, neither the Education Code nor its implementing regulations require the preparation of any particular type or format of study; the Protocol referenced by the commenters is not binding and does not apply to the PVL project; and to the extent that either the law or the Protocol can be read to impose a duty to study impacts in a particular way, that duty falls upon the local educational agency – the Riverside Unified School District – and not RCTC. Ultimately, and as discussed below, RCTC’s analysis of potential hazard and safety impacts was thorough, complete, and fully complies with CEQA’s requirements.

#### The Pipeline Complies With Existing Safety Regulations

Comments were received claiming that the pipeline was buried at an insufficient depth to ensure that it could continue to be operated safely during PVL project operations. These comments are incorrect.

Federal law extensively regulates the maintenance and operation of fuel pipelines, including the Kinder-Morgan fuel pipeline. Although these regulations do not appear applicable to existing pipelines like the one at issue here, the Code of Federal Regulations does state that all new

<sup>1</sup> Per a discussion with the California Department of Education’s Protocol Director, Michael O’Neill, the February 2007 version of the Protocol is the most recent version of the Protocol. (Pers. Communication 12/13/10).



hazardous materials pipelines – including those carrying fuel – must be located at least three feet below the surface of the ground in all residential, commercial, and industrial areas (49 CFR § 195.248). This standard was developed and imposed by the Department of Transportation’s Pipeline and Hazardous Materials Safety Administration in order to “prescribe safety standards and reporting requirements for pipelines” (49 CFR § 195.0). Because there are exceptions to this three-foot minimum depth under federal law in the event of certain engineering constraints, such as where pipelines cross waterways, a pothole study was conducted by RCTC, in early 2010, to verify the actual depth to the top of the Kinder-Morgan pipeline in the area of the Highland Elementary School. The results of that study show that for the most part the depth to the top of the pipeline ranges to 5’-2” in the area adjacent to the school. If during construction it should arise that the pipeline is found to be buried less than three (3) feet beneath the ground surface, RCTC will add material in those areas to ensure that the pipeline is buried at least three feet deep. This Project feature will not result in any new environmental impacts, given that the area around the pipeline is already disturbed and compacted. This verifies that the pipeline is being maintained in the manner required by federal safety regulations.

The Duffy Street Accident Has No Bearing On The Adequacy of the EIR’s Analysis

It should also be noted that several commenters referenced the “Duffy Street Accident” and expressed concern that a similar pipeline accident could occur along the SJBL-RCTC owned ROW. The Duffy Street occurrence, however, is readily distinguishable from the PVL project, and has no bearing on the PVL project’s potential impacts for several reasons.

First, the Duffy Street pipeline carried a different fuel type, gasoline, rather than jet fuel. Gasoline has a National Fire Protection Association (“NFPA”) Flammability rating of 3 and a flashpoint (the lowest temperature of at which a volatile liquid can vaporize to form an ignitable mixture in air) less than -49° F. In contrast, the jet fuel carried in the Kinder-Morgan pipeline (JP5) has a NFPA Flammability rating of 2 (moderate) and a flashpoint of 100° F. This means that, even in the speculative event that a pipeline breach occurred, the fuel in the Kinder-Morgan pipeline has a much lower likelihood of causing a fire than would the gasoline in the Duffy Street pipeline.

Second, the National Transportation Safety Board’s (“NTSB”) official report on the Duffy Street incident confirms that among the major reasons that a derailment occurred were that the train did not have functioning dynamic brakes and that, given the inadequacy of the brakes, the train was too heavy for the incline down which it was traveling (NTSB’s Railroad Accident Report [addressing derailment on May 12, 1989] at p. vi). Further, one of the major contributing causes to the subsequent breaching of the pipeline was the failure to exercise sufficient care during wreckage clearing operations, the repeated driving of excessively heavy machinery (e.g., cranes etc.) over the top of the pipeline, and the failure to verify the strength of the pipeline prior to conducting cleanup operations (*id.* at pp. vii, 25, 36). It was the combination of all of these factors that led to the pipeline explosion. The breach of the pipeline was not caused by the derailment itself, but instead by the wreckage cleanup activities occurring after the derailment (see *id.*). It is speculative to assume that the PVL project Metrolink trains (which are much lighter than the Duffy Street freight train) will derail from the track (particularly given that the Zeta Tech



Report found derailment to be unlikely and that the PVL project includes track upgrades to increase the track's safety and that (as described in the Zeta Tech Report), passenger trains have a much lower rate of derailment as compared to freight trains), travel the approximately 45 feet to the pipeline, and dig five feet into the ground in.

Third, the Duffy Street incident occurred in 1989, over twenty years ago. Since that time, additional regulations have been placed on train and pipeline operations to increase safety, as identified below. As a result of the Duffy Street incident, Assembly Bill 385 was passed and signed into law in 1989. This bill called for the State Fire Marshal to conduct and prepare a risk assessment study addressing hazardous liquid pipelines within 500 feet of a railroad track. The results of this study indicated that pipelines within 500 feet of a railroad do not pose a higher risk of breach than those located further away from a railroad (*Hazardous Liquid Pipeline Risk Assessment*, California State Fire Marshal, March 1993). Other factors, such as external corrosion and age of the pipeline, caused the majority of leak incidents. In the years since, additional federal and state regulations have been implemented to further monitor, protect, and enforce pipeline safety. One example of this is the Pipeline Inspection, Protection, Enforcement, and Safety Act of 2006 (Pub. Law 109-468). This Act states that participating agencies have the responsibility for ensuring that the elements of the program (research, development, demonstration, and standardization to ensure the integrity of pipeline facilities – 49 CFR Chapter 601 § 60101) are implemented in accordance with the law. These elements include materials inspection, stress and fracture analysis, detection of cracks, abrasion, and other abnormalities inside pipelines that lead to pipeline failure, and development of new equipment or technologies that are inserted into pipelines to detect anomalies (49 CFR Chapter 601, § 60101).

Likewise, improved technology with regard to track construction and train safety features have also increased overall operating safety. Examples of these features include: wayside detectors, which identify defects on passing rail cars, including overheated bearings and wheels, deteriorated bearings, and cracked wheels; improved metallurgy and fastening systems to enhance track stability, which reduces the risk of track failure that may lead to derailments; and trains with electronically-controlled pneumatic brakes, an electronic signal that applies the brakes immediately and results in shorter stopping distance, reduced slack, and improved train control (High-Tech Advances Improve Safety & Efficiency, Association of American Railroads, May 2009).

For all these reasons, it is not reasonably foreseeable that a repeat of the Duffy Street incident would occur in connection with the PVL project.

#### The Draft EIR's Analysis of Potential Pipeline Risks Complies with CEQA

Ultimately, CEQA itself confirms that a lead agency's obligation is not to analyze and correct conditions in the existing environment (i.e., the baseline conditions) that the lead agency had no role in creating. (See, e.g., State CEQA Guidelines, §§ 15064, 15126.2 [confirming that the impacts of the PVL project are to be analyzed]). Instead, the lead agency has an obligation to consider the direct and reasonably foreseeable indirect impacts of their proposed projects (e.g., State CEQA Guidelines, §§ 15126.2, 15130). The Draft EIR for the PVL project provides an



analysis of potential derailment (direct impacts) and pipeline-associated risks (indirect impacts) (e.g., Draft EIR, Sections 4.7-1 and 4.7-4). Based on that analysis, the Draft EIR concluded that there would be “no impact” from the PVL project with regard to these issues.

In contrast to CEQA requirements, the commenters’ concerns do not seem to focus on potential risks associated with the PVL project, but instead center on alleged risks resulting from existing freight usage on the track – usage that has been ongoing for many years, and which will not be affected or altered by the PVL project (see discussion in Draft EIR, Section 2.4.13).

Finally, the commenters’ recommended mitigation measures included relocating the pipeline away from the school and neighborhood or outside of the SJBL; protecting the pipeline in place by increasing the depth of cover over the pipeline (either by adding additional material on top or by burying it deeper); encasing the pipeline; or by placing a protective concrete slab over the pipeline. However, CEQA only requires the imposition of mitigation measures for potentially significant impacts (Pub. Res. Code, § 21100(b)(3); State CEQA Guidelines, § 15126.4) and, here, the analysis in the Draft EIR confirms that there are no potentially significant impacts. Accordingly, no mitigation is required to address perceived derailment or pipeline risks. Moreover, the pipeline already complies with applicable safety requirements, as discussed above, such that burying the pipeline deeper underground or providing additional casing is not required. Additionally, relocating the pipeline is infeasible because it would inflict significant environmental impacts on the surrounding community as a new pipeline would require trenching through or under existing homes and businesses.

### **Master Response #3 – Derailment (General)**

A number of concerns were raised regarding the possibility of project-induced derailments. The presumption by the commenters is that implementation of the PVL project would contribute to an increased possibility for derailments. A derailment generally may include one of the following; a train leaving the tracks, just one set of wheels leaving the tracks, side swiping another train, or general damage to a train while on the tracks.

Section 4.7, Hazards and Hazardous Materials, in the Draft EIR discussed derailment statistics that were calculated for the PVL project based on data up to fiscal year 2006/2007. This section stated that, based on information obtained from the FRA Safety Database (<http://safetydata.fra.dot.gov/officeofsafety/>) and local resident information, there were 4.5 million freight train miles on SCRRA tracks since 1993, and that there have been three freight train derailments in this time period. This equates to approximately one derailment per 1.5 million train miles or 0.000000667. The derailment risk for BNSF freight trains on the SJBL alignment is 0.00801, which equates to a derailment approximately once every 124 years.

Since the Draft EIR was submitted to the public for review, additional statistics were calculated for fiscal year 2007/2008. These updated data also are used to compute the derailment exposure risk on SCRRA’s lines and to compare this risk to the estimated risk currently experienced by the SJBL with freight only. Relevant findings include:





First, the SCRRA had 455,684 freight train miles operated over their lines in fiscal year 2007/2008, and this is assumed to be typical of operations since the start of SCRRA operations. This yields a freight history of about 6.8 million freight train miles since 1993 (first full year of operation). There have been three main track freight train derailments (not counting the collision at Chatsworth because this was a collision and not a derailment).

Second, this calculates to an exposure ratio of about one derailment per 2.28 million train miles or 0.00000044.

Third, the BNSF operated 11,440 freight train miles on the SJBL in fiscal year 2007/2008, and this rate of train miles has been consistent over the years. From 1993 to 2008, this would total 171,600 train miles.

Fourth, the annual future (after completion of the project) freight train derailment risk is then the product of 0.00000044 (risk per train mile) and 11,440 annual train miles, or 0.00502.

Fifth, assuming that there have been two freight train derailments on the main line of the PVL since 1993, the risk is two divided by 171,600 (the total train miles BNSF has operated since 1993) or 0.0000116 per train mile.

These calculations show that the SCRRA derailment risk is 0.00000044, while the BNSF freight train derailment risk is 0.0000116. The reason for this difference is that, because the SCRRA tracks are used for commuter rail, the tracks are maintained to high standards of safety and ride quality due to their role in public passenger transport.

The PVL project includes track improvements throughout its length because a commuter train would be added to the track (see Draft EIR, Section 4.2.1). These track improvements would upgrade the existing physical condition of the rail line, which would result in a stronger infrastructure, a higher level of maintenance, and enhanced operational safety. Therefore, not constructing the PVL project continues the much higher risk of freight train derailment exposure.

The commenters also brought up a third derailment in BNSF history, which occurred in 1990 near Hyatt Elementary School. As the derailment occurred outside of the 17-year window of SCRRA experience, it was not included in the analyses. However, even if it were included in the derailment calculations, it would increase the freight train risk factor, further strengthening the argument that the PVL project benefits the community by improving infrastructure on which existing freight would continue to travel.

Therefore, the analysis in the Draft EIR is correct - there are no significant impacts anticipated and no mitigation is required. The Draft EIR was changed to further clarify this issue. No additional analysis was required and no additional mitigation measures were added.

#### Derailment Risks Near Schools

Notwithstanding the foregoing, and in an abundance of caution, RCTC commissioned a focused technical study to specifically evaluate the potential risk of derailment that would result from the proposed project's addition of commuter trains to the existing Perris Valley Line. (*Analysis of*



*Safety Issues for the Proposed Commuter Rail Service on the Riverside County Transportation Commission's Perris Valley Line in the Vicinity of Highland and Hyatt Schools*, dated March 22, 2011 [the "Zeta Tech Report"].

The Zeta Tech report evaluated the following two questions (Zeta Tech Report, page 2):

1. Will the addition of commuter rail to the existing line significantly increase the safety risks in the vicinity of the Highland Elementary School and the Kinder-Morgan pipeline near that school?
2. Will the addition of commuter rail to the existing line significantly increase the safety risks in the vicinity of Hyatt Elementary School?

#### *Highland Elementary School*

Zeta Tech's evaluation of the risks in the vicinity of Highland Elementary School were based on a derailment risk analysis (Zeta Tech Report, p. 5). The derailment risk analysis examined general derailment risk as well as derailment risk specific to passenger trains. The derailment energy analysis compared the maximum available energy at the time of derailment of a freight train to that of a passenger train on the Perris Valley Line (Zeta Tech Report, page 7).

With regard to derailment risk associated with current BNSF operations, the Zeta Tech study used derailment classes in the Federal Railroad Administration's ("FRA") accident database for years 2007-2009. (*Id.*) Based upon this analysis, Zeta Tech determined that the average derailment probability for these four Class 1 railroads, which include BNSF, is approximately 0.00084 total derailments per million gross ton miles per year (total derailments/MGTM/year). Further, Zeta Tech considered the risk of Class 1 railroad derailment in the vicinity of each school. By applying these data to operations within one half mile of the school, in each direction, Zeta Tech determined that the total risk of BNSF derailment under current operations is approximately 0.000672 risk per train mile in the vicinity of each school, which, in other words, would approximate 1 derailment every 1500 years (Zeta Tech Report, page 6).

With regard to passenger train derailment risk, the Zeta Tech analysis used all derailment classes in the FRA accident database for the years 2007-2009. Based on this analysis, the passenger train average derailment probability is approximately 0.00032 total derailments/MGTM/year. This represents the incremental increase in risk associated with the introduction of passenger service. By applying these data to operations within one half mile of the school, in each direction, Zeta Tech determined that the increased risk of derailment associated with passenger service is approximately 0.00032 total derailments/MGTM in the vicinity of each school, which, in other words, would approximate 1 derailment every 3,000 years (Zeta Tech Report, page 6). Zeta Tech concludes that this increased risk is "small" (Zeta Tech Report, page 6) and supports the Zeta Tech conclusion that "...the addition of commuter rail to the existing railway line does not significantly increase the safety risks in the vicinity of the Highland Elementary School and the Kinder-Morgan pipeline near that school" (Zeta Tech Report, page 5).



The conclusions regarding “safety” risk are based on consideration of both the risk for derailment and the likelihood that the Kinder-Morgan pipeline would be compromised if a derailment were to occur in its proximity. Thus, notwithstanding the foregoing assessment of derailment risk, since both the school and the pipeline are adjacent to the railroad right of way, Zeta Tech also performed a derailment energy analysis to assess the risk associated with the additional passenger trains (Zeta Tech Report, page 6). The derailment energy analysis compared the maximum available energy at the time of derailment of a freight train to that of a passenger train on this line (Zeta Tech Report, page 7). As a result of this analysis, Zeta Tech concluded that if a derailment were to occur adjacent to Highland Elementary School, the passenger train would develop 63% of energy that would be developed by a freight train (i.e., approximately 37% less energy). Thus, Zeta Tech concludes, “This more than compensates for the small increase in derailment risk associated with the addition of the passenger trains, with a resulting combined risk of the order of 90% of the current freight operations” (Zeta Tech Report, page 7).

Accordingly, the Zeta Tech Report concludes that the addition of commuter rail to the existing railway line would not significantly increase the safety risks in the vicinity of Highland Elementary School and the Kinder-Morgan pipeline near that school (Zeta Tech Report, page 7).

#### *Hyatt Elementary School*

The derailment risk analysis performed for Hyatt Elementary School used all derailment classes in the FRA accident database for years 2007-2009 for Class 1 freight railroad operations and for passenger rail operations. Given the severe nature of the track alignment, the severe grade, and the severe curvature conditions in the vicinity of Hyatt Elementary School, the derailment risk analysis for Hyatt Elementary School focused on key potential high severity derailments (Zeta Tech Report, pages 10-11).

According to the derailment risk analysis, focusing on high severity derailments, the derailment risk for passenger train operation in all cases was less than the derailment risk for freight operations. In most instances, the passenger train derailment risk was 5-10 times lower than the freight train risk (Zeta Tech Report, page 12). The Zeta Tech study focused on three major types of derailments: Mechanical Caused Derailments, Human Factor Caused Accidents and Derailments, and Track Caused Derailments (Zeta Tech Report, pages 12-13). In all cases, the passenger trains would have less derailment risk as compared to the freight trains.

Finally, with regard to Track Caused Derailments, the Zeta Tech report concluded that in the vicinity of Hyatt School, the increase in derailment associated with the addition of passenger trains on the existing route is 0.0001255 total derailments/MGTM per year or, in other words, approximately one derailment every 8000 years (Zeta Tech Report, page 13).

Thus, the Zeta Tech report supports the conclusion that the addition of commuter rail to the existing railway line does not significantly increase the derailment risk at or near Hyatt Elementary School.



#### **Master Response #4 – Hazardous Materials Transport**

A number of comments were received regarding the movement of and potential release of hazardous materials within the corridor. The concern is not with the PVL project commuter rail service, but with the existing BNSF freight operations. This issue is addressed in the Draft EIR in Section 4.7.4: “As a commuter rail line, PVL service is passenger only. As such, there would never be an occasion when hazardous materials would be transported on the commuter trains.”

The BNSF currently uses the SJBL for freight deliveries to its customers within the corridor and would continue to do so, regardless of whether or not the PVL commuter rail project goes forward. As such, the comments are not relevant to the PVL project because CEQA requires lead agencies to analyze the impacts of their proposed projects and to mitigate for any potential significant impacts. A lead agency is not required to analyze and mitigate for the existing baseline conditions (e.g., BNSF freight operations). (State CEQA Guidelines § 15064). The Draft EIR was not changed as a result of this issue because the PVL project would not involve the transport of hazardous materials.

However, the PVL project is expected to contribute to the reduction of the existing, baseline risk associated with occasional freight train transport of hazardous materials. This is because PVL project implementation includes replacing existing track, welding the rail, replacement ties, and improving the overall condition and safety of the rail (see Draft EIR, Section 4.2.1).

Additionally, see Master Response #5, Freight Operations for further information regarding BNSF freight operations.

#### **Master Response #5 – Freight Operations**

Several comments on the Draft EIR claimed that PVL project improvements to the track would encourage additional freight traffic or allow existing freight traffic to increase their speed. Both of these issues were discussed in the Draft EIR, Section 2.4.13, Freight Usage.

The Draft EIR, in Section 2.4.13 describes the freight study that was conducted in 2008 to “inventory the current freight usage along the SJBL and to determine whether track improvements planned for commuter rail service would facilitate the expansion of freight service along the SJBL.” The study found that track improvements and other upgrades proposed as part of the PVL project are not needed to accommodate existing freight operations, “as the existing SJBL track and sidings can already carry the heaviest car weight of 286,000 pounds. Because no additional weight capacity would be added, or is even needed for existing users of the BNSF, PVL-related track improvements would not create conditions that could either increase the volume of freight shipped per carload or the number of weekly carloads” (Draft EIR, Section 2.4.13).

Furthermore, freight operations are based on the economics of providing the service, the controlling factor being customer demand, a direct function of economic conditions. The PVL project does not influence the economic conditions that dictate increased or decreased freight operations. Indeed, future economic conditions and demand for freight service are speculative and would occur regardless of whether or not the PVL project is implemented. The PVL project



would add and operate six trains twice a day, making a total of 12 trips per day (six trains in each direction). Under terms of its joint use agreement with RCTC, BNSF is authorized to operate freight trains on the existing SJBL and would continue to do so after project implementation with the only limitation being that commuter rail would have priority over freight. Therefore, no impacts are anticipated and the Draft EIR was not changed.

The Draft EIR, Section 2.4.13 also discusses the PVL project's potential impact on train speeds as follows "...freight trains are limited to traveling at 20 miles per hour (mph) north of Perris. Southbound freight trains would continue to operate at lower speeds to maneuver the climb through Box Springs Canyon. The current freight inventory indicates that freight shipments often travel thousands of miles, and therefore any upgrades to the existing 21-mile-long SJBL segment to allow for even minor increases in train speed have little overall impact on the total travel time of the shipment." Since a maximum 20 mph speed limit is currently in place, the terrain in certain areas of the track necessitate a slower speed, and there are no additional economic incentives for freight trains to travel at faster speeds, the PVL project would have no impact on the speeds of freight trains. The Draft EIR was not changed as a result of this issue.

#### **Master Response #6 – Noise**

Three environmental clearance efforts for the PVL project have been prepared between 2004 and 2010 for which noise monitoring data were collected and analyzed. These three evaluations included a NEPA Draft Environmental Assessment (EA) prepared in 2004 (including a technical report with updated 2005 noise monitoring data), a CEQA Draft Environmental Impact Report (EIR) prepared in 2010, and a NEPA Draft Supplemental Environmental Assessment (SEA) prepared in 2010. Both the 2010 Draft EIR and the 2010 Draft SEA represent the most recent updates to the 2004 Draft EA. The Draft EIR, prepared in accordance with CEQA Guidelines, relies upon the same noise baseline information and analyses as those included within the Draft SEA.

Each of the separate noise analysis efforts was based on the use of representative and up-to-date environmental noise data. Existing noise conditions in the field were collected for a 24-hour period at sensitive residential properties and for a 1-hour period at institutional land uses (such as schools and churches). In addition, ongoing and developing engineering design elements associated with the project were also incorporated into the analyses. As such, these noise analyses have relied upon information that has evolved as the project has progressed. A history of noise analyses and documentation is provided here.

The noise analysis for the 2004 Draft EA followed the FTA's general assessment methodology (see the 1995 FTA *Transit Noise and Vibration Impacts Assessment Manual*, now superseded by FTA's 2006 *Transit Noise and Vibration Impacts Assessment*, the "FTA Manual," page 5-1) and used a very conceptual level of engineering design for the analysis of potential impact, the only available level of engineering design at the time. With use of the FTA general assessment methodology, this represented a very broad and conceptual first approach at determining potential noise impacts. The 2004 EA noise study was conducted utilizing monitoring data collected in 2002. However, the 2002 noise-monitoring program only included short-term noise measurements and did not include the collection of 24-hour monitoring data. The results of the



assessment indicated that 111 homes in the UCR area would be potentially affected by PVL train noise. As no detailed calculations for precise mitigation were conducted for this assessment, only a generalized list of recommended mitigation measures was included in the draft report (i.e., no mitigation was developed for specific properties). Consequently, while this was an acceptable procedure for determining potential noise impacts at this conceptual stage of design, when noise impacts have been predicted, more accurate monitoring data is typically required to refine the noise assessment and more accurately disclose potential impacts.

In 2005, additional noise monitoring was conducted for the project. This data was used in a subsequent Noise and Vibration Technical Report (*Perris Valley Line Noise and Vibration Technical Report*, March 2006). This technical report is based on the 2004 Draft EA, however, it incorporates additional noise data and more detailed modeling. Specifically, for the subsequent technical report, the principal changes over the 2004 Draft EA included: (1) utilizing the FTA detailed assessment methodology (1995 FTA Manual, page 5-1) and (2) incorporating additional noise measurements collected in 2005 (which included more accurate 24-hour monitoring data at numerous locations along the entire corridor). The technical report's detailed noise assessment results indicated that 74 residences would be impacted by train operations. These impacts were predicted to occur at properties at various locations along the alignment. Further, these impacts also included impacts along the BNSF to SJBL connection option alternatives, which were under consideration at that time (though no longer considered in the latest Draft EIR).

The decrease in the number of impacted properties predicted in the technical report, compared to the 2004 Draft EA, represents the increased refinement in the assessment which was based on more accurate noise measurements and input data than had been utilized in the 2004 Draft EA. This allowed for a more accurate identification of potentially affected properties so that specific mitigation measures could be developed. Mitigation measures for potential noise impacts were recommended in the form of noise barriers, wayside applicators, and sound insulation. However, sound insulation was only recommended for one property in Perris and, although the use of wayside applicators is mentioned, no exact criteria pertaining to its use were incorporated.

For the Draft EIR, the baseline noise monitoring data included several measurements of noise sensitive locations previously monitored for the 2004 Draft EA and the subsequent 2006 technical report. However, the overwhelming majority of the noise monitoring data utilized for the Draft EIR was monitored and collected in 2008 and 2009 and included data acquired at new locations or re-measurements of locations monitored for the 2006 technical report. Specifically, for the noise monitoring program in 2008 and 2009, schools (during the school session) and homes along the SJBL alignment were re-monitored to ensure the most recent data was used. In addition, noise monitoring data was collected at new residential and institutional locations to ensure more complete coverage of sensitive neighborhoods. Consequently, all monitoring data utilized for the Draft EIR were reasonable and consistent with the existing noise environment.

Changes in both the number of trains that would operate on the PVL alignment and the PVL train schedule were also incorporated into the new noise assessment for the Draft EIR. While the FTA detailed assessment methodology was used again for the Draft EIR, based on a



specific request from the FTA, it was slightly altered to follow more conservative assessment procedures than had been utilized for the 2006 technical report. Accounting for the updated input data and PVL project information, including preliminary engineering drawings developed to the 30 percent level, the refined noise assessment methodology of the Draft EIR predicted that a total of 83 residential units would be impacted by noise from the proposed PVL project. At the 30% engineering level, no appreciable changes to the project layout will occur. Thus, the analysis of noise impacts based on the 30% drawings provides a detailed and accurate assessment of potential project impacts.

The noise mitigation analysis conducted for the Draft EIR in Section 4.10.4 indicated that the use of noise barriers and sound insulation would be required at certain locations along the PVL alignment to mitigate for operational noise impacts (see Draft EIR, Tables 4.10-9, 4.10-10 and 4.10-11). While not proposed as mitigation, a wayside applicators program to reduce wheel squeal would also be implemented as part of the PVL project. Once the FTA noise criteria were re-applied to the noise sensitive properties mitigated by the proposed noise barriers, it was determined that these proposed noise barriers would result in a reduction of noise levels to less than significant levels (see Draft EIR, Table 4.10-16). Sound insulation was also proposed for seven homes and St. George's Episcopal Church (eight properties in total) at locations where noise barriers are not feasible and/or would not totally eliminate potential impacts, a condition resulting from the topographic and engineering constraints on some of the noise sensitive properties near rail crossings. Building sound insulation typically involves caulking and sealing gaps in the building envelope, wall insulation and installation of acoustical windows and solid-core doors. Because sound insulation often requires a complete closed window condition to be effective, the sound insulation process may also involve the installation of a central conditioning system. Improving the sound insulation of these properties will reduce interior noise levels to below the FTA impact criteria, and to less than significant levels.

Although the Draft EIR proposes sound insulation at only seven homes and one church, this represents a notable increase in the number of properties recommended for sound insulation, compared to the 2006 technical report (no specific properties were recommended for sound insulation in the 2004 Draft EA). As part of the implementation of the project, wayside applicators are required at all short radius curves to reduce noise from wheel squeal. These short-radius curves are specifically defined in the Draft EIR as having a radius of curvature less than 900 feet, in accordance with FTA determinative methodologies (see Draft EIR, Section 4.10.4 and Table 4.10-15).

As a result, based on the subsequent improvements and refinements in the analysis procedures, data assumptions, and methodologies, the results of the 2004 Draft EA, 2006 technical report, and 2010 Draft EIR are not directly comparable. Rather, each subsequent analytical effort represents a refinement over its predecessor. With respect to the prediction of noise impacts and the identification of focused noise mitigation, the Draft EIR presents a complete analysis and disclosure of potential impacts.

Section 4.10.4 of the Draft EIR discusses the potential noise and vibration impacts predicted as a result of the PVL project. CEQA has defined threshold limits related to the exposure of persons to noise and vibration. According to CEQA, a significant impact from noise or vibration



would occur if the PVL project exceeded allowable limits defined by federal, state or local policies and regulations. Although local noise ordinances and standards do exist for the various municipalities along the PVL corridor, the FTA criteria was used in all PVL noise analyses as it was deemed to be the most appropriate for assessing rail noise impacts. Unlike local noise ordinances, which are based solely on absolute noise limits, the FTA criteria is based on both absolute and relative noise annoyance levels for humans and is specifically tailored towards noise impacts related to rail transportation projects such as the PVL (FTA Manual, Figures 2-9 and 10). The criteria are based on extensive human response noise study data conducted by the EPA and other federal agencies. In addition, because the FTA Manual represents a uniform noise assessment procedure meant to be utilized on a national level, it applies a factor of conservatism to its criteria to encompass a variety of conditions which local jurisdictions would not require. Finally, under CEQA, noise impact thresholds can be contained in local general plans and noise ordinances or applicable standards of other agencies, such as the FTA (see CEQA, Appendix G XII-a.). Accordingly, the use of the FTA impact criteria is acceptable under CEQA and was deemed most appropriate for determining any potentially significant operational and construction noise impacts from the PVL project (see Draft EIR, Section 4.10.1). The FTA impact criterion is related to exterior community annoyance noise levels (FTA Manual, Figures 2-9 and 2-10). For residential properties where project noise levels fall below this noise criteria, it is assumed that noise sensitive activities within the home would not be significantly impacted. This less than significant impact designation would be valid whether the property had an open window condition or not. However, as stated above, for those properties where impacts were projected and noise barriers could not be provided as feasible mitigation, sound insulation was proposed for mitigation. In these cases only, an absolute maximum interior noise level (FTA Manual, page 6-44) was then used as the criteria for effective mitigation.

With respect to PVL construction noise, although the FTA Manual noise criteria were used for the construction noise assessment, local noise ordinances were also consulted to determine the allowable hours of day during which PVL construction activities would be permitted and the maximum noise levels that construction activities should not exceed. Construction would be limited to the hours permitted by local ordinance. Because these local codes allow construction only during day-time hours, if any project-related night-time construction activity would be required, RCTC shall obtain from the municipality written consent for an exemption, or variance, from these local noise requirements. In addition, although no impacts from construction were predicted with respect to the FTA criteria, individual construction activities around noise sensitive areas such as residences and schools could result in temporary noise increases. However, these increases would not be considered a significant noise impact. These increases would be based on potential occurrences of atypical events, given the inconsistent and transitory nature of some construction activities and equipment usage, and would not constitute a significant impact under CEQA. However, for all construction activities, contractors will use standard construction noise control measures such as temporary construction noise barriers, low noise emission equipment, and the use of acoustic enclosures for particularly noisy equipment to reduce the likelihood of any increases in construction noise above the local noise ordinance maximum levels.

With respect to limiting construction noise near schools, some of the commenters on the Draft EIR have requested that PVL construction activities be limited to non-school hours. However,





this type of noise control measure would neither be reasonable nor feasible given the resulting limited time within which the project would have to be constructed. In addition, the hours of operation for a typical school are not limited to the school day, and subsequently may include evening and early morning hours thus further reducing available construction time. As a result, if the hours of allowable operation for construction activities were to be restricted, the construction period would be extended and the ability to complete the proposed project within a reasonable period of time would be substantially compromised.

The construction activity that would create the most noise and vibration is pile driving associated with the bridge replacements near the South Perris Station and Layover Facility, around the San Jacinto River. However, since there are no noise sensitive receptors located within almost one mile of the proposed Layover Facility and the pile driving sites, construction-related noise impacts would not occur.

#### **Master Response #7 – Emergency Planning and Response**

The issue of emergency planning and response was raised by a number of residents of the UCR neighborhood. One concern was with regards to the possibility of a train blocking all three crossings in the neighborhood. The primary concern, however, focused on how an emergency involving a train along the SJBL would be handled.

With regard to the first concern, with the implementation of the PVL project, the SJBL corridor will become a shared corridor with the Metrolink and BNSF trains under control of SCRRRA. Because of the shared nature of the operations, it is not anticipated that freight trains would be allowed to stop in areas of single track and thus block other trains from passing. The added benefit of this is that the BNSF trains could only stop in the areas of bypass track along the I-215 corridor and not in the UCR neighborhood. Moreover, PVL project trains will not significantly worsen access to the UCR neighborhood. This is because, first, the PVL project does not propose any train stops (at a station or otherwise) in the UCR neighborhood. Further, the PVL project's trains are commuter trains of only a few cars each. Thus, their length is far too short to block multiple access points into the UCR neighborhood.

With regards to the primary concern, as stated in the Draft EIR, the PVL project will not significantly impact emergency access and public services with the implementation of mitigation measures (HHM-3, HHM-4, and TT-4). Furthermore, the PVL project will be in compliance with applicable requirements specified by the Federal Railroad Administration (FRA), Department of Homeland Security (DHS) and the California Public Utilities Commission (CPUC) to maintain safety and security along rail corridors.

To comply with Federal and state requirements and to incorporate safety measures and precautions into system wide rail operations, SCRRRA/Metrolink developed a System Safety Program Plan (SSPP) as a means of integrating safety into all facets of SCRRRA (SCRRRA, 2009). The SSPP establishes mechanisms for identifying and addressing hazards associated with the SCRRRA commuter rail system. It also produces a means of ensuring that proposed rail modifications are implemented with thorough evaluation of their potential effect on safety. Where SCRRRA determines an immediate and serious hazard exists, the Director of Operations



or the Manager of Safety and Security has the authority and responsibility to order hazardous conditions corrected or hazardous practices halted. Accordingly, the Manager of Safety and Security is empowered to order the cessation of unsafe activities or operations that are evaluated as created an immediate and serious hazard within the system.

In addition, RCTC, in concert with FTA, is preparing a PVL Safety and Security Management Plan (SSMP) to continue to integrate safety and security specifically into the PVL project. The SSMP implements FRA and CPUC required elements for the PVL project (RCTC, 2010). These elements include adopting and complying with a written emergency preparedness plan approved by FRA (49 CFR 239.101) and providing a risk assessment to the CPUC (Public Resources Code § 7665.2). The SSMP confirms the Commission and PVL's commitment to safety and security as described in FTA's Circular 5800.1, Safety And Security Management Guidance For Major Capital Projects, published August 1, 2007. The SSMP is also consistent with the SCRRRA/Metrolink SSPP and Metrolink Security and Emergency Preparedness Plan (SEPP).

RCTC will implement the SSMP (the draft of which is currently in a second revision) to assure the integration of safety and security into the PVL project design, construction and operational testing, up to the start of revenue operations. Once in revenue operation, the SSPP and SEPP define safety and security during PVL operations.

The SSMP shall guide the integration of safety and security into the PVL project development process including (RCTC, 2010):

- Ensure the safety of the employees, contractor co-workers, passengers and the communities that the Perris Valley Line will travel through. Use Safety Certification to ensure that the design, construction, installation and testing of all critical system safety elements are evaluated for conformance with the PVL project's safety and security requirements and that all of the PVL project elements are ready and properly functioning to integrate with the new Metrolink revenue service.
- Promote employees' daily safety and security awareness and work practices. Ensure that a mechanism is provided to follow to completion the resolution of any restrictions to full safety and security certification.
- Ensure compliance with requirements specified by the FRA, Department of Homeland Security (DHS) and the California Public Utilities Commission.

As with any emergency, the first response to a train-related incident would be the designated first responders, the fire department with jurisdiction over the affected area. Knowing this, in addition to the SSPP and SSMP, SCRRRA/Metrolink established a Safety and Security Division that is dedicated to ensuring that the railroad system is prepared to manage disasters (SCRRRA, 2010). In support of Metrolink's goal of achieving safety excellence, the Safety and Security Division is responsible for training and educating the emergency first responders, as well as Metrolink employees and contractors. Participants are trained in Incident Command principles and Metrolink's emergency response plan.



In addition to the preparation of a SSMP, there are additional FRA rules for Passenger Train Emergency Preparedness (49 CFR Part 239). The purpose of 49 CFR 239 is to ensure that railroads conducting passenger train operations can effectively manage passenger train emergencies, such as derailments and other unexpected events during service operations. Under these rules (49 CFR 239.101), each railroad needs to adopt and follow a FRA approved written emergency preparedness plan, and outlines the standards and provisions for the preparation, implementation, and administration of railroad emergency preparedness plans.

The plan requires coordination with emergency responders. In order to establish and maintain a relationship with emergency responders, it is necessary for railroads to develop and offer a training program for all emergency responders who are likely to respond during an emergency situation (49 CFR Sec. 239.101). It is further prescribed that the training program shall cover access to railroad equipment, location of railroad facilities, and an emergency simulation. These requirements are excerpted below.

§ 239.101 Emergency Preparedness Plan.

(5) Liaison with emergency responders. Each railroad to which this part applies shall establish and maintain a working relationship with the on-line emergency responders by, as a minimum:

(i) Developing and making available a training program for all on-line emergency responders who could reasonably be expected to respond during an emergency situation. The training program shall include an emphasis on access to railroad equipment, location of railroad facilities, and communications interface, and provide information to emergency responders who may not have the opportunity to participate in an emergency simulation. Each affected railroad shall either offer the training directly or provide the program information and materials to state training institutes, firefighter organizations, or police academies;

(ii) Inviting emergency responders to participate in emergency simulations; and

(iii) Distributing applicable portions of its current Emergency Preparedness Plan at least once every three years, or whenever the railroad materially changes its plan in a manner that could reasonably be expected to affect the railroad's interface with the on-line emergency responders, whichever occurs earlier, including documentation concerning the railroad's equipment and the physical characteristics of its line, necessary maps, and the position titles and telephone numbers of relevant railroad officers to contact.

The rules even require full-scale emergency simulations (49 CFR Sec. 239.103), as excerpted below:

§ 239.103 Passenger train emergency simulations

(a) General. Each railroad operating passenger train service shall conduct full-scale emergency simulations, in order to determine its capability to execute the Emergency Preparedness Plan under the variety of scenarios that could reasonably be expected to



occur on its operation, and ensure coordination with all emergency responders who voluntarily agree to participate in the emergency simulations.

These rules prescribe Federal safety standards for the preparation, adoption, and implementation of emergency preparedness plans by railroads connected with the operation of passenger trains, and require each affected railroad to instruct its employees on the provisions of its plan. The rules also prescribe Federal safety standards on how the railroad shall establish and maintain a working relationship with the on-line emergency responders.

The PVL project also falls under the oversight of the Riverside County and the City of Riverside emergency management departments. As stated in the Draft EIR, Section 4.7.1, Riverside County and the City of Riverside have Emergency Operations Plans written to address the planned emergency responses associated with natural disasters and technological incidents. Each specifies its own level of response within their jurisdiction.

The Emergency Management Office within the Riverside Fire Department coordinates emergency response and has prepared an Emergency Operations Plan (EOP) for the City of Riverside (Riverside Fire Department, 2002). The EOP provides for the mobilization of the resources of the City, both public and private, to meet conditions constituting a local emergency, state of emergency or state of war emergency. It also provides for the organization, powers and duties, services and staff of the emergency organization. Currently the City of Riverside is updating their EOP and associated evacuation plan (Anthony Coletta, Program Administrator for the Riverside UASI Regional Homeland Security Program, personal communication).

According to the Fire Department, Disaster Preparedness website, the Emergency Operation Center (EOC) for the City of Riverside is a secure facility where City department heads are able to work in the event of a large disaster. The facility provides centralization of City response to major events. The EOC allows for City departments to work closely together to make recovery more efficient for the community.

The Riverside County Operational Area Emergency Operations Plan (EOP), which is an extension of the State Emergency Program, focuses on defining and coordinating the appropriate departments that are directly involved with Riverside County emergency response activities. This plan is a multi-agency plan and also serves as a Multi-Hazard Functional Plan for the City of Perris. The EOP is designed to establish the framework for implementation of the California Standardized Emergency Management System (SEMS) for Riverside County, which is located within Mutual Aid Region IV as defined by the Governor's Office of Emergency Services (State OES). By extension, the plan will also implement the National Incident Management System (NIMS), which is being integrated into SEMS at the Governor's directive (Executive Order S-2-05).

The County EOP describes the operations of the Riverside County Emergency Operations Center (EOC), which is the central management entity responsible for directing and coordinating the various Riverside County Departments and other agencies in their emergency response activities. The departments and districts designated by the EOC with authority to implement the



EOP include the County Fire Department, County Office of Emergency Services (OES), Flood Control, Transportation Department, and the Sheriff's Department.

According to the EOP, the Riverside County EOC is activated when field response agencies need support. Activation may involve partial or full staffing, depending on the support required. The EOP is also intended to facilitate multi-agency and multi-jurisdictional coordination, particularly between Riverside County and local governments, including special districts and state agencies, in emergency operations. Though unlikely and unanticipated, if an emergency were to occur near the PVL corridor, the Riverside County EOC and/or the City of Riverside Emergency Management Office would be activated and trained professionals would be in place to manage and coordinate the appropriate EOP.

Though not a component of the PVL project, BNSF freight train also travel along the PVL corridor. In accordance with federal and state regulations, BNSF has implemented a variety of safety precautions and procedures in order to prevent and prepare for an emergency. Every BNSF operating division and shop has a Safety Action Plan that provides a complete safety program, including risk identification procedures, employee participation and safety committees, safety communication, safety incident reporting procedures, emergency response plan, and other safety initiatives (BNSF Railway Company, 2010). Performance evaluations of BNSF division and shop management include a review of the effectiveness of their Safety Action Plan. The Draft EIR was changed to further clarify this issue. No additional analysis was required and no additional mitigation measures were added.

### **Master Response #8 – Grade Crossings**

The CPUC is the regulating authority for railroad grade crossings in the state. As such, the CPUC has been engaged throughout the development of the PVL project. Each grade crossing within the project limits was reviewed by the CPUC through on-site Diagnostic Reviews with the Design Team. These reviews occurred on: September 26, 2008; October 23, 2008; October 28, 2008; July 15, 2009; July 16, 2009; February 18, 2010 and October 19, 2010. The results are documented in the 90% design drawings. As a result, the PVL project includes improving 15 grade crossings (Draft EIR, Section 2.4.6 and Figure 2.4-28) and closing two grade crossings (the crossing at 5th Street has been temporarily closed by the City of Perris and will be formally vacated for this project). Improvements include:

- Flashing warning devices and gates
- Raised center medians
- Pavement striping and marking
- Signage
- Crossing safety lighting
- Signalization
- Pedestrian safety measures

The crossing improvements at Marlborough Avenue, Spruce Street, Blaine Street, and Mount Vernon Avenue are the physical requirements to support Riverside County's potential future implementation of a quiet zone (See Master Response #1). These improvements include



pedestrian swing gates, pedestrian warning devices and gates, pedestrian barricades and metal hand railings, concrete raised medians, double yellow medians and island noses, warning devices, safety lighting, and signs. Poarch Road in Riverside and West 6th Street in Perris would be closed by the PVL project.

Overall rail corridor safety at grade crossings would also be enhanced by implementation of “Operation Lifesaver,” a safety education program for schools and communities near tracks operated by SCRRA/Metrolink (Draft EIR, Section 2.4.14). “Operation Lifesaver is a non-profit international public education program established in 1972 to end collisions, deaths, and injuries at rail grade crossings and along railroad ROWs. The program addresses rail safety and teaches students at age-appropriate levels to understand rail signage, the importance of avoiding the railroad ROW, and safe driving skills near railroads. Operation Lifesaver provides free presentations to schools and community groups. The majority of the PVL operations would not occur during the school session because most scheduled runs occur either before the start of the school day or after its completion (see Table 2.4-1). SCRRA/Metrolink with RCTC encourages school and community group participation in Operation Lifesaver.”

Since the PVL project is in full compliance with CPUC regulations regarding grade crossings and safety, Operation Lifesaver is not required as mitigation but is simply an additional safety measure. The Draft EIR was not changed because the PVL project would not result in significant impacts to grade crossing locations or operations and no mitigation measures are required.

#### **Master Response #9 – Highland and Hyatt Elementary Schools (Increased Train Traffic)**

The PVL project would add and operate six commuter trains twice a day, making a total of 12 trips per day (six trains in each direction). Nine of these trains would operate outside of school hours. One morning train and two mid-day trains would operate during school operating hours. The morning train would not impact students arriving at Hyatt Elementary School because the nearest grade crossing, Mt. Vernon Avenue, is over 0.75 miles away and of great enough distance that the students would not likely be walking that far to school. Students arriving at Highland Elementary School may be required to wait no more than 45 seconds at the grade crossing at W. Blaine Street for a commuter train to pass. Students leaving both schools in the afternoon would not be significantly impacted because there are no scheduled trains during that time. In addition, the PVL project includes grade-crossing improvements at Spruce Street, Blaine Street, and Mt. Vernon Avenue (described in Appendix C of the EIR), which would result in a safer environment for pedestrian and vehicular movement.

The Draft EIR was not changed as a result of this issue area.

#### **Master Response #10 – Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment)**

Several comments expressed concern that the location of the existing track relative to the adjoining Hyatt Elementary School poses a risk to the school from potential derailments; specifically, the potential that a derailment could result in rail cars and cargo (including release



of hazardous materials) rolling down the slope and onto school property. The same concern was also expressed by several residents in the immediate area regarding their properties.

This issue is addressed in the Draft EIR, Section 4.7.4: "As a commuter rail line, PVL service is passenger only. As such, there would never be an occasion when hazardous materials would be transported on the commuter trains." Therefore, the PVL project would have no impact specifically on the transport of hazardous materials or the potential for derailment of a train carrying these materials. See also Master Response #4.

With regard to train derailments in general, the PVL project would replenish ballast, and replace ties, and rail next to Hyatt Elementary School, which would improve the current track condition and subsequently reduce the risk of derailment. Section 4.7, Hazards and Hazardous Materials, in the Draft EIR discussed derailment statistics that were calculated for the PVL project based on data until fiscal year 2006/2007. This section stated that there were 4.5 million freight train miles travelled on SCRRA tracks since 1993, and that there have been three freight train derailments during that same period. This equates to approximately one derailment per 1.5 million train miles or 0.000000667. The derailment risk for BNSF freight trains on the SJBL alignment is 0.00801, which equates to a derailment approximately once every 124 years.

In the year since the Draft EIR was submitted to the public for review, another set of statistics was calculated for fiscal year 2007/2008. This updated data also computes the derailment exposure risk on SCRRA's lines and then compares this risk to the estimated risk now experienced by the PVL.

- First, the SCRRA had 455,684 freight train miles operated over their lines in fiscal year 2007/2008, and this is believed to be typical of operations since the start of SCRRA operations. This yields a freight history of about 6.8 million freight train miles since 1993 (first full year of operation). There have been three main track freight train derailments (not counting the collision at Chatsworth, which was not a derailment).
- Second, this calculates to an exposure ratio of about one derailment per 2.28 million train miles or 0.00000044.
- Third, the BNSF operated 11,440 freight train miles on the SJBL in fiscal year 2007/2008, and this rate of train miles has been consistent over the years. Since 1993, this would total 171,600 train miles.
- Fourth, the annual future (after completion of the project) freight train derailment risk is then the product of 0.00000044 (risk per train mile) and 11,440 annual train miles, or 0.00502.
- Fifth, assuming that there have been two freight train derailments on the main line of the SJBL since 1993, the risk is two divided by 171,600 (the total train miles BNSF has operated since 1993) or 0.0000116 per train mile.



## FINAL ENVIRONMENTAL IMPACT REPORT

### 0.3 RESPONSE TO COMMENTS

#### 0.3.1 MASTER RESPONSES

These calculations show that the SCRRA derailment risk is 0.00000044, while the BNSF freight train derailment risk is 0.0000116. The reason for this difference is that, because the SCRRA tracks are used for commuter rail, the tracks are maintained to high standards of safety and ride quality due to their role in public passenger transport.

The PVL project includes track improvements throughout its length because a commuter rail would be added to the track (see Draft EIR, Section 4.2.1). These track improvements would upgrade the existing physical condition of the rail line, which would result in a stronger infrastructure, a higher level of maintenance, and enhanced operational safety. Therefore, not constructing the PVL project continues the much higher risk of freight train derailment.

The commenters also brought up a third derailment in BNSF history, which occurred in 1990 near Hyatt Elementary School. As the derailment occurred outside of the 17-year window of SCRRA experience, it was not included in the initial analyses. However, even if it were included in the derailment calculations, it would increase the freight train risk factor, further strengthening the argument that the PVL project benefits the community by improving infrastructure on which existing freight trains would travel.

Furthermore, the distance between the track and school is between 95 and 125 feet, as depicted in the pictures shown below. Train speeds in that area are estimated at less than 20 miles per hour.







Therefore, the analysis in the Draft EIR is correct - there are no impacts and no mitigation is required. The Draft EIR was changed to further clarify this issue. No additional analysis was required and no additional mitigation measures were added.

#### Derailment Risks Near Hyatt Elementary

Notwithstanding the foregoing, and in an abundance of caution, RCTC commissioned a focused technical study to specifically evaluate the potential risk of derailment that would result from the proposed project's addition of commuter trains to the existing Perris Valley Line. (*Analysis of Safety Issues for the Proposed Commuter Rail Service on the Riverside County Transportation Commission's Perris Valley Line in the Vicinity of Highland and Hyatt Schools*, dated March 22, 2011 [the "Zeta Tech Report"]).

The Zeta Tech report evaluated two questions. For purposes of this Master Response, the relevant question addressed in the Zeta Tech Report was whether the addition of commuter rail to the existing line significantly increase the safety risks in the vicinity of Hyatt Elementary School? (Zeta Tech Report, page 2).

The derailment risk analysis performed for Hyatt Elementary School used all derailment classes in the FRA accident database for years 2007-2009 for Class 1 freight railroad operations and for passenger rail operations. Given the severe nature of the track alignment, the severe grade, and the severe curvature conditions in the vicinity of Hyatt Elementary School, the derailment risk analysis for Hyatt Elementary School focused on key potential high severity derailments (Zeta Tech Report, pages 10-11).

According to the derailment risk analysis, focusing on high severity derailments, the derailment risk for passenger train operation in all cases was less than the derailment risk for freight



operations. In most instances, the passenger train derailment risk was 5-10 times lower than the freight train risk (Zeta Tech Report, page 12). The Zeta Tech study focused on three major types of derailments: Mechanical Caused Derailments, Human Factor Caused Accidents and Derailments, and Track Caused Derailments (Zeta Tech Report, pages 12-13). In all cases, the passenger trains would have less derailment risk as compared to the freight trains.

Finally, with regard to Track Caused Derailments, the Zeta Tech report concluded that in the vicinity of Hyatt School, the increase in derailment associated with the addition of passenger trains on the existing route is 0.0001255 derailments per year or one derailment every 8000 years (Zeta Tech Report, page 13).

Thus, the Zeta Tech report supports the fact that the addition of commuter rail to the existing railway line does not significantly increase the derailment risk at or near Hyatt Elementary School.

#### **Master Response #11 – Recirculate EIR and the CEQA Process**

The Draft EIR was prepared according to requirements of CEQA. The Draft EIR analyzed the PVL project, identified and evaluated potential environmental impacts, and incorporated appropriate mitigation measures to reduce potentially significant impacts to less than significant levels. The Final EIR incorporates the Draft EIR and includes these detailed responses to comments. The result is an accurate representation of the proposed PVL project and its potential impacts, and provides the appropriate mitigation measures to ensure there are no potentially significant impacts.

State CEQA Guidelines § 15088.5 state that “a lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review.” “Significant new information” requiring recirculation includes:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented;
- (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance;
- (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it; and
- (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (Mountain Lion Coalition v. Fish & Game Com.(1989) 214 Cal.App.3d 1043).

The four circumstances identified above do not apply to the PVL project for the following reasons:



No new, significant, and unmitigable impacts would result from text changes to the Draft EIR. Mitigation measures will be implemented to reduce significant impacts as a result of the PVL project to less than significant levels. These mitigation measures would also not result in additional significant impacts;

Text changes to the Draft EIR did not result in a substantial increase in the severity of an environmental impact. PVL project components did not change – new structures were not added and the project impact areas did not change. Changes to the mitigation measures were to clarify the requirements, make them more enforceable, and further mitigate previously stated project impacts; and

New alternatives were not added to the Draft EIR and the alternatives analysis did not change. Several alternatives were originally considered in the Draft EIR, and project proponents adopted the PVL project as the Locally Preferred Alternative (Section 3.0, Project Alternatives). This alternative was also identified as the environmentally superior alternative, which means there are no other considerably different alternatives that would lessen significant environmental impacts of the project. Furthermore, since significant impacts as a result of the PVL project will be mitigated to less than significant levels, there is also no considerably different mitigation measure that would lessen significant environmental impacts.

The Draft EIR was written in compliance with State CEQA Guidelines. Technical reports and analysis in the text adequately addressed each environmental issue area. Statements made in the Draft EIR were based on factual evidence and findings. Section 8.0, References, lists the sources that were used to produce the Draft EIR. Therefore, the Draft EIR was more than adequate. Additionally, the CEQA process for the PVL project has gone far beyond the minimum requirements for CEQA. The Draft EIR, Section 1.4 explains the steps RCTC has taken so far. RCTC prepared an IS/MND and circulated the document for public and agency review in early 2009. As part of the public involvement for the IS/MND document, RCTC held two public outreach workshops in June 2008, a public information meeting in February 2009, and two public hearings in February 2009. In response to public input, RCTC decided to proceed with an EIR.

On July 28, 2009, two weeks after the NOP was posted by the State Clearinghouse, RCTC conducted a public scoping meeting at the Moreno Valley Towngate Community Center. The intent of this meeting was to receive input on the issues that should be covered in greater detail in the EIR.

The Draft EIR public review and comment period was open for 49 days between April 5, 2010 and May 24, 2010. This exceeds the CEQA prescribed minimum 45-day review period. Initially, two public hearings (April 4, 2010 and April 22, 2010) were scheduled; however, in response to public request, a third public hearing (May 17, 2010) was held. These public hearings were a courtesy of RCTC and not required by CEQA (CEQA Section 15202(a)).



### Master Response #12 – Grade Separations

Several commenters requested that RCTC construct grade separation at different locations along the PVL alignment. According to the BNSF/Union Pacific Rail Road Guidelines for Railroad Grade Separation Projects, a grade separation project is defined as a project that includes an overpass or underpass structure that crosses railroad ROW. As explained in the Draft EIR, all impacts related to traffic, rail, and safety at rail crossings are already less than significant or mitigated to a level of less than significant. Accordingly, no further mitigation in the form of grade separations or other measures are required. (See State CEQA Guidelines, § 15126.4 [“An EIR shall describe feasible mitigation measures which could minimize significant adverse impacts”].) Moreover, grade separations are infeasible along the PVL alignment for engineering, environmental, economic, and legal reasons.

First, grade separations are infeasible from an engineering perspective, particularly within the UCR neighborhood. Grade separations are space-intensive and require substantial amounts of land in order to properly maintain approach distances, roadway grades, and clearance heights. (23 CFR 646.212(a)(3); 23 CFR Part 646 Appendix to Subpart B.) To provide the space, the downward slope, and the cut-away areas necessary for a grade separation, the residences along both sides of the street would have to give up their street access (e.g., the houses would abut a steep trench that contained the roadway undercrossing). Without any street access, and given that these homes are largely surrounded by other residences such that secondary access is not available, these residences would have to be acquired, and the residents would have to be relocated in order to accommodate a grade-separation.

A roadway overpass structure crossing over the track would need to provide a minimum of 23’ – 4” of vertical clearance above the existing track to comply with BNSF/Union Pacific Railroad Guidelines for Railroad Grade Separation Projects and CPUC clearance requirements. Adding the depth of the bridge structure, the roadway surface would be in excess of 30’ above existing grades. Assuming a 6% roadway slope (a general roadway design maximum) and accounting for minimal length vertical curves, the roadway approaches to the grade separation structure would extend approximately 600’ to 700’ away from the crossing on both sides before rejoining existing grades. In all cases (Spruce Street, Blaine Street and Mt. Vernon Avenue), other roads exist within this range that would also need to be raised to match. Another site-specific factor that particularly makes a grade separation at Spruce Street and Blaine Street impractical is the proximity and orientation of Watkins Drive, which runs parallel to (and southwest of) the PVL track. In addition to Spruce and Blaine Streets having to be reconstructed for a minimum of 600’ (both east and west of the PVL track) to rise to the required 30’ above track elevation, Watkins Drive would similarly need to be reconstructed for that same length (both north and south of the crossing locations) to also meet the 30’ rise. The number of driveway accesses that this would cut off to businesses and residences would be very large.

A roadway underpass crossing under the track would result in slightly less property/access impacts. In this configuration, the roadway would need 16’-6” of vertical clearance as it crosses under the railroad (which would be supported by a new bridge). The railroad bridge would add an approximate minimum of approximately 7’-6” of depth, thereby necessitating a lowering of the roadway surface to approximately 24’ below existing grade. Using a 6% roadway slope to



transition down the required 24' results in a minimum required 500' of roadway reconstruction on each side of the crossing. While this is less than needed for the overpass configuration, it is still impacts the access to a large number of private businesses and residences. Similar to the overpass option, for the Spruce Street and Blaine Street crossings, Watkins Road would also need to be lowered (in a trench) by 24' as it approaches the crossing from both directions to tie in.

Moreover, the construction of a grade separation would result in increased air quality emissions due to construction, increased geological impacts due to need to stabilize the undercrossing and rail lines, and increased construction traffic impacts because the street would have to be closed during the construction of any grade separation. Due to these space constraints, the severe impacts to existing private residences, and the increased environmental impacts that a grade separation would inflict, RCTC determined that the construction of grade separations would result in greater impacts to the community than would the proposed PVL project. Accordingly, a grade separation is infeasible both from an engineering and an environmental impact perspective.

Second, grade separation is cost prohibitive for the proposed PVL project. The approximate cost of an average grade crossing is \$25 million. The grade separations at Spruce Street and Blaine Street would be substantially higher than average due to the complexity of physical and property impacts as summarized above, and would likely be in the \$40 to \$60 million range each. The engineering costs alone for a grade separation would amount to approximately 3% to 4% of the total project cost. Particularly where all impacts are already mitigated to a less than significant level, the engineering of a grade separation is not economically feasible. In addition, the construction, maintenance, and property acquisition costs would likely amount to between \$100 to \$150 million for three grade separations at Spruce Street, Blaine Street and Mt. Vernon Avenue, further evidence the economic infeasibility of grade separations. Even considering potential external funding sources, the construction of grade separations would remain economically infeasible. Specifically, Streets & Highways Code section 2452 requires the CPUC, by July 1 of each year, to establish the priority list for highway rail crossing projects, including grade separations, and furnish it to the California Transportation Commission for use in the fiscal year beginning on that date. Interested local agencies are responsible for submitting nominations of projects to the CPUC with the required information. Section 190 of the Streets & Highways Code requires the State's annual budget to include \$15 million for funding qualified projects on the Grade Separation Priority List Program as ranked by the CPUC. Projects may change in ranking from one year to the next, as new nominations may show a greater public need for grade separation or improvement. The system is not one where the first on the list is necessarily the first to be funded. The current priority list of projects is located at [http://docs.cpuc.ca.gov/word\\_pdf/FINAL\\_DECISION/102079.pdf](http://docs.cpuc.ca.gov/word_pdf/FINAL_DECISION/102079.pdf) and none of the current projects on the priority list fall along the PVL alignment. Thus, even potential external sources of funding (such as that provided by the CPUC) are unavailable for the PVL crossings -- apparently because either the CPUC or the local jurisdictions have not designated the rail crossings in the UCR neighborhood to be priority project.

Third, the CPUC has jurisdiction over the safety of highway-rail crossings in California (CPUC, General Order 88-B). Construction of new grade separation is governed by CPUC General



## FINAL ENVIRONMENTAL IMPACT REPORT

### 0.3 RESPONSE TO COMMENTS

#### 0.3.1 MASTER RESPONSES

Order 88-B. According to General Order 88-B, the public agencies with jurisdiction over the roadway must be in agreement with regard to the grade separation and the grade separation must comport with all CPUC General Orders. As explained in Master Response #1 – Quiet Zones, RCTC is a special district that does not have broad police powers and is not responsible for traffic control or law enforcement at public highway-rail grade or pedestrian crossings. Therefore, RCTC does not have legal authority to approve a grade separation, nor does it have unilateral land use authority to construct a grade separation even if approved. Thus, the construction of a grade-separation is legally infeasible.

Therefore, grade separations were not proposed for the PVL project and the Draft EIR was not changed as a result of this issue.



0.3.2 Agency Letters

**Table 0.3.2-1  
Response to Agency Letters**

<b>Letter No.</b>	<b>Commenter</b>	<b>Date</b>	<b>Page No.</b>
1.	Jeff Brandt - Department of Fish & Game	5/18/2010	0.3.2-2
2.	Department of Water Resources - David M. Samson	5/20/2010	0.3.2-16
3.	Riverside Unified School District (prepared by Gresham & Savage – Tracy M. Owens)	5/21/2010	0.3.2-19
4.	California Department of Transportation - Daniel Kopulsky	5/25/2010	0.3.2-83
5.	City of Perris - Michael Morales	5/24/2010	0.3.2-88
6.	State Clearinghouse - Scott Morgan	5/26/2010	0.3.2-109
7.	Metropolitan Water District - Delaine Shane	5/20/2010	0.3.2-112
8.	MARCH Joint Powers Authority - Dan Fairbanks	6/3/2010	0.3.2-138



Letter 1
Department of Fish & Game - Jeff Brandt
May 18, 2010



California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-200
Ontario, CA 91764
(909) 484-0167

ARNOLD SCHWARZENEGGER, Governor
JOHN McCAMMAN, Director



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RIVERSIDE COUNTY
TRANSPORTATION COMMISSION

May 18, 2010

Ms. Edda Rosso, P.E.
Riverside County Transportation Commission
4080 Lemon Street,
Post Office Box 12008
Riverside, CA 92502

Re: Draft Environmental Impact Report for the Perris Valley Line
SCH No. 2009011046

Dear Ms. Rosso:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the Draft Environmental Impact Report for the Perris Valley Line transportation project in the County of Riverside. The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code sections 711.7 and 1802 and the California Environmental Quality Act Guidelines (CEQA) section 15386] and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines section 15381), such as a Lake and Streambed Alteration Agreement (Section 1600 et seq.) or a California Endangered Species Incidental Take Permit (Fish and Game Code Sections 2080 and 2080.1).

For this project the Department will be acting as both a Responsible and Trustee Agency. As per section 15096 of the California Environmental Quality Act statute, as a Responsible Agency the Department is obligated to focus its comments on any shortcomings in the Environmental Impact Report (EIR) or Negative Declaration (ND), the appropriateness of using a negative declaration, and additional alternatives or mitigation measures which the EIR should include.

The proposed project is located on the Interstate-215 (I-215) and will extend 24 miles of commuter rail service from the existing Riverside Downtown Station to the cities of Moreno Valley and Perris in western Riverside County. The Perris Valley Line (PVL) would be operated by the Southern California Regional Rail Authority (SCRRA) and will be created using the existing Burlington Northern Santa Fe (BNSF) and San Jacinto Branch Line (SJBL) rail corridors.

Department Comments

The Department recommends that the following comments be clarified prior to approval of the project and that a response to these comments be provided in the Final Environmental Impact Report (FEIR).

L1-1

Conserving California's Wildlife Since 1870





Letter 1 (cont'd)
Department of Fish & Game - Jeff Brandt
May 18, 2010

Draft Environmental Impact Report for the Perris Valley Line SCH No. 2010011046
Page 2 of 4

- 1. Proposed measures, including impact to mitigation ratios, to mitigate for temporary impacts to jurisdictional waters; L1-2
2. Proposed measures, including impact to mitigation ratios, to mitigate for permanent impacts to jurisdictional waters; L1-3
3. A mitigation plan to offset any potential impacts to western spadefoot toad; L1-4
4. An analysis of the improvements to drainage culverts and bridges and their potential impact on current and potential future wildlife movement; L1-5
5. Mitigation measures to standardize culvert sizing to allow for wildlife Movement for new or replaced reconstructed culverts; L1-6
6. An analysis of potential impacts to narrow endemic plants and a mitigation plan to offset those impacts; L1-7
7. An analysis of potential impacts to Constrained Linkages 7 and 19; L1-8
8. A mitigation plan to offset potential impacts to these linkages; L1-9

Multiple Species Habitat Conservation Plan (MSHCP)

The project is located within the boundary of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) and is subject to the provisions and resource protection policies of that plan. The MSHCP is a Natural Communities Conservation Plan that provides coverage for 146 species and up to 510,000 acres. Participants in the MSHCP are issued take authorization for covered species and do not require Federal or State Endangered Species Act Permits. L1-10

The site is located within the right-of-ways of the I-215 and the BNSF railroad. There are four areas of concern regarding the alignment: 1) the Box Springs Mountain Reserve, 2) the San Jacinto River Bridge and bridge over the Overflow Channel, 3) Constrained Linkage 7, and, 4) Constrained Linkage 19 (San Jacinto River). L1-11

The applicant will have to submit a Determination of Biologically Equivalent or Superior preservation (DBESP) (MSHCP Volume 1, Section 6.1.2) section for impacts to riparian areas. The MSHCP does provide a process for assessing riparian/riverine areas but impacts to State Jurisdictional Waters still require a 1602 Lake and Streambed Alteration Agreement (Agreement) from the Department. The Department's jurisdiction is broader than the riparian/riverine policy. L1-12

Impacts and Mitigation

Section 14(a) of Appendix G of the CEQA Guidelines provides an outline for determining significant biological impacts. Section (a) asks whether the project will have a substantial adverse effect "...either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species..." L1-13

Section (b) asks, in part, whether the project will have a substantial adverse effect on any riparian habitat or other sensitive natural community identified by the California Department of Fish and Game. L1-14



**Letter 1 (cont'd)**  
**Department of Fish & Game - Jeff Brandt**  
**May 18, 2010**

Draft Environmental Impact Report for the Perris Valley Line      SCH No. 2010011046  
Page 3 of 4

The project has the potential to impact southwestern willow flycatcher, least Bell's vireo and California coastal gnatcatcher at the Box Springs Mountain Reserve. To avoid take, mitigation measures 12, 13, 14, 16 and 17 in the document require that any construction in the potential area for these species be conducted outside of the breeding/nesting season. } L1-15

The project has the potential to impact narrow endemic species in the vicinity of the San Jacinto River. The document states that the applicant will comply with the 90% preservation of narrow endemic policy of the MSHCP. } L1-16

The project has the potential to impact western spadefoot toad in the San Jacinto River. Mitigation Measure BR-9 states that should the western spadefoot toad be found on-site, a mitigation plan approved by the Department will be implemented. The FEIR should include a range of mitigation measures to offset impacts to western spadefoot toad. } L1-17

Streambed Alteration Agreements and CEQA

The proposed project will impact 30 drainage culverts that are targeted for replacement or extension and two bridge replacements (San Jacinto River and San Jacinto River Overflow Channel). If the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance, mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation may be required prior to execution (signing) of the Agreement. In order to avoid delays or repetition of the CEQA process, potential impacts to a stream or lake, as well as avoidance and mitigation measures need to be discussed within this CEQA document. } L1-18

The Department opposes the elimination of drainages, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:1 replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors. } L1-19

We recommend submitting a notification early on, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Streambed Alteration Agreement notification package, please call (562) 430-7924. } L1-20



Letter 1 (cont'd)  
Department of Fish & Game - Jeff Brandt  
May 18, 2010

Draft Environmental Impact Report for the Perris Valley Line SCH No. 2010011046  
Page 4 of 4

The following information will be required for the processing of a Streambed Alteration Agreement and the Department recommends incorporating this information to avoid subsequent CEQA documentation and project delays:

} L1-21

- 1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
- 2) Discussion of avoidance measures to reduce project impacts; and,
- 3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

} L1-22

Section 15370 of the CEQA guidelines includes a definition of mitigation. It states that mitigation includes:

- 1) Avoiding the impact altogether by not taking a certain action or parts of an action,
- 2) Minimizing impacts by limiting the degree or magnitude of the action and its implementation,
- 3) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment,
- 4) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action,
- 5) Compensating for the impact by replacing or providing substitute resources or environments.

} L1-23

In the absence of specific mitigation measures in the CEQA documents, the Department believes that it cannot fulfill its obligations as a Trustee and Responsible Agency for fish and wildlife resources. Permit negotiations conducted after and outside of the CEQA process deprive the public of its rights to know what project impacts are and how they are being mitigated in violation of CEQA Section 15002. Also, because mitigation to offset the impacts was not identified in the CEQA document, the Department does not believe that the Lead Agency can make the determination that impacts to jurisdictional drainages and/or riparian habitat are "less than significant" without knowing what the specific impacts and mitigation measures are that will reduce those impacts.

} L1-24

Thank you for this opportunity to comment. Please contact Robin Maloney-Rames at (909) 980-3818, if you have any questions regarding this letter.

Sincerely,

Jeff Brandt  
Senior Environmental Scientist



**Response to Letter 1**  
**Department of Fish & Game - Jeff Brandt**  
**May 18, 2010**

- L1-1. The comments are introductory. No response is necessary.
- L1-2. Although the environmental permits for this project will not be issued until after the Final EIR is certified, it is anticipated that the agency permit conditions will be consistent with the MSHCP Chapter 7.0 Covered Activities/Allowable Uses requirements, and Appendix C – Standard Best Management Practices.

According to Table 4.4-3 in the Draft EIR, 0.061 acres of CDFG jurisdictional waters and 0.037 acres of USACE jurisdictional waters would be temporarily impacted by the PVL project based on the 90% Engineering Drawings. See Table 0.3.2-1 in this response for a breakdown of temporary impacts based on the 90% Engineering Drawings. Because of the very poor quality of the habitat anticipated to be impacted, a 1:1 ratio for jurisdictional area impacts is proposed. The mitigation will be completed through the Santa Ana River Mitigation Bank, and credits reserved prior to the culvert work being initiated. Additionally, the Draft EIR includes the following mitigation measures which reduce the impacts to less than significant levels: compensatory mitigation at a minimum of 1:1 acre to acre will be secured at a local mitigation bank, a qualified project biologist shall conduct project level training for field personnel; the project biologist shall strictly limit construction activities, vehicles and equipment near environmental sensitive areas; the project biologist shall clearly identify the upstream and downstream limits of construction; and the project biologist shall oversee re-establishing appropriate flow elevations (see Draft EIR, Section 4.4.5). With the implementation of these mitigation measures, potential temporary impacts to jurisdictional waters will be less than significant and no further mitigation will be required.

- L1-3. According to Table 4.4-3 in the Draft EIR, 0.039 acres of CDFG jurisdictional waters are expected to be permanently impacted by the PVL project based on the 90% Engineering Drawings. See Table 0.3.2-2 in this response for a breakdown of permanent impacts based on the 90% Engineering Drawings. Because of the very poor quality of the habitat to be impacted a 1:1 ratio for jurisdictional area impacts is proposed. The mitigation will be completed through the Santa Ana River Mitigation Bank and credits reserved prior to the culvert work being initiated. With the implementation of this mitigation measure potential permanent impacts to jurisdictional waters within the Santa Ana River Watershed will be less than significant and no further mitigation will be required.



Table 0.3.2-1  
USACE Potential Jurisdictional Features and Impacts

MILEPOST	CULVERT/ BRIDGE WORK (90% PLANS)	STREAM TYPE	JURISDICTIONAL	POTENTIAL WETLAND FEATURE	IMPACTS	USACE TEMPORARY IMPACTS		USACE PERMANENT IMPACTS	
						LIN. FT <sup>1</sup>	ACRES <sup>2</sup>	LIN. FT <sup>1</sup>	ACRES <sup>2</sup>
0.38	YES	N/A	N/A	NO	NO	0	0	0	0
0.60	NO	INTERMITTENT	YES	NO	NO	0	0	0	0
1.30	YES	N/A	N/A	NO	NO	0	0	0	0
1.40	YES	N/A	N/A	NO	NO	0	0	0	0
1.60	YES	N/A	N/A	NO	NO	0	0	0	0
2.10	NO	EPHEMERAL	YES	NO	NO	0	0	0	0
3.40	NO	INTERMITTENT	YES	NO	NO	0	0	0	0
3.90	NO	PERRENIAL	YES	NO	NO	0	0	0	0
5.00	YES	EPHEMERAL	YES	NO	YES	17	0.0031	11	0.0015
5.20	YES	EPHEMERAL	YES	NO	YES	.5	0.0001	5	0.0004
5.30	YES	EPHEMERAL	YES	NO	YES	17	0.0033	11	0.0041
5.80	YES	INTERMITTENT	YES	NO	YES	29	0.0043	10	0.0015
6.06	YES	PERRENIAL	YES	NO	YES	35	0.0022	3	0.0003
6.11	YES	PERENNIAL	YES	NO	YES	62	0.0084	4	0.0015
6.18	YES	INTERMITTENT	YES	NO	YES	25	0.0050	7	0.0013
6.50	YES	EPHEMERAL	YES	NO	YES	20	0.0034	22	0.0034
6.60	YES	EPHEMERAL	YES	NO	YES	45	0.00332	20	0.0032
6.70	YES	EPHEMERAL	YES	NO	YES	20	0.0119	30	0.0035
6.80	NO	INTERMITTENT	YES	YES	NO	0	0	0	0
7.30	NO	INTERMITTENT	YES	NO	NO	0	0	0	0
8.00	NO	INTERMITTENT	YES	NO	NO	0	0	0	0
9.70	YES	N/A	N/A	NO	NO	0	0	0	0
9.90	YES	N/A	N/A	NO	NO	0	0	0	0
10.10	YES	INTERMITTENT	YES	YES	YES	10	0.0019	20	0.0044
11.13	YES	INTERMITTENT	YES	NO	YES	10	0.0022	20	0.0050
11.32	YES	N/A	N/A	NO	NO	0	0	0	0
11.60	YES	INTERMITTENT	YES	NO	YES	10	0.0023	23	0.0045
12.10	YES	N/A	N/A	NO	NO	0	0	0	0



Table 0.3.2-1 (cont'd)  
USACE Potential Jurisdictional Features and Impacts

MILEPOST	CULVERT/ BRIDGE WORK (90% PLANS)	STREAM TYPE	JURISDICTIONAL	POTENTIAL WETLAND FEATURE	IMPACTS	USACE TEMPORARY IMPACTS		USACE PERMANENT IMPACTS	
						LIN. FT <sup>1</sup>	ACRES <sup>2</sup>	LIN. FT <sup>1</sup>	ACRES <sup>2</sup>
12.40	YES	N/A	N/A	NO	NO	0	0	0	0
12.52	YES	EPHEMERAL	YES	NO	NO	0	0	0	0
12.58	YES	N/A	N/A	NO	NO	0	0	0	0
13.20	YES	N/A	N/A	NO	NO	0	0	0	0
13.40	YES	EPHEMERAL	YES	NO	YES	60	0.0079	5	0.0006
14.50	YES	N/A	N/A	NO	NO	0	0	0	0
14.80	YES	N/A	N/A	NO	NO	0	0	0	0
14.90	YES	N/A	N/A	NO	NO	0	0	0	0
15.30	YES	EPHEMERAL	YES	NO	YES	10	0.0040	9	0.0026
15.80	YES	N/A	N/A	NO	NO	0	0	0	0
16.16	YES	N/A	N/A	NO	NO	0	0	0	0
16.20	YES	EPHEMERAL	YES	NO	YES	20	0.0053	4	0.0005
17.10	YES	EPHEMERAL	YES	NO	YES	22	0.0036	0	0
17.30	NO	N/A	N/A	NO	NO	0	0	0	0
17.50	NO	PERENNIAL	YES	NO	NO	0	0	0	0
18.10	YES	N/A	N/A	NO	NO	0	0	0	0
20.65 (Bridge) <sup>3</sup>	YES	INTERMITTENT	YES	NO	YES	50	0.0544	0	0
20.74 (Bridge) <sup>3</sup>	YES	INTERMITTENT	YES	YES	YES	15	0.0185	0	0
<b>Totals:</b>						<b>477.5</b>	<b>0.145</b>	<b>18</b>	<b>0.0383</b>

**Notes:**

<sup>1</sup> = Impacts were measured in linear feet following the drainage line (east-west direction).

<sup>2</sup> = Acreage impacts were calculated by measuring the entire impact area.

<sup>3</sup> = Bridge will be replaced within the same footprint as original; therefore, no additional permanent impacts are expected. Temporary impacts are associated with construction and grading.



**Table 0.3.2-2  
CDFG Potential Jurisdictional Features and Impacts**

MILEPOST	CULVERT/ BRIDGE REPLACEMENT OR EXTENSION (90% PLANS)	STREAM TYPE	JURISDICTIONAL	POTENTIAL WETLAND FEATURE	IMPACTS	CDFG TEMPORARY IMPACTS		CDFG PERMANENT IMPACTS	
						FT	ACRES	FT	ACRES
0.38	YES	N/A	N/A	NO	NO	0	0	0	0
0.60	NO	INTERMITTENT	YES	NO	NO	0	0	0	0
1.30	YES	N/A	N/A	NO	NO	0	0	0	0
1.40	YES	N/A	N/A	NO	NO	0	0	0	0
1.60	YES	N/A	N/A	NO	NO	0	0	0	0
2.10	NO	EPHEMERAL	YES	NO	NO	0	0	0	0
3.40	NO	INTERMITTENT	YES	NO	NO	0	0	0	0
3.90	NO	PERRENIAL	YES	NO	NO	0	0	0	0
5.00	YES	EPHEMERAL	YES	NO	YES	50	0.0093	13	0.0027
5.20	YES	EPHEMERAL	YES	NO	YES	5	0.0011	5	0.0011
5.30	YES	EPHEMERAL	YES	NO	YES	45	0.0275	23	0.0116
5.80	YES	INTERMITTENT	YES	NO	YES	70	0.0197	10	0.0031
6.06	YES	PERRENIAL	YES	NO	YES	32	0.0218	9	0.0020
6.11	YES	PERENNIAL	YES	NO	YES	70	0.0337	.5	0.0001
6.18	YES	INTERMITTENT	YES	NO	YES	60	0.0213	12	0.0032
6.50	YES	EPHEMERAL	YES	NO	YES	18	0.0165	25	0.0072
6.60	YES	EPHEMERAL	YES	NO	YES	68	0.0259	25	0.0063
6.70	YES	EPHEMERAL	YES	NO	YES	35	0.0191	30	0.0035
6.80	NO	INTERMITTENT	YES	YES	NO	0	0	0	0
7.30	NO	INTERMITTENT	YES	NO	NO	0	0	0	0
8.00	NO	INTERMITTENT	YES	NO	NO	0	0	0	0
9.70	YES	N/A	N/A	NO	NO	0	0	0	0
9.90	YES	N/A	N/A	NO	NO	0	0	0	0
10.10	YES	INTERMITTENT	YES	YES	YES	10	0.0054	20	0.0102
11.13	YES	INTERMITTENT	YES	NO	YES	10	0.0082	20	0.0127
11.32	YES	N/A	N/A	NO	NO	0	0	0	0
11.60	YES	INTERMITTENT	YES	NO	YES	10	0.0053	20	0.0096
12.10	YES	N/A	N/A	NO	NO	0	0	0	0



Table 0.3.2-2 (cont'd)  
CDFG Potential Jurisdictional Features and Impacts

MILEPOST	CULVERT/ BRIDGE REPLACEMENT OR EXTENSION (90% PLANS)	STREAM TYPE	JURISDICTIONAL	POTENTIAL WETLAND FEATURE	IMPACTS	CDFG TEMPORARY IMPACTS		CDFG PERMANENT IMPACTS	
						LIN. FT <sup>1</sup>	ACRES <sup>2</sup>	LIN. FT <sup>1</sup>	ACRES <sup>2</sup>
12.40	YES	N/A	N/A	NO	NO	0	0	0	0
12.52	YES	EPHEMERAL	YES	NO	NO	0	0	0	0
12.58	YES	N/A	N/A	NO	NO	0	0	0	0
13.20	YES	N/A	N/A	NO	NO	0	0	0	0
13.40	YES	EPHEMERAL	YES	NO	YES	90	0.0253	90	0.0068
14.50	YES	N/A	N/A	NO	NO	0	0	0	0
14.80	YES	N/A	N/A	NO	NO	0	0	0	0
14.90	YES	N/A	N/A	NO	NO	0	0	0	0
15.30	YES	EPHEMERAL	YES	NO	YES	12	0.0062	8	0.0031
15.80	YES	N/A	N/A	NO	NO	0	0	0	0
16.16	YES	N/A	N/A	NO	NO	0	0	0	0
16.20	YES	EPHEMERAL	YES	NO	YES	18	0.0072	4	0.0014
17.10	YES	EPHEMERAL	YES	NO	YES	22	0.0079	.5	0.0079
17.30	NO	N/A	N/A	NO	NO	0	0	0	0
17.50	NO	PERENNIAL	YES	NO	NO	0	0	0	0
18.10	YES	N/A	NO	NO	NO	0	0	0	0
20.65 (Bridge) <sup>3</sup>	YES	INTERMITTENT	YES	NO	YES	50	0.0545	0	0
20.74 (Bridge) <sup>3</sup>	YES	INTERMITTENT	YES	YES	YES	15	0.0185	0	0
<b>Totals:</b>						<b>690</b>	<b>0.3346</b>	<b>315</b>	<b>0.0846</b>

Notes:

<sup>1</sup> = Impacts were measured in linear feet following the drainage line (east-west direction).

<sup>2</sup> = Acreage impacts were calculated by measuring the entire impact area.

<sup>3</sup> = Bridge will be replaced within the same footprint as original; therefore, no additional permanent impacts are expected. Temporary impacts are associated with construction and grading.





- L1-4. A survey was conducted for western spadefoot toad near the San Jacinto River Bridge and the Overflow Channel Bridge in winter and spring of 2010. The survey was conducted in the appropriate season (wet) and no western spadefoot toads were detected.

Based on the survey results, no western spadefoot toads are anticipated to be present within the area of bridge replacement (the San Jacinto River channel and its Overflow Channel). However, in the unlikely event that western spadefoot toad migrated into the project site between the previous survey and construction starting, the following plans will be implemented to mitigate potential impacts: a preconstruction survey shall be conducted within 30 days prior to ground disturbance to determine if toads are present within the designated construction area. Should western spadefoot toads be identified, the project biologists shall prepare a mitigation/relocation program that would be approved by RCA, and CDFG, prior to bridge replacement work starting. With the implementation of these mitigation measures, potential impacts to western spadefoot toads will be less than significant and no further mitigation will be required.

- L1-5. The MSHCP identifies two areas along the corridor as wildlife movement corridors. These areas are MSHCP criteria cells, 545, 635, 721, 3276, and 3378. The northern area criteria cells (545, 635, and 721) are identified as Linkage 7 and connect Box Springs Reserve (east of the ROW and I-215) and Sycamore Park (west of the I-215). The species identified for this corridor include: Bells sage sparrow, cactus wren, California coastal gnatcatcher, and bobcat. It is anticipated that the birds would be able to fly over the I-215 in this area and would not be impacted by the PVL project. The bobcat has also been identified as using this corridor; however, the I-215 acts a barrier to the bobcat's movement. There is one culvert under the I-215 near Poarch Road; however, the culvert does not meet the preferred dimensions for bobcat for a movement corridor. Light is not visible from either end, and the diameter is approximately 5 feet and not the preferred 10 feet. Based on a length of approximately 450 feet, this provides for an openness ratio of approximately 0.04. Based on this evaluation of the I-215 culvert, the bobcats are not anticipated to use this corridor.

The criteria cells to the south, 3276 and 3378, are associated with the San Jacinto River and the San Jacinto River Overflow Channel. Linkage 19 is identified within Criteria Cell 3276 and 3378 in the San Jacinto River area. The intent is that this linkage would provide a corridor along the river corridor. The project is proposing to replace the two bridges in this area, the San Jacinto River Bridge and the San Jacinto River Overflow Channel Bridge. The new structures will be similar to the existing and provide the same clearance underneath for both water flow and wildlife movement. The species identified for this corridor include: mountain plover, loggerhead shrike, white faced ibis, bobcat, and Los Angeles pocket mouse. These species will be able to utilize the river corridor during operation of the PVL project. It should also be noted that the work in this area will occur during the dry season when no water is present in the river.

- L1-6. The culverts along the existing SJBL-RCTC ROW are various sizes to allow for various size drainage areas to flow under the existing tracks. These culverts have



been in place since the railroad was built approximately 100 years ago. The type of culvert work that the project is proposing is to either extend an existing culvert to allow for a second track over the top, or the total replacement of an existing culvert because of deteriorating conditions. The culvert work is not proposed in any of the criteria cell areas that were identified as wildlife corridors. It should also be noted that these culverts were not identified as an impact on wildlife movement and therefore the proposed culvert work is not mitigation but a project design feature.

In the areas where the culverts are being completely replaced, a larger diameter culvert would require the bottom of the culvert to be deeper than the existing culvert. This is necessary because the railroad requires a minimum clearance between the top of the culvert and the bottom of the rail. However, if a culvert is to be placed deeper a pond would be created and thus not function properly for water conveyance. To eliminate the potential for ponding, graded areas would be needed to provide an appropriate flow path to and from the culvert. This would result in additional environmental impacts than the proposed project work and was therefore not recommended.

Approximately nine miles of the corridor is directly adjacent to I-215 which limits opportunities for wildlife movement.

- L1-7. A Narrow Endemic Plant Survey (NEPS) was conducted during the appropriate season (April and June 2010) to detect plants. The NEPS survey focused on the ROW area near the San Jacinto River Bridge and Overflow Channel but included all potential locations within the project area. No NEPS were identified within the SJBL/RCRC ROW during the survey. Outside of the ROW, fewer than 10 individual San Jacinto Coulter's Goldfields (*Lastheria glabrate ssp. coulteri*) plants were identified. This indicates that if the plants were present within the ROW, they would have been identified during the survey.

Although NEPS were not identified in the work area, mitigation within the bridge replacement work area shall be to remove and stockpile the top six inches of soil, for use as a seed bank, post construction. This stockpile shall be kept within the ROW, but outside the work area until the bridge replacement work is complete. Once the bridge replacement work is complete, the soil stockpile shall be redistributed in the area that it was removed from prior to construction.

- L1-8. See comment response, L1-5. Linkage 7 is identified within Criteria Cells 545, 635, and 721. The Linkage is designated to provide a corridor between Box Springs Reserve and Sycamore Canyon Park. The MSHCP identifies specific species that are anticipated to use the corridor between the two parks. The species identified include: Bells sage sparrow, cactus wren, California coastal gnatcatcher, and bobcat. It is anticipated that the birds would be able to fly over the I-215 in this area and would not be impacted by the PVL project. The bobcat has also been identified as using this corridor; however, the I-215 acts a barrier to the bobcat's movement. There is one culvert under the I-215 near Poarch Road; however, the culvert does not meet the preferred dimensions for bobcat for a movement corridor. Light is not visible from either end, and the diameter is approximately 5 feet and not the preferred 10 feet. Based on the length of approximately 450 feet, this provides for an



openness ratio of approximately 0.04. Based on this evaluation of the I-215 culvert, the bobcats are not anticipated to use this corridor.

Linkage 19 is identified within Criteria Cell 3276 and 3378 in the San Jacinto River area. The intent is that this linkage would provide a corridor along the river corridor. The project is proposing to replace the two bridges in this area, the San Jacinto River Bridge and the San Jacinto River Overflow Channel Bridge. The new structures will be similar to the existing and provide the same clearance underneath for both water flow and wildlife movement. The species identified for this corridor include: mountain plover, loggerhead shrike, white faced ibis, bobcat, and Los Angeles pocket mouse. This species will be able to utilize the river corridor during operation of the PVL project. It should also be noted that the work in this area will occur during the dry season when no water is present in the river.

L1-9. There are no anticipated impacts to the Linkage 7 and therefore no mitigation plan has been developed for work in the Linkage 7 area. A survey was conducted in the wet season and no western spadefoot toads were encountered. Nonetheless, a pre-construction survey will be conducted to determine whether spadefoot toads are present. Should western spadefoot toads be identified in the area prior to construction, CDFG and RCA will be notified and an appropriate mitigation/relocation plan initiated.

L1-10. As a signatory to the Implementation Agreement (IA) for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), RCTC will comply with all applicable provisions of the MSHCP, including preparation and submittal of appropriate documentation. The documentation will be submitted to the Western Riverside Conservation Authority (RCA) for the prescribed joint project review process.

RCTC is aware that impacts to State Jurisdictional Waters require a § 1602 Lake and Streambed Alteration Agreement (Agreement) from the CDFG. RCTC has submitted and is diligently pursuing a § 1602 Lake and Streambed Alteration Agreement from the CDFG. There is on-going coordination to get the permit application approved.

L1-11. The comment identifies four areas of concern, but does not provide a specific comment regarding a specific concern for the area.

L1-12. The PVL project is not specifically mentioned as a covered activity within the MSHCP, but railroads are referred to in general. As such, a consistency analysis and a RCA Joint Project Review Application (JPR) are required to be submitted and approved by RCA to indicate agreement with the consistency analysis.

A Determination of Biologically Equivalent or Superior Preservation (DBESP) is not required for the project because there are not permanent impacts to the designated Criteria Cells that the SJBL RCTC ROW passes through.

L1-13. The comment reiterates Section 14(a) of Appendix G of the State CEQA Guidelines. As indicated within the Draft EIR "the project will not have a substantial adverse



effect...on candidate, sensitive, or special status species...” This is achieved through the implementation of the 17 mitigation measures proposed for biology impacts.

- L1-14. The project will impact riparian habitat that is under the jurisdiction of the California Department of Fish & Game (see Draft EIR, Section 4.4). This habitat is quantified within the Jurisdictional Determination report and in Table 5.5.2 of this comment letter response. Additionally, permanent impacts will be mitigated through the use of mitigation credits from the Santa Ana River Mitigation Bank.
- L1-15. Any construction near potential areas that may contain southwestern willow flycatcher, least Bell’s vireo, and California coastal gnatcatcher will occur outside the breeding/nesting season identified in mitigation measures BR-12, 13, 14, 16, and 17. The area of potential habitat for these species is located south of Poarch Road and north of the I-215 underpass (approximately MP 5.3 to MP 6.0)
- L1-16. See comment L1-7 for the results of the NEPS surveys. Since no NEPS were found within the ROW, the 90% preservation requirement does not apply since there is no population to protect.
- L1-17. Surveys for western spadefoot toad were negative, however, additional surveys are planned as part of pre-construction activities. Should western spadefoot toads be identified within the project area at a future time appropriate mitigation will be developed in coordination with RCA and CDFG.
- L1-18. An assessment of the potential jurisdictional areas is contained in the Jurisdictional Determination, Technical Report F of the Draft EIR. This document has been revised with the most current engineering plans (90%) and will be provided as supporting documentation to the project permit applications. The Tables 0.3.2-1 and 0.3.2-2 identify the impacts at each culvert.
- L1-19. RCTC proposes a 1:1 mitigation for jurisdictional area impacts because of the very poor functioning, disconnected habitat. Mitigation at ratio of 3:1 would be disproportionate to the impacts caused by the proposed project. Therefore, RCTC has imposed 1:1 mitigation and no further mitigation is required.
- L1-20. This comment provides the phone number to obtain a Streambed Alteration Agreement notification package.
- L1-21. The comment introduces the Streambed Alteration Agreement and recommends the information identified within L1-22 be incorporated into the CDFG permit application. This will be done.
- L1-22. An assessment of the potential jurisdictional areas is contained in the Jurisdictional Determination, Technical Report F of the Draft EIR. This document has been revised with the most current engineering plans (90%) and will be provided as supporting documentation to the project permit applications. The Tables 0.3.2-1 and 0.3.2-2 identify the impacts at each culvert.



The impacts that are identified for the project cannot be avoided due to the nature of the proposed work. Habitat has developed at either the opening, or exit of certain culverts. This is very poor quality habitat because the areas are very small and does not provide connection to adjacent habitat, and there is insufficient habitat size to allow nesting or provide any overall value.

As previously identified the mitigation proposed for impacts to jurisdictional habitat is to purchase credits at the Santa Ana River Mitigation Bank.

- L1-23. The comment provides the State CEQA Guidelines definition of mitigation, but does not provide a specific comment on the environmental document.
- L1-24. The PVL project will utilize an existing rail ROW that has been in use for over 100 years. During that time the ROW has withstood extensive maintenance work from grading, equipment storage, and vegetation control. The proposed rail work will be contained within the existing ROW. The proposed Citrus Connection and station facilities (Marlborough, Moreno Valley/March Field, South Perris, and the layover facility) are all located on land outside of the ROW that has been previously approved by different projects for commercial, industrial, or residential development. In some cases these approvals were granted prior to the development of the MSHCP. RCTC has agreed to mitigation measures for the PVL project that would ensure the protection of species and habitat to cause the project to have a “less than significant” impact on the local environment. The project is described and associated mitigation measures are presented within the Draft EIR in such a way that the public can understand the project, the anticipated impacts, and related mitigation. In regards to the specific concern mentioned about jurisdictional areas, the jurisdictional areas are associated with the ends of specific culverts where runoff water was focused, and then allowed to pond. This allowed very small jurisdictional areas (in many cases less than 10 square feet) to develop. These areas are so small and disconnected from suitable habitat, that they provide no function or value as a jurisdictional area but are being mitigated as required by the “no net loss” policy regarding impacts to riparian and wetland areas.



Letter 2
Department of Water Resources - David M. Samson
May 20, 2010

STATE OF CALIFORNIA - THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



MAY 20 2010



Riverside County Transportation Commission
Attn: Ms. Edda Rosso
Post Office Box 12008
Riverside, CA 92502

Draft Environmental Impact Report for the Proposed Perris Valley Line, Cities of Riverside and Perris and Points Between, Riverside County, Southern Field Division, Santa Ana Pipeline Milepost 429.55 and 430.85, SCH2009011046

Dear Ms. Rosso:

Thank you for the opportunity to review and comment on the Draft Environmental Impact Report (DEIR) for the Proposed Perris Valley Line commuter train project. The document describes a proposal by the Riverside County Transportation Commission to extend the Metrolink commuter rail service between the cities of Riverside and Perris. The project will utilize the Burlington Northern Santa Fe (BNSF) rail lines and will cross over the Santa Ana Pipeline (SAPL), a part of the State Water Project (SWP) in two locations: at Valencia Hill Drive (Milepost 429.55); and at Watkins Drive (Milepost 430.85) within the City of Riverside.

L2-1

The Department of Water Resources (DWR) reviewed the DEIR and has the following comments:

- 1. DWR will need to be involved in the review and approval of any proposed modification to the existing BNSF rail line within DWR right of way, in order to access any potential impacts to our facility. DWR will also need to review any proposed grading or drainage modifications within DWR right of way, or in areas that may affect drainage within DWR right of way. DWR has provided as-built plans and profile drawings for the SAPL in the locations of the two BNSF rail crossings over the SWP to Mr. Norm Baron with J. L. Patterson & Associates, Inc., consultant for the Perris Valley Line Project.
2. Any construction work within DWR right of way may require an Encroachment Permit issued by DWR.
3. Advance notice to DWR Southern Field Division and Headquarters is required prior to any work within DWR right of way. Contact Jaime DeSantiago of DWR Southern Field Division at (661) 944-8574 to coordinate a site visit, arrange DWR presence for pot-holing, etc.

L2-2

L2-3

L2-4



Letter 2 (cont'd)  
Department of Water Resources - David M. Samson  
May 20, 2010

Ms. Edda Rosso  
MAY 20 2010  
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Information regarding forms and guidelines for submitting an application for an Encroachment Permit can be found at DWR web address:

} L2-5

[http://www.doe.water.ca.gov/Services/Real\\_Estate/Encroach\\_Rel/index.cfm](http://www.doe.water.ca.gov/Services/Real_Estate/Encroach_Rel/index.cfm)

Please provide DWR with a copy of any subsequent environmental documentation when it becomes available for public review.

} L2-6

If you have any questions, please contact Scott Williams at (916) 653-5746, or Leroy Ellinghouse of my staff at (916) 653-7168.

Sincerely,



for

David M. Samson, Chief  
State Water Project Operations Support Office  
Division of Operations and Maintenance

cc: Norman H. Baron PE  
J. L. Patterson & Associates, Inc.  
725 Town & Country Road, Suite 300  
Orange, CA 92868



**Response to Letter 2**  
**Department of Water Resources - David M. Samson**  
**May 20, 2010**

- L2-1. The comment does not raise specific environmental concerns. Therefore, no further response is required.
- L2-2. DWR has an easement within the RCTC ROW. It should be noted that RCTC has been in contact with DWR regarding coordination of design and anticipated construction activities near DWR facilities. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L2-3. RCTC will coordinate with DWR for activities near DWR facilities. This will not include a formal encroachment permit, but on-going coordination for design review near DWR facilities. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L2-4. RCTC will continue to coordinate with the appropriate DWR personnel regarding design and proposed construction activities near the DWR facilities. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L2-5. Comment is informational. No response is necessary.
- L2-6. RCTC will provide DWR with subsequent environmental documentation when available in accordance with CEQA and the State CEQA Guidelines.





Letter 3  
RUSD: Gresham & Savage - Tracy M. Owens  
May 21, 2010

GRESHAM | SAVAGE  
ATTORNEYS AT LAW

Tracy.Owens@GreshamSavage.com · San Bernardino Office  
(909) 890-4499 · fax (909) 890-2511

May 21, 2010



VIA FACSIMILE AND FIRST-CLASS MAIL

Riverside County Transportation Commission  
Attn: Ms. Edda Rosso  
4080 Lemon Street  
Riverside, CA 92502

Re: Comments to Perris Valley Line Draft EIR State Clearinghouse No. 2009011046

Dear Ms. Rosso:

This office represents Riverside Unified School District ("RUSD"), and is submitting this comment letter on behalf of RUSD regarding the Draft Environmental Impact Report ("DEIR") for the Perris Valley Line ("PVL" or "Project") passenger rail service expansion.

RUSD is the governing body responsible for the education, safety and well-being of approximately 44,000 K-12 students in 47 schools within the Riverside area. As the agency entrusted with this incredible responsibility, one of RUSD's primary objectives is to ensure a safe learning environment at each of the District's 47 schools. With the knowledge that nothing is more precious than the life of a child, RUSD vigilantly guards the personal safety of each and every student within the District, and takes this obligation seriously with respect to decisions made that may adversely affect its students. With this goal in mind, RUSD has concerns regarding the PVL and its potential adverse impact on the safety of children attending both Hyatt and Highland Elementary Schools, located short distances from the existing rail-line. As discussed in detail below, RUSD believes that the DEIR fails to adequately analyze and mitigate potential impacts to the safety and well-being of the students from the addition of passenger rail service.

RUSD has been actively involved in the environmental review process for the PVL, meeting with RCTC staff on numerous occasions, as well as submitting a formal letter commenting on the prior Initial Study/Mitigated Negative Declaration (dated February 25, 2009), identifying concerns for student safety and requesting additional analysis and mitigation. Unfortunately, based on our review of the DEIR, a number of RUSD's concerns have not been adequately addressed.

} L3-1  
} L3-2  
} L3-3



RIVERSIDE 3750 University Avenue, Suite 250 • Riverside, California 92501  
SAN BERNARDINO 550 East Hospitality Lane, Suite 300 • San Bernardino, California 92408  
GreshamSavage.com

R705-002 -- 499276.1



**Letter 3 (cont'd)**  
**RUSD: Gresham & Savage - Tracy M. Owens**  
**May 21, 2010**

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The California Environmental Quality Act ("CEQA") requires public agency decision-makers to document and consider the environmental implications of their actions, as well as inform the public of the environmental consequences of the proposed action. (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal. 3d, 553). CEQA compels government agencies first to identify significant environmental effects of projects, and then to mitigate those adverse effects through the imposition of mitigation measures. The EIR is the heart of the CEQA process and must provide sufficient description of the Project and analysis of potential environmental impacts to enable the public to have meaningful input into the process.

L3-4

Upon review, there are numerous legal deficiencies within the DEIR for the PVL Project, which effectively thwart many of the purposes enumerated above, particularly with regard to informing the public about the potential, significant environmental effects, as well as the opportunity for public participation and input. Although RUSD's main concern is ensuring student safety and welfare, the DEIR contains numerous other legal defects that need to be brought to your attention.

**Inadequate Project Description**

"An accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR." (*See County of Inyo v. City of Los Angeles* (1977) 71 Cal. App. 3d 185, 193; *San Joaquin Wildlife Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal. App. 4th 713, 730). Without a finite and stable project description, concerned members of the public cannot adequately evaluate the environmental impacts of a proposed project. Moreover, a lead agency cannot accurately and adequately analyze the potential significance of impacts resulting from a project without an adequate project description. The adequacy of an EIR's project description is directly linked to the adequacy of its analysis of significant environmental effects.

L3-5

Many of the deficiencies in the DEIR are a direct result of an inadequate project description. Initially, Section 2.0 of the DEIR fails to describe the precise scope and location of track improvements and upgrades. With regard to track upgrades in the vicinity of Hyatt and Highland Elementary Schools, the DEIR merely states all track improvements would include "replacement of wooden ties with concrete ties and new ballasts." (DEIR at 2-11). Track upgrades would also apparently include installation of new welded rail (DEIR at 2-11). One portion of the DEIR indicates upgrades will be made "as necessary", while another section of the Project description states that "the core of the PVL work would be to remove the existing track and replace it with new track components." (DEIR at 2-44) These contradictory statements make it impossible to determine the exact scope and location of track upgrades proposed by the Project.



**Letter 3 (cont'd)**  
**RUSD: Gresham & Savage - Tracy M. Owens**  
**May 21, 2010**

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The discussion of the construction process is overly simplified and imprecise. The extent of construction necessary to complete these upgrades including identification of the amount and type of equipment utilized for each type of improvement is lacking. The DEIR merely states that "track removal would be performed by typical construction equipment in loaders, dump trucks, and all-terrain cranes. Replacement of the track would begin with the distribution of a base course of crushed rock ballast. Then, specialized track equipment would be used to place the concrete ties on the ballasts and install the rail." (DEIR at 2-44, 2-45). Other than that, there is no discussion of the number of each type of equipment necessary for completing the rail improvements nor the construction period required to complete track improvements in any specific location. Understanding that not every detail need be finalized at this stage of the process, the DEIR still needs to include enough information to allow informed decision-making and public participation. The DEIR simply does not include enough information regarding the proposed track upgrades and construction process to allow for meaningful public input and understanding of the potential impacts.

L3-6

Another defect in the Project description is the inadequate discussion of the proposed landscape walls. "Landscape walls" are identified for the three schools along the rail alignment; however, there are no performance standards for the wall such as height, materials, or placement. (DEIR at 2-43). These details are important because Hyatt Elementary School is located at least 20 feet below grade of the rail right-of-way, which makes height and placement of a wall critical to its effectiveness as a visual barrier. Furthermore, as discussed below, the relationship of these landscape walls to the proposed sound wall at Highland Elementary is not discussed. Finally, there is no discussion of the timing of construction of the landscape walls and/or sound walls. Will the landscape/sound walls be constructed before track upgrades commence? Will graffiti prevention measures such as vines (and irrigation) be incorporated? What is the duration and method of construction for the sound walls and landscape walls? These details are extremely important omissions considering construction may occur while school is in session. (DEIR at 4.10-39).

L3-7

Some of this information may be missing due to the fact that construction schedule and drawings for the Project are not yet complete. (DEIR at 4.3-24). If RCTC is unable to determine project specifications at this time to allow for meaningful public input on the potential impacts of the Project, RUSD requests that the DEIR be recirculated when the Project description is complete enough to provide an accurate description of the Project, to ensure that the public is fully informed about all potential impacts.

L3-8

RUSD also continues to have serious concerns about the methodology and analysis in the DEIR, particularly with regard to safety, air quality, and noise impacts at two (2) elementary schools: (1) Hyatt Elementary School, located at 4466 Mount Vernon

L3-9



**Letter 3 (cont'd)**  
**RUSD: Gresham & Savage - Tracy M. Owens**  
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Avenue, and (2) Highland Elementary School, located at 700 Highlander Drive, both in Riverside, California. These specific concerns are outlined as follows:

} L3-9 (cont'd)

1) **Hazards and Hazardous Materials.**

a) **Jet Fuel Pipeline.**

Section 4.7 of the DEIR purports to discuss the potential presence of hazardous materials and exposure to hazardous materials during construction and operation of the Project. While Section 4.7 discusses potential for exposure to hazardous materials incidental to construction and operation of the PVL, the DEIR fails to analyze the potential for exposure to hazardous materials from a rupture or breach of the jet fuel line that runs parallel to Highland Elementary School, within the railroad right-of-way, as a result of project construction activities or derailment of a commuter train. The DEIR mentions the existence of a six-inch jet fuel pipeline within the railroad right-of-way, but does little to acknowledge or analyze the potential hazards to students should the Project result in the rupture or breach of the pipeline, which is located approximately 50 feet from Highland Elementary.

} L3-10

The DEIR merely acknowledges the existence of the pipeline and then, without further analysis or explanation, dismiss the potential for a significant safety impact relying upon the remoteness of such an event occurring. Considering the potential gravity of such an event and potential catastrophic impact on children attending school in proximity to the pipeline, RCTC is legally obligated to analyze such an impact. As discussed below, Metrolink statistics, as well as recent history of events on this very track, suggest that such an event is not as remote as indicated.

} L3-11

RCTC should have prepared a Railroad Safety Study and Pipeline Risk Analysis to detail the potential risk of student safety from potential rupture or breach of the jet fuel pipeline. Included with this letter is an example of a Railroad Safety Study and Pipeline Risk Analysis prepared for another project analyzing the risk to new development from the rupture of a Kinder Morgan jet fuel pipeline located within the Union Pacific railroad right-of-way. That analysis specifically considered potential for property damage, injury or death for the area within 1500 feet from the pipeline. The 1500-foot zone of analysis was selected based on the California Department of Education (CDE) protocol for assessing risk associated with hazardous material pipelines near school sites. The objective of the CDE protocol is to assess the probability of a fatality among school students, faculty, and staff in the event of a pipeline release. The CDE has established a one-in-one million risk as the target risk level. Considering Highland Elementary is located a mere 50 feet from the railroad right-of-way, a detailed Railroad Safety Study and Pipeline Risk Analysis must be prepared for this project.

} L3-12



**Letter 3 (cont'd)**  
**RUSD: Gresham & Savage - Tracy M. Owens**  
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**i. Risks to Pipeline from Construction.**

As mentioned above, Section 4.7 only discusses the risk of hazards from spills due to derailment or construction (i.e., spills of diesel, gasoline or oils in small amounts). There is no discussion of the potential rupture of the jet fuel line due to construction, and the DEIR fails to discuss the proposed construction activities in enough detail to allow the reviewing public to determine whether such activities will present a risk of rupture or damage to the pipeline. Initially, the DEIR fails to adequately document the depth of the line. The DEIR mentions that it is buried a minimum of 3 feet below ground surface. (DEIR at 4.7-11). However, RCTC personnel have also stated that the pipeline is only 2 feet, 4 inches deep in some locations. (RCTC presentation to Board, May 3, 2010).

} L3-13

The DEIR also fails to describe the precise construction activities that could impact the pipeline, or whether there will be any risk of rupture or damage to the pipeline and fails to analyze the potential impact of any damage or rupture on the children at Highland Elementary (i.e., risk of combustion, noxious fumes, etc). For example, the depths required to dig or drill in order to secure the new track ballasts and railroad ties is not provided. Furthermore, the type of construction equipment that will be used in the vicinity is not specified. As discussed above, the Project description needs to include greater detail concerning construction of track upgrades to enable an informed analysis of potential risks of construction

} L3-14

**ii. Risks to Pipeline from Derailment**

RCTC acknowledges the potential risk of rupture of a gas line in connection with a derailment, or from the cleanup of a derailment. On May 3, 2010, RCTC made a presentation to the RUSD Board of Education that acknowledged the 1989 Duffy Street incident. In 1989, a Southern Pacific train derailed in a residential neighborhood. During cleanup efforts, construction equipment punctured a fuel pipeline. Notably, the pipeline punctured near Duffy Street was 7 to 8 feet below the surface—deeper than the jet fuel pipeline currently adjacent to Highland Elementary, and thus presented an even lower risk of rupture. The 1989 Duffy Street pipeline rupture resulted in the death of two people and destruction of eleven homes. However, the PVL Project DEIR makes no mention of such risk occurring from derailment, or from construction operations.

} L3-15

Because it is unclear whether the track upgrades and rehabilitation will involve going any depth below the surface of the soil immediately over and surrounding the pipeline, RUSD requests in addition to the preparation of the aforementioned Pipeline Risk Analysis, the addition of the following mitigation measures:

} L3-16



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"Construction activities adjacent to Highland Elementary school shall be limited to hours when school is not in session, and shall in no event take place during the hours of 8:00 a.m. to 3:30 p.m., provided, however that construction may take place during these hours on weekends, holidays or during periods when school is not in session. RCTC shall be required to include this provision in each and every construction contract and shall monitor to ensure compliance."

} L3-17

or, alternatively:

"RCTC shall be required to coordinate with Kinder Morgan to either: (1) bury the pipeline at a greater depth to avoid accidental rupture; or (2) arrange for temporary shut-off of the pipeline while construction activities are occurring which would present a risk of impact to the pipeline; or (3) construct a concrete encasement or cover for the pipeline to protect it from impact."

} L3-18

These mitigation measures would assist in limiting the identified risk in a practical and achievable manner.

b) Risk of Derailment and Fatal Train Accidents.

The DEIR acknowledges that "derailment could cause an accidental spill from the SCRAA/Metrolink train engines or diesel fuel tanks". (DEIR at 4.7-11). However, the DEIR fails to analyze this risk in terms of the close proximity of the rail right-of-way to the elementary schools, and the resulting risk to students. If a train derails, particularly if a derailment occurs near Hyatt or Highland Elementary, accidental spills of diesel fuel will be the least of the community's concern.

} L3-19

The DEIR essentially dismisses the risk of derailment by simply stating that "the annual derailment risk is then the product of 0.000000667 (risk per train mile) and 11,440 miles, or 0.00801. This derailment risk equates to about once every 124 years". (DEIR at 4.7-11, 4.7-12). Ironically, this statistic is for freight, rather than commuter service, although the DEIR claims that the PVL Project is unrelated to freight service.

} L3-20

The DEIR derailment statistic also fails to account for the fact that a derailment occurred near Hyatt Elementary School in 1990. Although no students were injured, this derailment caused the evacuation of the school. This derailment also involved a freight train, rather than a commuter train, which travels at higher speeds. The proposed PVL trains are estimated to travel past Hyatt Elementary at speeds of 35 miles per hour, and to travel past Highland Elementary at speeds as high as 60 miles per hour. (DEIR Table 4.10-14). Such a derailment involving a high-speed commuter train could be devastating, particularly near the playground at Hyatt Elementary, which is actually at least 20 feet below the grade of the rail right-of-way as shown on

} L3-21



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the attached photo (Exhibit "A").

Had the DEIR chosen to include safety statistics for commuter trains, this number may not have painted as pretty of a picture. According to federal reports, Metrolink has amassed the most fatalities among commuter railroads of similar size in the United States over the last decade. From 1999 to mid-2008, 94 people died from incidents involving Metrolink trains. Cars and pedestrians at the 464 street-level crossings on Metrolink's right of way are a key factor in the fatalities, but the agency also stands out from some counterparts in how much it shares tracks with freight trains. (Steve Hymon, Los Angeles Times, "Metrolink's grim national record", September 15, 2008).

L3-22

As a local example, on April 22, 2009, a 14-year old student was killed while walking to Arlington High School in Riverside after being struck by a Metrolink train at a crossing, where crossing arms blocked the roadway—but not the sidewalk. A similar layout can be observed near Highland Elementary on Blaine Street. Based upon the potential catastrophic consequences of a pedestrian-train conflict, the DEIR should have identified potential safety hazards to students as a potentially significant impact.

L3-23

For the foregoing reasons, RUSD implores RCTC to collaborate with the City of Riverside to provide funding for additional crossing guards at those rail crossings that are proposed to be improved as part of the PVL Project, at Spruce, Blaine and Mt. Vernon, and to incorporate the funding of crossing guards as a mitigation measure.

L3-24

There is also particular risk to Hyatt Elementary due to the fact that based on the current RCTC schedule, the train bound for Perris from Los Angeles would pass by Hyatt Elementary School at approximately 7:58 a.m.—just twelve minutes before the school's start time at 8:10 a.m.—when children are likely to still be on the adjacent playground before classes begin. This risk illustrates the need for an upper limit on the number of trains which may eventually pass by the school, as well as a speed limit for trains as they approach both school sites, which would reduce the risk of derailment and other accidents.

L3-25

As currently proposed, there are no mitigation measures provided to protect against or reduce the risk of derailment and resulting impact to the school sites. Although landscape walls are proposed, these would not be adequate to impede spilled cargo or the movement of falling or sliding rail cars in any way. As discussed above, the DEIR project description fails to elaborate on the materials or construction of the "landscape walls" that will be constructed next to Hyatt and Highland Elementary Schools. However, the DEIR makes it clear that: "The landscape walls are not intended to provide any function beyond that of a visual screen. They are neither a noise barrier, nor shall they be construed as a safety measure." (DEIR at 2-43, 2-44, emphasis added).

L3-26



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However, Anne Mayer, RCTC Executive Director, has made statements to RUSD in meetings that the landscape wall, in addition to acting as a visual screen, is intended to replace the three-foot earthen berm (which was originally proposed in the PVL Initial Study but not included in the DEIR) to stop spilled cargo from entering the playground at Hyatt Elementary. If the landscape wall is in fact intended to serve any other purpose beyond a visual screen, this utility must be analyzed in the DEIR. Likewise, the removal of the three-foot berm must also be analyzed.

L3-27

Furthermore, the ability of public safety and emergency crews to access the school sites in the event of a derailment or other train stoppage must be analyzed. Highland Elementary School has only three streets providing ingress and egress to the area, all of which are bisected by the rail right-of-way. Should a train derail or otherwise stop on the tracks in this area, the ability of police, fire and other emergency services to access Highland Elementary from a main arterial roadway will be severely impacted.

L3-28

c) No Improvements to Uncontrolled Crossings.

Despite RUSD having informed RCTC of several illegal railroad crossings in the vicinity of Hyatt Elementary the DEIR makes no mention of this condition in the DEIR. Nothing has been done to prevent the use of such crossings, even in the face of prior student deaths. The existence of illegal railroad crossings must be analyzed in the DEIR, particularly due to the proposed addition of commuter trains which travel at much higher speeds than the existing freight trains.

L3-29

2) Air Quality Impacts.

The analysis within the Air Quality Section fails to adequately consider potential health impacts to children at the elementary schools, which are both identified as sensitive receptors (DEIR at 4.3-29):

- Highland Elementary School - located approximately 46 meters (150 feet) east of the alignment near the intersection of Watkins Drive and Blaine Street near the campus of UC-Riverside.
Hyatt Elementary School - located in the Box Springs area near Watkins Drive approximately 152 meters (500 feet) west of the alignment.

L3-30

First, the DEIR completely fails to analyze the impact of construction emissions on the sensitive receptors closest to the alignment. (DEIR at 4.3-23 to 4.3-30). Children at elementary schools are particularly vulnerable to construction emissions from vehicular exhaust and dust emissions, because they are often outside due to scheduled outdoor activities, recess, lunch, etc. The rail alignment is located adjacent to the playgrounds of both schools, thereby exposing children to construction emissions.

L3-31





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Mitigation measures to reduce these impacts should include timing the "peak" construction period to coincide with times when school is not in session. } L3-31

Second, the DEIR acknowledges that both schools will be impacted by "emissions from trains traveling along the alignment, as well as those idling within temporary layover yards". (DEIR at 4.3-30). However, although the air quality modeling indicated that the health risk to sensitive receptors within the Project corridor from train operations would be below the SCAQMD threshold of significance, the analysis is incomplete because the number of existing freight train trips and potential additional Metrolink trips are not accounted for or analyzed anywhere in the DEIR. } L3-32

Children at both elementary schools will be exposed to emissions from a combination of existing freight and new PVL locomotive operations; thus, the DEIR may not analyze Project-related emissions alone. However, the Air Quality analysis only accounts for train emissions from 6 diesel engines, operating one 168 mile round trip per day between South Perris and Los Angeles (for a total of twelve daily train trips). (DEIR at 4.3-28; Air Quality Report at 22, 27). It should be noted that the Cumulative Impacts discussion in Section 5.0 is also deficient for this reason. } L3-33
} L3-34

Finally, the DEIR does not analyze emissions in terms of Localized significance thresholds (LST's), and instead relies solely on regional thresholds. Reliance on regional thresholds for criteria pollutants fails to take into account localized health impacts resulting from construction and operation of the Project. Considering the close proximity to school grounds, utilization of an LST analysis is appropriate. LSTs are applicable to the following criteria pollutants: oxides of nitrogen (NOx), carbon monoxide (CO), particulate matter less than 10 microns in aerodynamic diameter (PM10) and particulate matter less than 2.5 microns in aerodynamic diameter (PM2.5). LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard, and are developed based on the ambient concentrations of that pollutant for each source receptor area and distance to the nearest sensitive receptor. Although the use of LSTs is voluntary and may be implemented at the discretion of local public agencies acting as a lead agency, SCAQMD recommends that proposed projects larger than five acres in area undergo air dispersion modeling to determine localized air quality. Based on the SCAQMD's recommendations and the Project's close proximity to school grounds, RUSD urges that a LST analysis be conducted to assess the health risks to those closest to the source of emissions. } L3-35

3) Noise Impacts.

The detailed noise impact assessment for Category 3 land uses at Table 4.10-11 indicates a moderate noise impact to Highland Elementary, and recommends a noise } L3-36



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barrier as mitigation. According to Mitigation Measure NV-1 (DEIR at 4.10-39; Table 4.10-14), the noise barrier is to be 680 feet long and nine (9) feet in height.

} L3-36 (cont'd)

The analysis should specify, to the extent possible, the precise location of the wall, as well as other performance standards such as the construction material of the wall and the corresponding decibel reduction, in order to determine whether this mitigation will be adequate. Because the sound walls have not yet been engineered, their effectiveness as noise mitigation cannot be determined. The height and length of the sound wall may not be sufficient to mitigate the noise impacts.

} L3-37

The adequacy of the sound wall is particularly important because the "landscape walls" proposed by RCTC may not provide any protection against noise. As stated in the DEIR:

"In contrast to noise barriers, landscape walls are not mitigation for any identified impacts. Instead, landscape walls are primarily aesthetic. In discussions with the Riverside Unified and Perris Union School Districts, it was mutually agreed that the three schools along the PVL would receive a benefit from a visual barrier that would provide a screen between the schools and the railroad ROW. As such, RCTC agreed that the PVL Project will provide landscape walls. The landscape walls will be located within the PVL ROW adjacent to the school properties as a "good neighbor" gesture to the schools, not as mitigation. The landscape walls are not intended to provide any function beyond that of a visual screen. They are neither a noise barrier, nor shall they be construed as a safety measure. (DEIR at 2-43, 2-44, emphasis added).

} L3-38

Further, the relationship between the sound wall and the landscape wall at Highland Elementary is not clear, and must be clarified as to the location(s) of each wall (i.e., whether any overlap is proposed or whether the placement will be staggered).

Project construction noise is not quantified within the DEIR. For example, with regard to rail upgrades in the vicinity of the elementary schools, it is not clear how many pieces of construction equipment/vehicles would be involved, and the corresponding noise level of each (i.e., decibels expected from a jackhammer, tractor, etc). (DEIR at 4.10-37, 38). The DEIR merely indicates "although the overall length of construction would be approximately 18 months, disturbances at individual receptor locations would not last for more than several months. Any potential construction noise impact on schools and churches would be sporadic and temporary." This type of conclusory statement is unsupported by any evidence included in the DEIR or Technical Appendices.

} L3-39



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**4) Traffic**

The traffic impact analysis included in the DEIR is wholly inadequate due to its failure to consider traffic generated by cumulative projects in the region. Section 4.11 analyzes the potential traffic impacts to area intersections in close proximity to the proposed stations. With regard to the Moreno Valley/March Field Station, the DEIR analyzes traffic impacts along Alessandro Boulevard and Cactus Avenue at Interstate 215. The DEIR indicates that the traffic impact analysis took into consideration traffic generated by approved development projects identified by the City of Moreno Valley, within the Moreno Valley/March Field Station option area.

L3-40

However, the analysis understates the size and impact of the March LifeCare Campus Specific Plan. The DEIR concludes that the March Lifecare Campus (incorrectly identified as March LifeCare Village) only encompassed 30 acres of medical office/research, educational/institutional and residential land uses including one 60-bed hospital. (DEIR at 4.11-3). On November 18, 2009, the March Joint Powers Authority approved the March LifeCare Campus Specific Plan, which provides for the development of 3.55 million square feet of medical-related uses. The traffic impact analysis prepared for the March LifeCare Campus Specific Plan reflects, at build-out, the Project would generate over 58,000 daily trips with 15,000 trips occurring by 2012, the opening year for the PVL project. The March LifeCare Campus Specific Plan traffic impact analysis concluded that, with the addition of project-related traffic and traffic generated by cumulative projects, the northbound and southbound ramps of Interstate 215 at Alessandro Boulevard will operate at a Level of Service F, in 2012. Intersections along both Cactus Avenue and Alessandro Boulevard would experience significant congestion, leading to increased traffic impacts.

L3-41

Had the DEIR correctly identified cumulative traffic conditions in the Project area, it would have identified much more severe impacts around the Moreno Valley/March Field Station option area. Accordingly, the traffic impact analysis and correlating mitigation is legally inadequate.

L3-42

**5) Other Environmental Considerations.**

**a) Growth-Inducing Impacts.**

A draft EIR must discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. (Cal. Pub. Res. Code § 21100(b)(5); CEQA Guidelines §§ 15126(d); 15126.2(d)). The analysis must discuss those project characteristics that may encourage and facilitate activities that, either individually or cumulatively, will affect the environments. A lead agency must never assume that growth in an area is necessarily beneficial or of little significance

L3-43



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environmentally, but must make its judgment in this regard only after an open-minded analysis. (CEQA Guidelines § 15126.2(d)).

L3-43 (cont'd)

The analysis of growth-inducing impacts at Section 5.2 is deficient, because it fails to address the potential for increased freight usage, and commuter train trips as development progresses in the region. The DEIR states that the track upgrades will not result in additional freight traffic and that any such growth is entirely market-driven. However, the fact that no additional weight capacity will be added (as the existing track and sidings can already accommodate the heaviest car weight) (DEIR at 2-47) does not mean that the number of daily or weekly train trips will not increase. Upgraded tracks will, in fact make freight service more attractive. The DEIR acknowledges that "PVL track improvements would...improve operations and theoretically allow trains to travel at faster speeds...[and]provide for reduction in potential schedule conflicts". (DEIR at 2-47;2-48).

L3-44

The DEIR does not analyze whether improved operations and reduced schedule conflicts would result in additional trains being able to operate along the San Jacinto Branch Line. While these improvements may not result in increased freight demand in and of themselves, they may still contribute to a higher volume of train trips.

L3-45

Additionally, the DEIR completely fails to account for the increased demand in commuter rail traffic due to the development of several large projects in southwestern Riverside County. The DEIR project description indicates that 12 daily commuter rail trips are anticipated between Perris and downtown Riverside. (DEIR at 2-45, 2-46). An unspoken assumption of this analysis is that all passengers utilizing the commuter rail service have downtown Riverside or Los Angeles as their ultimate destination. However, pending developments in Riverside County, primarily the March LifeCare Campus, as well as the development of the new medical school at University of California Riverside ("UCR") suggest that commuter rail service between Riverside and the Moreno Valley/March Field Station will increase, particularly in light of future vehicular congestion projected for SR-91/SR-60/I-215.

L3-46

The March LifeCare Campus proposes 3.55 million square feet of medical-related uses including hospitals, medical office buildings, research and education facilities and senior continuum residential uses. The development, at build-out, will generate approximately 9,500 jobs, the majority of which would be filled by current residents of Riverside and San Bernardino County. As vehicular traffic and travel times along the SR-91/SR-60/I-215 increase, commuter rail traffic between San Bernardino, Riverside and the proposed Moreno Valley/March Field Station becomes more attractive. Additionally, the March LifeCare project will provide hospital and research facilities that will work in a synergist fashion with the new UCR Medical School, and further increase demand for commuter rail service between those destinations.



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In addition, the DEIR failed to account for Spring Mountain Ranch, a 785-acre master planned residential development, proposed approximately 1.5 miles immediately northeast of the proposed Hunter Park Station. Recent approvals for this project included the approval of 1,461 new homes, a new elementary school, an equestrian center and a neighborhood shopping center site. A residential project of this magnitude is precisely the type that will contribute to increased demand for commuter rail service, but was not analyzed in the DEIR.

L3-47

Although the initial train schedule may involve only 12 daily trips, any conclusion that 12 trips is the reasonable extent of future commuter rail services is disingenuous, and the DEIR must make a good faith effort at analyzing impacts from the inevitable increases in commuter rail traffic along the PVL.

L3-48

**b) Cumulative Impacts.**

Review of the DEIR reveals that the Project's cumulative impacts are severely understated. "Cumulative impacts" are defined as "two or more individual effects which, when considered together, are considerable...or compound or increase other environmental impacts." (CEQA Guidelines § 15355). Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time. (CEQA Guidelines § 15355(b)). "One of the most important environmental lessons evident from past experience is that environmental damage often occurs incrementally from a variety of small sources. These sources appear insignificant, assuming threatening dimensions only when considered in light of the other sources with which they interact." (*Los Angeles Unified School District v. City of Los Angeles* (1997) 58 Cal. App. 4th 1019, 1025).

L3-49

CEQA provides two methodologies for preparation of a cumulative impact analysis: (1) a list of past, present and probable future projects; or (2) a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or areawide conditions contributing to the cumulative impact.

Although the DEIR appears to utilize the "list of projects" approach, the list of projects is woefully inaccurate and incomplete. The list includes five (5) projects as follows:

- **Riverside Grade Separations;**
- **Hunter Park Distribution Center;** (a 520,000-square foot distribution center on the north side of Columbia Avenue and east of the ROW);

L3-50



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- **Perris Station Apartments** (a mixed use development that includes; 84 units of senior housing, 155,526 square feet of retail and office space, 77 parking spaces and 16,000 square feet of courtyard and open space).
- **The I-215 Freeway Widening Project;** and
- **The UCR Long Range Development Plan** (contemplating planning and enhancements to the UCR campus).

} L3-50 (cont'd)

The DEIR excludes another critical nearby project from its analysis: the recently approved March LifeCare Campus Specific Plan. As discussed above, the March LifeCare Campus Specific Plan is an approximately 236 acre project situated on the northeast portion of the former March Air Force Base, just east of the Interstate 215.

} L3-51

Transportation and Traffic Section 4.11 mistakenly identifies the March LifeCare Campus as only a 30 acre project. (DEIR at 4.11-13). As a result of this error, Section 4.11 fails to adequately analyze cumulative Air Quality and traffic impacts. This oversight is indicative of the overall lack of attention to detail in the overall preparation of the DEIR.

} L3-52

A large regional healthcare project is precisely the type of project that should be analyzed in connection with other infrastructure improvements (such as the PVL and the I-215 Freeway widening project) due to the interconnection of traffic, growth, and transportation demand issues associated with these regional-scale projects.

We welcome the opportunity to discuss these concerns further. Please contact me if you have any questions.

Very truly yours,

Tracy M. Owens, for  
GRESHAM SAVAGE  
NOLAN & TILDEN,  
A Professional Corporation

TMO:  
Enclosures

- cc: Dr. Rick L. Miller, RUSD Superintendent  
 Dr. Kirk Lewis, RUSD Assistant Superintendent, Operations  
 Mr. Michael H. Fine, Deputy Superintendent  
 Ms. Janet Dixon, RUSD Director, Planning & Development  
 Riverside Unified School District Board of Education

} L3-53



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Mr. Bob Buster, 1st District Supervisor-County of Riverside

Mr. Ronald O. Loveridge, Mayor-City of Riverside

Mr. Brad Hudson, City Manager- City of Riverside

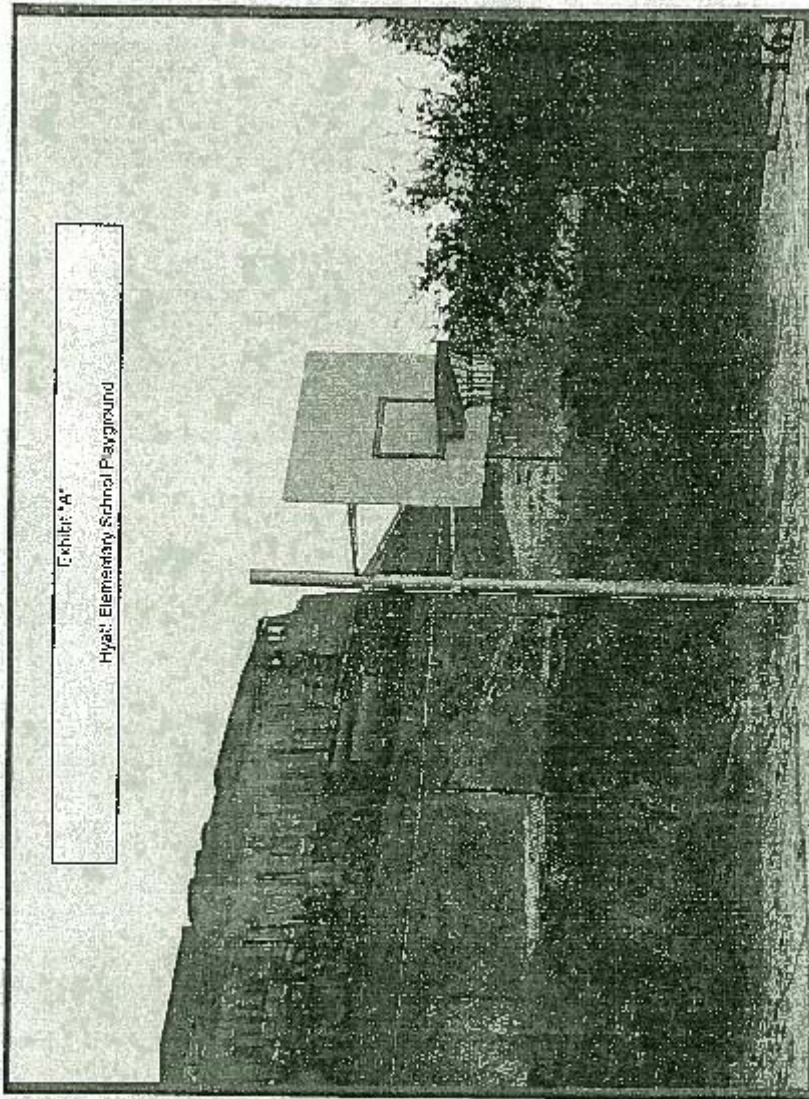
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RAILROAD SAFETY STUDY  
AND PIPELINE RISK ANALYSIS  
700 UNIVERSITY AVENUE  
BERKELEY, CALIFORNIA

November 8, 2005



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May 21, 2010

A Report Prepared for:

Christopher A. Joseph & Associates  
Environmental Planning and Research  
610 16<sup>th</sup> Street, Suite 514  
Oakland, California 94612

**RAILROAD SAFETY STUDY AND PIPELINE RISK ANALYSIS  
700 UNIVERSITY AVENUE  
BERKELEY, CALIFORNIA**

Kleinfelder Job No. 60838

Prepared by:

\_\_\_\_\_  
Kathryn M. Brown  
Environmental Scientist

\_\_\_\_\_  
Scott D. Dwyer, PhD, OABT  
Risk Assessment Program

Reviewed by:

\_\_\_\_\_  
Lynne Srinivasan  
Environmental Group Manager  
Oakland, California

**KLEINFELDER, INC.**  
2405 - 140<sup>th</sup> Avenue NE, Suite A101  
Bellevue WA 98005

November 8, 2005

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**FIGURE**

- 1 Site Vicinity

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- 1 Inspection Ratio or Defects per Unit
- 2 Qualitative Estimates for a Railroad Incident
- 3 Qualitative Estimates for a Pipeline Incident

**APPENDIX**

- A Calculation of Fatality Risk Due to Leak Fire or Rupture Fire



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**1.0 INTRODUCTION**

Christopher A. Joseph & Associates (CAJA), the environmental impact report (EIR) consultants for a development project proposed by the Urban Housing Group for the 700 University Avenue site, has retained Kleinfelder to prepare a railroad safety study and pipeline risk analysis for the property bounded by Addison Street, 4<sup>th</sup> Street, University Avenue, and railroad tracks in Berkeley, California. Union Pacific operates the railroad tracks that border the west side of the property. Kinder Morgan operates two steel pipelines that primarily transport jet fuel; an 8-inch pipeline is located on the west side of the property and a 10-inch pipeline is located on the east side of the property (Figure 1). The purpose of this risk analysis is to assess the likelihood that the operation of the railroad or the integrity of the pipeline could be compromised in a location, and to a degree, that poses an unacceptable hazard to the future residents of the site as proposed in Kleinfelder's scope of work dated September 9, 2005, Contract Amendment No. 1. Kleinfelder understands that CAJA will use this report as part of the EIR for the proposed development at 700 University Avenue.

**1.1 RAILROAD HAZARD ASSESSMENT**

A risk analysis methodology was developed for the evaluation of railroad operations. The methodology was used to assign subjective determinations of the probability of a hazardous situation (e.g., low, medium, high) based on:

- Normal or likely railroad operations (e.g., materials transported, use frequency)
- The presence of control measures (e.g., engineering controls)
- Preparation of emergency response plans by owner/operators
- Preparation of emergency response plans by local emergency response agencies (e.g., fire department)
- Local agency records of compliance or violations, and permitting
- Information from industry-wide reporting agencies (e.g., Federal Railroad Administration, and surveys of incident rates)

For example, a determination of low probability of a hazardous situation would be based on non-hazardous materials being transported, low frequency of track use, the presence of control measures within a system, the existence of emergency response plans, the existence of federal, state, or local agencies that inspect and permit these businesses, and a low rate of emergency incidents in the industry as a whole.

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A risk analysis methodology was also developed for the two jet fuel pipelines based on a protocol developed for the California Department of Education for evaluating hazardous material pipelines aligned near school sites (URS 2002). The pipeline risk analysis is based on the following information:

- Pipeline alignment
- Use characteristics (flow rate and operating pressure)
- Engineering design and safety features
- Records of past incidents
- Failures in similar systems (frequency, magnitude, consequences)
- Risk management and emergency response plans of the pipeline owner and local emergency response agencies

Pipeline risk analyses proceed in two stages: first, the probability of a pipeline failure (e.g., leak or rupture) is estimated and compared to an acceptable failure rate; second, the magnitude of the consequences (e.g., pool fire or explosion resulting in fatalities) is estimated and compared to an acceptable level (e.g., one in one million chance of a fatality).



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## 2.0 RAILROAD HAZARD ASSESSMENT

This section presents the railroad hazard assessment. The likelihood of railroad incidents in general and the likelihood of railroad incidents near the 700 University Avenue proposed development are discussed.

### 2.1 RAILROAD ALIGNMENT

Union Pacific Railroad operates two railroad tracks on Third Street running parallel to the western boundary of the subject site and that pass within 120 feet of the center of the subject site. For the purposes of this risk analysis, any railroad incident within 1,500 feet of the subject property may result in adverse consequences on the subject property. Adverse consequences are defined as property damage, injury, or death. Given that the western property boundary is approximately 390 feet and there is a potential impact zone 1,500 feet north of the northwest property corner and 1,500 feet south of the southwest property corner, the total segment of track considered in this risk analysis is 3,390 feet (0.64 miles). An impact zone of 1,500 feet was selected based on the California Department of Education protocol for assessing risk associated with hazardous material pipelines near school sites (see Section 3).

In the qualitative evaluation of railroad hazards, as the track segment under consideration increases in length, the likelihood of an incident that results in an adverse consequence somewhere along that segment also increases.

### 2.2 RAILROAD USE CHARACTERISTICS

According to a Union Pacific operations representative contacted on September 30, 2005, 32 passenger trains and 28 freight trains use these tracks per day. Passenger trains operate at a maximum speed of 50 miles per hour and the freight trains operate at a maximum speed of 40 miles per hour. The Union Pacific Railroad would not release more specific information regarding cargo type.

According to a City of Berkeley Fire Department representative, a wide variety of cargo is transported on the trains, including hazardous materials. The two tracks evaluated in this risk analysis are considered to be heavily used, supporting approximately 60 runs per day.

### 2.3 RAILROAD ENGINEERING DESIGN AND SAFETY CONTROLS

Railroad engineering design and the presence of safety controls affect the probability of a hazardous event. For example, accidents are more likely on curved than on straight track, more likely at railroad switch locations (switches direct trains from one track to

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another), and less likely at crossings that have automatic gates, audible warning devices, and warning lights.

The Union Pacific line in Berkeley is a Class 3 Railroad, as defined under the Code of Federal Regulations (Title 49, Subtitle B, Chapter 2, Part 213). The Federal Railroad Administration promulgates maximum speeds for railroads based on track strength and curvature; Class 3 track speed limits are 40 miles per hour (mph) for freight trains and 60 mph for passenger trains. Patrick Ker, a representative of Union Pacific, stated that the track gage is a standard track gage, track alignment does not deviate from uniformity more than the amount prescribed for a Class 3 Railroad, and that Union Pacific inspects the tracks periodically for vegetation, drainage, cross-tie integrity, defective rails and joints, turnouts and track crossings in accordance with federal and state regulations.

The Union Pacific tracks adjacent to the subject site are straight with an unobstructed view. There are no switches at this location. A railroad crossing is located on Addison Street near the intersection of Addison and Third Streets on the south boundary of the site. The crossing is equipped with active warning devices including an automatic gate and lights.

**2.4 RAILROAD REGULATORY AGENCY RECORDS OF PAST INCIDENTS**

In the qualitative risk analysis of railroad hazards, the record of past incidents on a given track and the record of violations or deficiencies noted by inspection agencies about a railroad's operation provide a basis for estimating the probability of future incidents. In 2004, there were seven train accidents in Alameda County. No deaths and only one injury were reported as a result of these accidents. Six of the seven train accidents were on Union Pacific tracks. Three of the accidents on Union Pacific tracks were attributed to track defects, two of the accidents were attributed to human factors, and one accident was attributed to miscellaneous causes. No information regarding the location of the seven train accidents could be obtained, however, a representative of the Berkeley Fire Department was unaware of any railroad accidents at the location of the subject site (personal communication with David Orth, Deputy Captain, City of Berkeley Fire Department, September 27, 2005).

Nationwide, over the five-year period from 1999 to 2003, there was an average of 15,444 railroad accidents on the approximately 233,000 miles of track in use. This yields an accident frequency of 0.066 accidents per mile. An estimate of the frequency with which a railroad accident could occur on the railroad tracks evaluated in this report is:

$$0.066 \text{ accidents/mile/year} \times 0.64 \text{ miles} = 0.04 \text{ accidents per year}$$

Which is approximately four accidents per 100 years or one accident every 25 years. No information regarding accidents on the railroad tracks adjacent to the subject site could be obtained.





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The Federal Railroad Administration (FRA) conducts regular inspections of all aspects of railroad operations. FRA inspectors specialize in five safety disciplines: hazardous materials, motive power and equipment, operating practices, signal and train control, and track integrity. Table 1 presents the results of FRA inspections on Union Pacific operations nationwide and compares the ratio of defects per unit inspected for Union Pacific to all of the railroads in the United States from January 1999 to December 2004.

The national Union Pacific Railroad ratio of defects per unit inspected is slightly above the national ratio for all railroads for track, mobile equipment (locomotives, cars, etc.), and miscellaneous areas inspections, but below the national average for signal, operating practices, and hazardous material defects.

**2.5 PROBABILITY OF A RAILROAD ACCIDENT RESULTING IN A HAZARDOUS MATERIALS RELEASE**

For the purposes of this risk analysis, a train accident is defined as an event involving on-track rail equipment that results in monetary damage to the equipment or track, any impact between rail equipment and a highway user, or any other event that results in injury or death. Railroad accidents that may result in adverse consequences for individuals residing or working on the subject site are likely to involve the release of hazardous materials.

Given that there is an annual average rate of 15,444 railroad accidents on the approximately 233,000 miles of railroad track in use in the United States (DOT 2005), the estimated number of accidents per mile is 0.066 per year. Based on statistics from the California Public Utilities Commission for the ten-year period from 1990 to 1999, there are an average of 29.8 accidents each year involving trains transporting hazardous materials. Of those accidents, an average of 2.5 resulted in releases of hazardous materials. Therefore, an estimate of the number of railroad accidents resulting in hazardous materials releases per year per mile of track can be calculated as follows:

$$\frac{2.5 \text{ hazardous materials releases}}{29.8 \text{ accidents-year}} \times \frac{0.066 \text{ accidents}}{\text{mile}} = \frac{0.006 \text{ hazardous materials releases}}{\text{mile-year}}$$

Assuming that the estimated length of track at the site is 0.64 miles (as established in Section 2.1), the frequency with which a hazardous materials release may occur can be calculated as follows:

$$\frac{0.006 \text{ hazardous materials releases}}{\text{mile}} \times 0.64 \text{ miles} = \frac{0.004 \text{ hazardous materials releases per year}}{\text{within 1,500 feet of the subject site}}$$

The frequency provides an assessment of how often a given event has occurred in the past. We can also convert the known frequency of, for example, hazardous material releases to a statement of probability, which indicates the likelihood that an event may occur in the future. The probability of a hazardous materials release within 1,500 feet of



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the subject site can be calculated from the release frequency (0.004), the time period of interest (1 year), and the following equation:

$$P_0 = 1 - e^{-F_0 \cdot t}$$

Where:

$P_0$  = probability of event  
 $F_0$  = release frequency  
 $t$  = time period of interest

Thus:

$$P_0 = 1 - e^{-(0.004 \cdot 1)}$$
$$P_0 = 0.004$$

The probability ( $P_0$ ) of a hazardous materials release within 1,500 feet of the subject site is 0.004 or approximately one release every 250 years.

The probability of an accident resulting in a hazardous materials release is likely to be less than 0.004 based on track and local conditions, such as:

- There are no switches at this location reducing the likelihood of a derailment
- The tracks are straight and the view is unobstructed
- The signage and warning systems at the Addison Street rail crossing include gates and lights
- Freight train speeds are limited to 40 miles per hour or less
- The train carries audible warning devices

## 2.6 RAILROAD RISK MANAGEMENT AND EMERGENCY RESPONSE PLANS

In the qualitative risk analysis of this railroad, appropriate risk management and emergency response plans can mitigate the consequences of a railroad incident. The railroad owner and the local emergency response agencies were contacted to assess their risk management and emergency response plans. Union Pacific Railroad has emergency response plans for this stretch of track. According to a Union Pacific Railroad representative the emergency response plan conforms to all regulations. The Berkeley Fire Department has not prepared any specific emergency response plans for this stretch of track. The fire department maintains a general emergency response plan for large-scale disasters that may be caused by earthquakes, floods, pipeline accidents, train accidents and other catastrophic events (personal communication with David Orth, Deputy Captain, City of Berkeley Fire Department, September 27, 2005).



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## 2.7 SUMMARY AND CONCLUSIONS

The likelihood of a railroad incident that could result in adverse consequences was estimated based on the following six criteria:

- Railroad alignment
- Use characteristics
- Engineering design and safety controls
- Regulatory agency records of past incidents
- Probability of a hazardous materials release
- The availability of appropriate risk management and emergency response plans

Qualitative estimates of the likelihood of a railroad incident and the basis for those estimates are presented in Table 2. The likelihood of a railroad incident resulting in an unacceptable hazard to future residents at the proposed 700 University Avenue development is low based on the qualitative evaluation presented in this section and summarized in Table 2, and based on the estimated probability of a railroad accident resulting in the release of hazardous materials at this location.

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This section presents the pipeline hazard assessment. The probability of a pipeline leak or rupture and the consequences of such an event are discussed both in general and in relation to the 700 University Avenue proposed development.

**3.1 PIPELINE BACKGROUND INFORMATION**

The following subsections present background information on pipeline use, past incidences, and risk management.

**3.1.1 Pipeline Alignment, Design, Use Characteristics, And Safety Features**

Kinder Morgan operates an 8-inch and a 10-inch steel transmission pipelines that primarily transport jet fuel. The 8 inch pipeline is located on the west side of the property. The 10-inch pipeline is located on the east side of the property. The 8-inch and 10-inch pipelines are buried at a depth of three to four feet. Both of the pipelines are operated at a pressure of 800 pounds per square inch. The valve stations (shut-off valves) for the pipelines are located to the north and the south approximately 1 mile from the site (personal communication, Mr. David Orth, Deputy Fire Chief, City of Berkeley Fire Department, Berkeley California, September 29, 2005).

**3.1.2 Records Of Past Pipeline Incidents**

The Berkeley Fire Department was not aware of any past recorded leaks, accidents, or other incidents that resulted in injuries or property damage within one mile of the proposed site (telephone conversation with Mr. David Orth, City of Berkeley Fire Department, Deputy Fire Chief, Berkeley California, September 29, 2005).

**3.1.3 Failures In Similar Pipeline Systems (Frequency, Magnitude, Consequences)**

U.S. Department of Transportation (DOT) Office of Pipeline Safety (OPS) figures show that in 2000 there were 288,586 miles of liquid transmission pipeline in operation. In that same year, 80 incidents were reported that had a fatality or injury, or resulted in property damage. The incident rate per mile, therefore, is one incident per 3,607 miles. The causes of the 80 reported incidents were corrosion (39%), unspecified cause (28%), damage by outside force (25%), and construction/material defect (9%). Over the fifteen-year period from 1986 to 2000, there was an average of 286,154 miles of liquid transmission pipeline in operation. During that same time period, there were 1,202 incidents reported that had a fatality or injury, or resulted in property damage for an average incident rate of 80.1 per year and one incident per 3,571 miles of transmission pipeline (DOT 2005).

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According to their website, Kinder Morgan is committed to public safety, protection of the environment, and the operation of its facilities in compliance with applicable rules and regulations. In addition, Kinder Morgan designs, installs, tests, operates, and maintains their pipelines to meet or exceed regulatory standards and maintains a comprehensive risk management program designed to reduce the probability of a pipeline accident and minimize the consequences of such an accident should one occur. Kinder Morgan's risk management and emergency response plans are mandated by state and federal law and enforced by the California Public Utilities Commission (CPUC) and the federal Department of Transportation. Kinder Morgan asserts that their transmission facilities, which include the 8-inch and 10-inch steel pipelines, meet or exceed the state and federal requirements. Furthermore, the company maintains an emergency response plan for the two transmission lines aligned on the east and west sides of the subject site.

The local fire department also maintains a general emergency response plan for large-scale disasters that may be caused by earthquakes, floods, pipeline accidents, train accidents and other catastrophic events (personal communication with David Onih, Deputy Captain, City of Berkeley Fire Department, September 27, 2005).

**3.2 PIPELINE RISK ANALYSIS**

The DOT-OPS classifies pipeline incident causes into four categories:

- Damage by outside force (third party dig-ins);
- Corrosion (external and internal)
- Ground movement (e.g., earthquakes)
- Construction or material defects

The likelihood of each type of incident are ranked low, medium, or high with respect to the site.

**3.2.1 Pipeline Damage By Outside Force (Third-Party Dig-Ins)**

Damage by outside force, or third-party dig-ins, are defined as pipeline damage caused by an entity (e.g., construction contractor) other than the pipeline owner. Incidents in this category generally occur during construction or maintenance projects that include subsurface excavation and result from inaccurate or incomplete knowledge about the subsurface alignment of the pipeline.

The likelihood of third-party dig-ins is largely based on the level of development in a given area along the pipeline alignment. Third-party dig-ins are most likely in areas where new construction is expected or underway or in areas being re-developed or

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where subsurface utility work is being conducted. Dig-ins are least likely in undeveloped areas that are unlikely to be developed soon. This estimate is consistent with pipeline safety statistics reported by the federal DOT-Office of Pipeline Safety (OPS) wherein damage by outside force ranged from 25% to 49% of the annual pipeline incident causes over the period 1994 to 2000.

At the time of this report, the likelihood of third-party dig-ins appears to be low in the vicinity of the subject site. A representative with the City of Berkeley Fire Department was contacted regarding development plans for the vicinity of the subject site (personal communication, David Orth, Deputy Fire Chief, City of Berkeley Fire Department, October 6, 2005). The City representative indicated that the areas northeast and southeast of the proposed site are likely to be developed in the future. Based on this information, Kleinfelder expects that the likelihood of a third-party dig-in in the area near the site is medium.

**3.2.2 Pipeline Corrosion**

Internal and external corrosion is also a leading cause of pipeline accidents. The primary causes of internal corrosion are the naturally high water content of liquid when it is pumped from a well and the presence of naturally-occurring hydrogen sulfide often found in liquid sources. External corrosion causes also include soil moisture and microbes. DOT-OPS reports a range of annual pipeline incident rates due to corrosion from 19% to 41% over the time period between 1994 and 2000.

Pipeline incidents due to corrosion and deterioration can be avoided by operating the pipeline within its design capacity and by implementing a regular program of leak surveys, cathodic protection monitoring, and pipeline patrolling for evidence of conditions that might affect safe operation. Maintenance of Kinder Morgan transmission lines, including the 8-inch and 10-inch transmissions adjacent to the subject site, is defined and mandated by state and federal laws. Kinder Morgan district personnel perform annual leak surveys, monitor cathodic protection, and regularly patrol the pipeline to monitor external conditions. Based on this information, Kleinfelder expects the likelihood of pipeline incidents due to corrosion and deterioration to be low.

**3.2.3 Ground Movement**

Earthquakes may trigger ground movement that manifests as ground shaking, liquefaction, or landslides. A Geologic and Seismic Hazards Report posted on the City of Berkeley's Planning and Development web site described an analysis of potential earthquake activity at the subject site. The subject site is located in an area expected to be tectonically and seismically active. Four faults were identified and discussed:

- The Hayward Fault System, which runs directly beneath the city of Berkeley; no seismic activity information was provided for this fault system; however this fault presents a serious seismic hazard

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- The San Andreas Fault System located about 15 miles west of the subject site; two earthquakes of magnitude 8.3 have occurred in the San Andreas Fault System, including the 1857 Fort Tejon earthquake and the San Francisco earthquake of 1906
- The Calaveras Fault located approximately 18 miles southeast of the subject site; seismic activity of up to magnitude 6.2 has been measured on the Calaveras fault near Morgan Hill
- The Rogers Creek Fault lies approximately 20 miles northwest of the subject site; this fault system is considered seismically active

The Working Group on California Earthquake Probabilities estimated that there is a 70 percent probability that one or more large earthquakes (M<sub>L</sub> 6.7 or greater) will occur in the San Andreas, Hayward, or Calaveras faults during the period of 1990-2020. The proposed site is within an Alquist-Priolo special studies zone for the Hayward Fault. In the vicinity of the proposed site, the likelihood of ground rupture triggered by seismic activity on a known fault is high. The subject site is identified as being in a California Geological Survey (CGS) Seismic Hazard Zone of Potential Liquefaction, the likelihood of liquefaction on the subject site is medium. The subject site is not identified as being in a CGS Seismic Hazard Zone of Potential Landslides; therefore, the likelihood of landslides on the subject site is low. However, steel pipelines, like the 8-inch and 10-inch lines, are resilient and generally accommodate ground movement well.

Based on the available information reviewed, Kleinfelder expects the likelihood of ground movement to be high, the likelihood of liquefaction to be medium, and landslides in the vicinity of the subject site to be low. Given the resilience of steel pipelines in general and the likelihood of geological hazards, pipeline damage as a result of these geological phenomena is expected to be low to medium.

**3.2.4 Pipeline Construction Or Material Defects**

Nationwide, the DOT-OPS reports that the range of reportable incidents attributed to construction or material defects was 9% to 20% over the time period between 1994 and 2000.

Design and construction of pipelines are regulated by state (CPUC General Order 112-E) and federal (CFR 49 Part 192) law. Kinder Morgan pipelines meet or exceed those regulatory standards (Kinder Morgan 2005). As part of their maintenance and operation plan, Kinder Morgan continuously monitors operating pressure, conducts annual leak surveys, monitors cathodic protection, and patrols pipelines for evidence of damage, leaks, or unsafe conditions. All of these measures serve to reduce the likelihood of defects or failures due to construction or pipeline materials. Based on the available information, Kleinfelder expects the likelihood of a reportable incident attributed to construction or material defects to be low.

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Kinder Morgan maintains a risk management plan to reduce or eliminate the likelihood of a pipeline incident caused by outside force (third-party dig-ins), corrosion and deterioration, ground movement, or construction and material defects. The specific risk management measures Kinder Morgan employs are discussed below. In addition to these specific measures, Kinder Morgan maintains a comprehensive emergency response plan for directing the response to, and reducing the effects of, a reportable pipeline incident.

**3.3.1 Pipeline Damage By Outside Force (Third-Party Dig-Ins)**

Kinder Morgan maintains a policy that allows third parties to excavate near pipeline easements if the third-party has notified the Underground Service Alert (USA) system. Kinder Morgan will locate and mark the underground lines.

**3.3.2 Pipeline Corrosion And Deterioration**

Kinder Morgan meets or exceeds the state- and federally-mandated design, construction, operation, and maintenance of their liquid pipelines (Kinder Morgan 2005). Kinder Morgan personnel perform periodic internal inspections using "smart pigs" to confirm wall thickness, monitor cathodic protection of steel pipelines, and regularly conduct visual inspections by ground and air to monitor external conditions.

**3.3.3 Ground Movement**

Kinder Morgan maintains emergency shut-off valve stations located approximately 1 mile on either side of the subject site. As noted above in, steel liquid pipelines, like the 8-inch line and 10-inch line, are resilient and generally accommodate ground movement well.

**3.3.4 Pipeline Construction Or Material Defects**

Kinder Morgan meets or exceeds the state- and federally-mandated design, construction, operation, and maintenance of their transmission pipelines (Kinder Morgan 2005). Kinder Morgan district personnel perform annual leak surveys, monitor cathodic protection of steel pipelines, and regularly patrol the pipeline to monitor external conditions.

**3.4 RISK OF PIPELINE RELEASES**

The probability of two pipeline release scenarios was evaluated: a one-inch hole in the pipeline and a full-bore rupture of the pipeline created by a third-party dig-in, by ground movement, or other cause. The probability that these two release scenarios could result in a leak fire or a rupture fire was evaluated using a protocol developed for the California Department of Education (CDE) to assess hazardous material pipelines





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located within 1,500 feet of a proposed school site (URS 2002). The objective of the CDE protocol is to assess the probability of a fatality among school students, faculty, or staff in the event of a pipeline release that results in a fire. CDE has established a one in one million fatality risk as the target risk level. Therefore, Klainfoler used the CDE protocol to assess the probability of a fatality resulting from a fire following a pipeline leak or rupture within 1,500 feet of the subject site. Other potential consequence scenarios, pressure-jet fires and explosions, are not likely with jet fuel given its low explosivity; therefore these scenarios were not evaluated for this report.

The estimate for the pipeline release frequency resulting in a fatality is  $7.6 \times 10^{-6}$  and was derived from the federal Department of Transportation Office of Pipeline Safety statistics for incidents between 1990 and 2003 (available on-line at [www.ops.dot.gov/state](http://www.ops.dot.gov/state)). The estimate of annual pipeline fatality risk was then normalized based on the miles of hazardous liquid pipeline in use over that time period. Thus,

$$F = N/t$$

Where:

F = fatality frequency (per year)

N = number of fatalities

t = time (years) over which fatalities have been recorded

For  $N = 6$  (number of pipeline release fatalities in the U.S. over the time period 1990 to 2003), and  $t = 14$  years,  $F = 0.43$ . Therefore, the probability of a fatality per pipeline mile is the ratio of the fatality frequency, F, to the average number of pipeline miles in operation over the same time period:

$$(0.43 \text{ F/year}) / (156,561 \text{ miles/year}) = 2.7 \times 10^{-6} \text{ fatalities per mile}$$

This estimate of fatalities per mile was entered into the CDE model (Appendix A), however, it should be noted that no fatalities occurred as a result of a jet fuel pipeline release over the time period for which data are available from the federal Department of Transportation.

Next, the fatality frequency over the segment of pipeline within 1,500 feet of the subject site was estimated using 3,390 feet of pipeline times two pipelines, which is 1.28 miles of pipeline:

$$2.7 \times 10^{-6} \text{ fatalities/mile} \times 1.28 \text{ miles} = 3.5 \times 10^{-6} \text{ fatalities}$$

With this estimate of the fatality frequency, and estimates for probabilities for leaks, ruptures, ignition, and fire upon ignition provided by the Federal Emergency Management Agency (FEMA; cited in URS 2002), an estimate of the fatality risk for an individual was estimated (Appendix A). The fatality risk for an individual was less than

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one in one million:  $6.97 \times 10^{-7}$ , which indicates that the risk of a leak fire or rupture fire at the subject site is within acceptable ranges (URS 2002)

**3.5 SUMMARY AND CONCLUSIONS**

The likelihood of a pipeline failure that would result in adverse consequences was estimated based on the following six criteria:

- Pipeline alignment, design, use characteristics and safety features
- Regulatory agency records of past incidents
- Failures in similar pipeline systems
- The availability of appropriate risk management and emergency response plans
- Likelihood of failure due to third-party dig-ins, corrosion, ground movement, and construction or material defects
- Probability of a fatality resulting from a leak or rupture

Qualitative estimates of the likelihood of a pipeline incident and the basis for those estimates are presented in Table 3. The likelihood of a pipeline incident was low to medium. In addition, the probability of pipeline release and associated fatality was also evaluated (URS 2002). The probability of a fatality resulting from a pipeline release is below one in one million, which is the generally accepted target level for acceptable risk.

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Based on the evaluation criteria presented in Tables 2 and 3, Kleinfelder's evaluation of the likelihood of a potential railroad or pipeline incident occurring in the vicinity of the proposed development site at 700 University Avenue that might pose an unacceptable hazard to future residents is low. In addition, the probability of a fatality resulting from a pipeline release is less than one in a million.

The railroad and pipeline risk analyses described herein were performed according to the proposal submitted to the Christopher A. Joseph & Associates in our letter dated September 9, 2005. Although risk can never be eliminated, more detailed and extensive investigations yield more information, which may help to better understand and manage site risks. Since such detailed services involve greater expense, we ask our clients to participate in identifying the level of service that will provide them with an acceptable level of risk. Please contact the signatories of this report if you would like to discuss this issue of risk further.

Land use, site conditions (both on-site and off-site) or other factors may change over time. Since site activities, conditions, and regulations are beyond our control and could change at any time after the completion of this report, our observations, findings and opinions can be considered valid only as of the date of the site visit.

Any party other than Christopher A. Joseph & Associates who would like to use this report shall notify Kleinfelder of such intended use. Based on the intended use of the report, Kleinfelder may require that additional work be performed and that a revised report be issued. Non-compliance with any of these requirements will release Kleinfelder from any liability resulting from the use of this report by any unauthorized party.

No warranty, either express, or implied is made.



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TABLES



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**TABLE 1**  
**INSPECTION RATIO OF DEFECTS PER UNIT INSPECTED**  
**JANUARY 1999 TO DECEMBER 2004**

Track	0.2045	0.1840	1.111
Signal	0.0981	0.1611	0.609
Operating Practices	0.2362	0.3304	0.715
Mobile Equipment (locomotives, cars, etc.)	0.0808	0.0669	1.208
Hazardous Material	0.0282	0.0538	0.524
Miscellaneous Areas	1.0	0.9091	1.100

\* Bold indicates Ratio above 1



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**TABLE 2**  
**QUALITATIVE ESTIMATES FOR A RAILROAD INCIDENT**

Railroad alignment	Low to Medium	As the segment of track within 1,500 feet of the subject site increases, the likelihood of a railroad incident that affects the subject site increases. Because the tracks are immediately adjacent to the subject site, the maximum segment of track (0.64 miles) comprises the impact zone. To reduce the potential impact associated with the railroad alignment, the site would need to be reduced in size or moved farther away from the tracks.
Use characteristics	Medium	The tracks evaluated in this risk analysis are heavily used with approximately 60 runs per day divided between passenger and freight. To reduce the potential impact associated with railroad use characteristics, the number of runs per day on these tracks would need to be reduced.
Design and safety controls	Low	Union Pacific inspects the tracks periodically for vegetation, drainage, crosstie integrity, defective rails and joints, turnouts and track crossings in accordance with federal and state regulations. The tracks are straight with an unobstructed view. There are no switches at this location. A railroad crossing is located on Addison Street near the intersection of Addison and Third Street on the south boundary of the site. The crossing is equipped with audible warning devices, an automatic gate, and warning lights.
Agency records of past incidents	Low	No railroad incidents are known to have occurred at the location of the subject site. Nationwide, the likelihood of a railroad incident on a 0.64-mile segment of track is low. The Union Pacific Railroad is average to below average in regulatory agency reported defects.
Probability of hazardous materials release	Low	Nationwide, the probability of a railroad accident or a railroad accident resulting in a hazardous materials release is low.
Risk management and emergency response plans	Low	The railroad and the local fire department maintain risk management and emergency response plans for railroad emergencies. The presence of risk management or emergency response plans should decrease the likelihood of a railroad incident and the potential magnitude of those consequences.



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**TABLE 3  
 QUALITATIVE ESTIMATES FOR A PIPELINE INCIDENT**

Pipeline alignment, design, use characteristics, and safety features	Low to Medium	The pipelines appear to be in a straight alignment along the perimeter of the subject site and emergency shut-off valves are located approximately 1 mile from the site. Operating pressure is high, which increases the relative risk of a failure.
Regulatory agency records of past incidents	Low	No incidents involving the two pipelines evaluated in this report are on record with the local fire department. Pipeline failure rates in general, and jet fuel pipeline failure rates in particular, are relatively low.
Failures in similar pipeline systems	Low	Failure rates in similar systems are quantitatively low. Fatalities or injuries occur with a frequency of only one incident per 3,571 miles per year.
Risk management and emergency response plans	Low	The pipeline owner and the local fire department maintain risk management and emergency response plans for pipeline emergencies and other catastrophes. The presence of risk management or emergency response plans should decrease the likelihood of a pipeline incident and the potential magnitude of those consequences.
Third-party dig-ins, corrosion, ground movement, construction or material defects	Low to Medium	Third-party dig-ins may occur more frequently in a highly urbanized setting such as the subject site. Corrosion problems and construction and material defects should be limited by the pipeline owners regular inspection and maintenance program. The subject site is located in a zone of relatively high seismic activity, however, steel pipelines are known to be resilient and accommodate ground movement well.





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FIGURE

92666/PWHAZICAMFR102/vee

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APPENDIX A  
 CALCULATION OF FATALITY RISK DUE TO LEAK FIRE OR RUPTURE FIRE

Baseline frequency per pipeline mile	FT	2.70E-06	Fatalities/year-mile	OPS Statistics
Baseline segment miles within 1500-ft buffer	SEG	1.28	Miles	3 990 feet x 2 pipelines
Base release frequency	F0	3.46E-06	Releases/year	F0=FTxSEG
Base release probability	P0	3.46E-06	Release Probability	P0=1-e <sup>(-F0x)</sup>
Probability adjustment factor	PAF	1	NA	Default Value
Adjusted base probability	Pb	3.46E-06	NA	Pb=P0xPAF
Probability of leak	PC1	0.8	NA	FEMA Estimate
Probability of rupture	PC2	0.2	NA	FEMA Estimate
Probability of ignition	PC3	0.3	NA	FEMA Estimate
Probability of fire upon ignition	PC4	0.7	NA	FEMA Estimate
Probability of explosion upon ignition	PC5	0	NA	Explosion hazard for jet fuel is negligible.
Probability of leak-fire	PC6	5.81E-07	NA	=Pb*PC1*PC3*PC4
Probability of rupture-fire	PC7	1.45E-07	NA	=Pb*PC2*PC3*PC4
Probability of leak-explosion	PC8	0	NA	Explosion hazard for jet fuel is negligible.
Probability of rupture-explosion	PC9	0	NA	Explosion hazard for jet fuel is negligible.
Leak-fire impact at site center-point - Does LFL extend beyond centerpoint? Yes or No?	NA	YES	NA	Based on analysis of leak fire hazard using the ARCHIE model (Version 1.0)
If LFL extends beyond centerpoint, enter probability of flash fire fatality if exposed. If "No", enter 0.	PC10	1	NA	Default value from guidance (URS 2002).
Rupture-fire impact at site centerpoint - does the LFL extend beyond the centerpoint? Yes or No?	NA	YES	NA	Based on analysis of rupture fire hazard using the ARCHIE model (Version 1.0)
If LFL extends beyond centerpoint, enter probability of flash fire fatality if exposed. If "No", enter 0.	PC11	1	NA	Default value from guidance (URS 2002).
Probability of occupancy	PC16	0.86	NA	=(24 hrs/day x 350 days/year)/8760 hrs/year

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Letter 3 (cont'd)

RUSD: Gresham & Savage - Tracy M. Owens

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Annual fire fatality individual risk	FFIR	6.97E-07	NA	=PC16*((PC10*PC6)+(PC11*PC7)+(PC12*PC6)+(PC13*PC7))
Annual explosion fatality individual risk	EFIR	0	NA	Explosion hazard for jet fuel is negligible.
Total Individual Risk	TIR	6.97E-07	NA	=FFIR+EFIR
Individual Risk Criterion	IRC	1.00E-06	NA	Default Value
Divide the TIR by the IRC	TIR/IRC	6.97E-01	NA	=TIR/IRC

**Response to Letter 3****RUSD: Gresham & Savage - Tracy M. Owens****May 21, 2010**

- L3-1. This comment is introductory in nature and does not raise specific environmental concerns. Therefore, no further response is necessary.
- L3-2. See Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School, Master Response #3 – Derailment (General), Master Response #7 – Emergency Planning and Response, Master Response #9 – Highland and Hyatt Elementary Schools (Increased Train Traffic), and Master Response #10 – Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment). RCTC understands RUSD's safety concerns. RCTC is committed to upgrading the existing rail corridor through implementation of the PVL project. The upgrades proposed by the PVL project would provide for safe operation of both the commuter rail as well as the existing freight trains. RCTC believes the Draft EIR fully complies with CEQA and does adequately analyze and mitigate all potentially significant project impacts. No new impacts were identified in this comment and no additional mitigation measures are required.
- L3-3. This comment is introductory and does not raise specific environmental concerns. No response is necessary.
- L3-4. RCTC believes the Draft EIR complies with all requirements of CEQA and that the public was provided extraordinary opportunities to participate throughout the process. In addition to a public scoping meeting at the beginning of the process, three (3) public hearings were conducted to solicit input from the public, stakeholders, and affected public agencies. RCTC originally scheduled two [2] public hearings during the public review and comment period for the Draft EIR; however, in response to input received, RCTC added an additional, third public hearing. RCTC staff also met with RUSD on several occasions throughout development of the proposed project and participated in RUSD School Board meetings.
- L3-5. RCTC believes the project description is adequate. Section 2.4.1 of the Draft EIR describes all proposed track improvements and their locations by Mile Post (MP) for the entire project, including near both Highland and Hyatt Elementary Schools. There are no new impacts as a result of this comment and the Draft EIR was not changed.
- L3-6. This comment indicates the Draft EIR does not provide enough information regarding proposed track upgrades and the construction process to allow for meaningful public input and understanding of the potential impacts. As indicated in response L3-5, Section 2.4.1 of the Draft EIR describes all proposed track improvements and their locations by Mile Post (MP) for the entire project, including near both Highland and Hyatt Elementary Schools.

In accordance with CEQA Guidelines Section 15161, construction-related impacts are analyzed based on assumptions about the number and type of construction equipment that would be used in a worst-case scenario for similar types of rail projects. Since the worst-case construction scenario was considered in the



evaluation of environmental impacts (and the Draft EIR found no unmitigable, significant environmental impacts), the Draft EIR concluded that there will not be additional impacts once the construction schedule and number and type of construction equipment is finalized.

The worst-case scenario assumptions as to the types and numbers of construction equipment that would likely be used to build the project are identified in the Air Quality Technical Report attached to the Draft EIR as Technical Report B. For example, for the track construction, the analysis assumed that 1,000 feet of track would be laid per day, with an estimated number of 131 total days. One end loader, backhoe, track laying machine (TLM), track tamper, and ballast regulator would each be used for eight hours a day. One railroad car would be used for six hours a day and one dynamic track stabilizer would be used for four hours a day. Lastly, one water truck, one dump truck, and one welder's truck would be used for nine hours a day. A similar breakdown was used to analyze each project component.

In addition to the aforementioned assumptions, the Draft EIR explained the anticipated construction process (Section 2.4.10). As such, the Draft EIR provides an accurate and sufficient description of the project components. Based on this description, the decision-makers and the public are given enough information to understand and weigh the environmental impacts of the proposed PVL project. (*Dry Creek Citizens Coalition v. County of Tulare* (1999) 70 Cal.App.4th 20.) There are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L3-7. The landscape walls are supplemental project design features, not mitigation for any identified impact and are provided in response to input received from RUSD. As such, the walls are not subject to a defined performance standard.

At Hyatt Elementary School, the landscape wall is anticipated to be located near the RCTC property boundary with the school. The school property boundary/wall location is approximately 95 feet away from the closest rail. The landscape wall will be constructed of similar material to the noise barrier, concrete block. The elevation difference between top of the wall to existing ground will be approximately 8 feet. Parallel to the wall will be an excavated ditch on the rail side of the wall. The excavated soil will be used to create an earthen berm against the landscape wall. The objective of the wall is to minimize the risk of rail cargo and debris reaching the school grounds in the event of a train accident.

The landscape wall at Highland Elementary School is expected to fill in the break in the noise barrier wall and be of the same height as the noise barrier (between 8 and 10 feet). However, the landscape wall is not intended to serve as noise mitigation. Instead, the installation of the landscape wall will simply result in a continuous barrier along and adjacent to the school boundaries. The landscape wall will also be made of the same materials as the noise barriers so as to create a continuous and uniform visual appearance.

RCTC is not planning to provide any vegetation to either the landscape walls or the noise barriers as part of the PVL project. RCTC does not have irrigation water available within the ROW to allow for watering of landscaping on the RCTC side of



the barrier. The schools and other property owners that abut a noise barrier/landscape wall would be able to provide landscaping on the side of barrier that fronts their property if they so choose. The landscape irrigation and maintenance would be the responsibility of the local property owner.

Information regarding construction is provided in the Draft EIR on pages 2-44 and 2-45. Performance standards related to air quality, noise and vibration, and traffic would be applied during construction. As stated in response L3-6, the Draft EIR analyzed a worst-case scenario of construction impacts, which included work during school hours. The results of the analysis indicate that construction activities for the landscape walls would not significantly impact the schools. Therefore, no further analysis is required. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

L3-8. See Master Response #11 – Recirculate EIR and the CEQA Process. The project description in the Draft EIR is accurate, stable and finite. It provides RCTC and the public with sufficient information to understand the scope of the project and the potential environmental impacts. Please refer to Responses L3-5, L3-6 and L3-7 above. The major components and stages of the project are described and CEQA does not require anything more. The Draft EIR provides the decision-makers and the public the necessary tools to understand the proposed project and potential project related environmental impacts. Consequently, there is no need to recirculate the Draft EIR. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

L3-9. Comments concerning safety, air quality and noise are addressed below in Responses L3-10 through L3-39.

L3-10. See Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School, Master Response #3 – Derailment (General), Master Response #7 – Emergency Planning and Response, and Master Response #10 – Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment). Kinder Morgan operates a jet fuel (JP5) line that supplies fuel to the March Air Reserve Base. The six-inch pipeline is located within the RCTC ROW near Highland Elementary School. The Draft EIR considers this pipeline line an existing condition (Draft EIR, Section 4.7.1). The proposed project would not relocate or interact with this pipeline in any way (Draft EIR, Section 4.7.4). However, during construction, areas within RCTC ROW where the fuel line is less than three feet deep, a non-permeable material will be placed over the fuel line where soil erosion has taken place. This will reduce further erosion.

The addition of commuter rail to the existing railway line does not significantly increase the safety risks in the vicinity of Highland Elementary School and the Kinder Morgan pipeline near that school (Zeta Tech Report, page 7). Therefore, the analysis in the Draft EIR is correct - there are no significant impacts and no mitigation is required for this issue.

L3-11. See Master Response #2 - Kinder Morgan Pipeline Segment Near Highland Elementary School, Master Response #3 – Derailment (General), and Master



Response #7 - Emergency Planning and Response. As stated in the Draft EIR the proposed PVL project would not create a reasonably foreseeable significant hazard to the public or the environment through upset or accident conditions involving the release of hazardous materials into the environment (Draft EIR, Section 4.7.4). Per the Zeta Tech Report, the risk of a derailment of a commuter train in the vicinity of each school is approximately one derailment every 3,000 years. This statistic demonstrates that derailment is not reasonably foreseeable. Therefore the impact is appropriately determined less than significant.

In addition, the improvements proposed by the PVL project would improve the overall safety of rail operations within the corridor. This would include both the existing freight traffic as well as the future commuter trains. By improving the existing track conditions, the current statistics regarding derailment are not representative of future operating conditions. Therefore, the analysis in the Draft EIR is correct - there are no significant impacts and no mitigation is required for this issue.

- L3-12. See Master Response #2 - Kinder Morgan Pipeline Segment Near Highland Elementary School. Attached to the comment letter is a report, "Railroad Safety Study and Pipeline Risk Analysis" (Kleinfelder, November 2005, for Christopher Joseph & Associates). This study was prepared in accordance with the California Department of Education's Guidance Protocol for School Site Rail and Pipeline Risk Analysis. This guidance protocol is used for determining the risk associated with siting a new school, not determining the risk at an existing school location. (See Master Response # 2 – Kinder Morgan Pipeline Segment Near Highland Elementary School.) Additionally, the potential school site discussed in the study that the commenter provided is located in northern California, which does not provide any local information about derailment risk in the Riverside area. So, although the study was prepared, it is irrelevant to the PVL project because the RUSD schools were sited adjacent to this active rail corridor over 50 years ago.

Further discussion of the report can be found within Response to Comment L3-53. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L3-13. See Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School, Master Response #3 – Derailment (General), and Master Response #10 – Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment), as well as, Response L3-14. The depth of the pipeline within the ROW varies. In some places it is as deep as 10 feet and in other places it is as shallow as 2 feet 4 inches. The reason for this range of depths is that erosion and weathering slowly remove topsoil and therefore reduce the overall depth of the line. Therefore, the description of the pipeline is not inconsistent or inaccurate.

Per Kinder Morgan's construction oversight and safety requirements described below in L3-14, the engineering and construction activities will not impact the pipeline. However, during construction, areas where the fuel line is less than three feet deep,



a non-permeable material will be placed over the fuel line where soil erosion has taken place, this will reduce further erosion. Kinder Morgan has specific requirements for work within their pipeline easement. One requirement is that a company representative monitors construction activity within 25 feet of a pipeline. RCTC will fully comply with Kinder Morgan's standard requirements, including monitoring of construction activity. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L3-14. See Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School, Master Response #3 – Derailment (General), and Master Response #10 – Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment). As stated in L3-13, no engineering or construction activities are expected to impact the pipeline during construction. It should also be noted that the drilling associated with the foundation for the landscape walls and noise barriers will require a non-permeable barrier be placed over the fuel line in areas where the pipeline is less than three feet deep. In addition to the wall work, new rail ties and the placement of new ballast would be added to the existing ballast (which is not anchored to the ground) to provide the appropriate support to the ties. The ties are supported by the ballast that in turn are connected to and support the rails. The ballast replenishment, and tie replacement (or re-leveling) occurs with the use of a track car that travels on the rails and carries all the materials necessary to install and maintain the track.

Kinder Morgan has specific requirements that must be met if construction is conducted within their easement. These requirements are outlined in Kinder Morgan Guidelines for Design and Construction near Kinder Morgan Hazardous Liquid Operated Facilities (November, 2007), which includes (but is not limited to), the following:

Design:

- Kinder Morgan shall be provided sufficient notice of planned activities involving excavation, blasting, or any types of construction on Kinder Morgan ROWs to determine and resolve any location, grade, encroachment problems and provide protection of Kinder Morgan facilities and the public before the actual work takes place.
- Encroaching entity shall provide Kinder Morgan with a set of drawings for review and a set of final construction drawings shall show all aspects of the proposed facilities in the vicinity of Kinder Morgan's ROW. The encroaching entity shall also provide a set of as-built drawings showing the proposed facilities in the vicinity of Kinder Morgan's ROW.

These Guidelines continue to address specific design issues, as well as construction issues, including (but not limited to) the following:





Construction:

- Contractors shall be advised of Kinder Morgan's requirements and shall be contractually obligated to comply.
- The continued integrity of Kinder Morgan's pipelines and the safety of all individuals in the area of proposed work near Kinder Morgan's facilities are of the utmost importance. Therefore, contractor must meet with Kinder Morgan representatives prior to construction to provide and receive notification listings for appropriate area operations and emergency personnel. Kinder Morgan's on-site representative will require discontinuation of any work that, in his opinion, endangers the operations or safety of personnel, pipelines or facilities. The Contractor must expose all Kinder Morgan pipelines prior to crossing to determine the exact alignment and depth of the lines. A Kinder Morgan representative must be present. In the event of parallel lines, only one pipeline can be exposed at a time.
- A Kinder Morgan representative shall be on-site to observe any construction activities within 25 feet of a Kinder Morgan pipeline or aboveground appurtenance. The contractor shall not work within this distance without a Kinder Morgan representative being on site. Only hand excavation shall be permitted within two feet of Kinder Morgan pipelines, valves and fittings unless State requirements are more stringent, however, proceed with extreme caution when within three feet of the pipe.
- A Kinder Morgan representative will monitor construction activity within 25 feet of Kinder Morgan facilities during and after the activities to verify the integrity of the pipeline and to ensure the scope and conditions agreed to have not changed. Monitoring means to conduct site inspections on a pre-determined frequency based on items such as: scope of work, duration of expected excavator work, type of equipment, potential impact on pipeline, complexity of work and/or number of excavators involved.

Because construction for the PVL project would comply with all applicable Kinder Morgan construction requirements, the project would not have significant impacts for construction work around the pipeline and no mitigation measures are required.

Therefore, the analysis in the Draft EIR is correct – there are no significant impacts as a result of this issue and no mitigation measures are required. Additionally, this comment has not raised new impacts and the Draft EIR has not been changed as a result.

- L3-15. See Master Response #2 - Kinder Morgan Pipeline Segment Near Highland Elementary School and Master Response #3 – Derailment (General). The analysis in the Draft EIR is correct – there are no anticipated significant impacts as a result of this issue. The Draft EIR was changed to further clarify this issue. No new impacts as a result of this comment were raised and no mitigation measures are required.



- L3-16. See Response L3-13 and L3-14 above.
- L3-17. See Master Response #6 – Noise. With respect to limiting construction noise near schools, some of the commenters on the Draft EIR have requested that PVL construction activities be limited to non-school hours. However, this type of noise control measure would neither be reasonable nor feasible given the resulting limited time within which the project would have to be constructed. In addition, the hours of operation for a typical school are not limited to the school day, and subsequently may include evening and early morning hours thus further reducing available construction time. As a result, if the hours of allowable operation for construction activities were to be restricted, the construction period would be extended and the ability to complete the proposed project within a reasonable period of time would be substantially compromised. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L3-18. See Response L3-6, L3-7, and L3-14, and Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L3-19. See Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School and Master Response #3 – Derailment (General). The Draft EIR evaluates the risk of derailment to all people generally, not just students specifically (Draft EIR, Section 4.7.4). According to the Draft EIR, if a SCRR/Metrolink train derailed on the SJBL corridor there is a potential that the diesel fuel within the fuel tanks could spill. Regardless, even if a derailment were to occur, the amount of diesel in a full tank (2,500 gallons) would not be a large enough quantity to flow outside of the RCTC ROW. Spill cleanup would consist of containing any ponded fuel, and then clean-up the contaminated soil. Therefore, the analysis in the Draft EIR is correct - there are no significant impacts and no mitigation is required for this issue. No new impacts as a result of this comment were raised and no mitigation measures are required.
- L3-20. See Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School and Master Response #3 – Derailment (General). The Draft EIR is correct - there are no significant impacts and no mitigation is required for this issue. However, it should be noted that the master responses describe a more recent risk analysis that was completed, the Zeta Tech Report. This report takes into account train speeds of approximately 30 mph at Highland Elementary School and less than 30 mph at Hyatt Elementary School. No new impacts as a result of this comment were raised and no mitigation measures are required.
- L3-21. See Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School, Master Response #3 – Derailment (General) and Master Response #10 – Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment). Additionally, the distance between the rail and Hyatt Elementary School is between 95 and 125 feet away from the school property. The photograph within the Master Response #10 – Hyatt Elementary School and Nearby Residences Supplement Protection (Derailment), illustrates a view that accurately represents the distance relationship between the rail and the school.



Therefore, the analysis in the Draft EIR is correct - there are no significant impacts and no mitigation is required for this issue. No new impacts as a result of this comment were raised and no mitigation measures are required.

- L3-22. See Master Response #3 – Derailment (General) and Master Response #8 – Grade Crossings. The statistic this comment cites, “from 1999 to mid-2008, 94 people died from incidents involving Metrolink trains”, raises broader issues of safety beyond derailments. The comment acknowledges this fact as well: “cars and pedestrians at the 464 street-level crossings on Metrolink’s ROW are a key factor in the [Metrolink] fatalities.”

With regard to grade crossings, safety is a primary concern of both RCTC and SCRRRA (the operators of the Metrolink service) for implementation and operation of the project. Grade crossing improvements are identified along the PVL corridor in the Draft EIR in Section 2.4.6 and Figure 2.4-28. Two grade crossings, at W. Blaine Street and Mt. Vernon Avenue, are located near Highland (approximately 950 feet away) and Hyatt Elementary Schools (approximately 3,960 feet away), respectively. Improvements to these two grade crossings include pedestrian swing gates, pedestrian warning devices and gates, pedestrian barricades and metal hand railings, concrete raised medians, double yellow medians and island noses, warning devices, safety lighting, and signs. Please note that these grade crossing improvements are not mitigation for an impact; the Draft EIR found no significant, unmitigable impacts as a result of the PVL project. The project does not increase safety risks. Instead, the PVL project would upgrade the existing physical condition of the rail line, which would result in a stronger infrastructure, a higher level of maintenance, and enhanced safety.

To further increase the awareness of trains and increase safety, Metrolink provides “Operation Lifesaver,” a safety education program. Operation Lifesaver provides age appropriate programs for communities and schools within the Metrolink service area. For additional information regarding the program, see the Draft EIR on page 2-48.

Therefore, the analysis in the Draft EIR is correct - there are no significant impacts and no mitigation is required for this issue. No new impacts as a result of this comment were raised and no mitigation measures are required.

- L3-23. See response L3-22 and Master Response #8 – Grade Crossings. The grade crossing warning systems are being upgraded along the entire PVL corridor. These upgrades are approved by the CPUC and incorporate the most up-to-date safety requirements. The commenter has provided two examples of accidents that did not occur along the PVL alignment. RCTC will implement the most current Metrolink standards for all grade crossings along the PVL project alignment. Nevertheless, SCRRRA/Metrolink cannot control individuals who willfully bypass or ignore safety-warning devices and trespass onto the tracks. The Draft EIR stated that there are no significant impacts as a result of the PVL project and no mitigation is required. There are no new impacts as a result of this comment and the Draft EIR has not been changed.



L3-24. See response L3-19 through L3-23, Master Response #8 – Grade Crossings and Master Response #9 – Highland and Hyatt Elementary Schools (Increased Train Traffic). The Draft EIR found no significant safety impacts at grade crossings as a result of the PVL project, with the implementation of mitigation measures. Since the identified mitigation measures would reduce impacts to less than significant levels, no additional mitigation measures are required. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

L3-25. See Master Response #3 – Derailment (General) and Master Response #9 – Highland and Hyatt Elementary Schools (Increased Train Traffic). Regardless of when the trains pass the school, the Draft EIR did not identify a significant risk to Hyatt Elementary School from the PVL project. The SJBL/RCTC ROW is located behind the school and would not interfere with students entering the school from the entrance, which is located at the front of the school. The distance from the closest classroom building at Hyatt Elementary School to the rail line is approximately 350 feet. It is also almost 100 feet from the basketball courts at the school to the nearest rail. Additionally, there are no crossings near the school which means that children would not be drawn to access the school from the back of the property and across the tracks. The landscape wall will be constructed of similar material to the noise barrier, concrete block. The elevation difference between top of the wall and the existing ground will approximately 8 feet. Parallel to the wall will be an excavated ditch on the rail side of the wall. The excavated soil will be used to create an earthen berm against the landscape wall. The objective of the landscape wall is to minimize the risk of rail cargo and debris reaching the school grounds in the event of a train accident. Therefore, the analysis in the Draft EIR is correct - there are no significant impacts and no mitigation is required for this issue. The Draft EIR was changed to further clarify this issue. No new impacts as a result of this comment were raised and no mitigation measures are required.

L3-26. See response L3-7 and Master Response #3 – Derailment (General). The derailment risk is less than significant; therefore, mitigation measures are not required.

Additionally, the landscape walls have been integrated into the project design as project design features. Landscape walls are distinct from the noise barriers, which are mitigation for noise related impacts. The landscape wall will be constructed of the same material as the noise barrier, concrete block. The elevation difference between top of the wall and the existing ground will approximately 8 feet. Parallel to the wall will be an excavated ditch on the rail side of the wall. The excavated soil will be used to create an earthen berm against the landscape wall. The objective of the landscape wall is to minimize the risk of rail cargo and debris reaching the school grounds in the event of a train accident. Therefore, no new impacts were raised by this comment and no mitigation measures are required.

L3-27. See Master Response #3 – Derailment (General). The Draft EIR explains that the derailment potential for a commuter train is less than significant (Draft EIR, Section 4.7.4). Therefore, mitigation measures are not required.

The three-foot berm does not currently exist near the Hyatt Elementary School. In the vicinity of Hyatt Elementary School, a wall will be constructed very near the outer



limit of the right of way. The elevation difference between top of the wall to existing ground will be approximately 8 feet. Paralleling the wall will be an excavated ditch on the railway-side of the wall. The ditch spoils will be used to create an earthen berm against the reinforced concrete wall. The objective of the wall is to minimize the risk of rail cargo and debris reaching the playground in the event of a train derailment.

- L3-28. See Master Response #7 – Emergency Response and Planning. Emergency access to Hyatt Elementary School would either come along Central Avenue to Watkins Drive from the south or along Watkins Drive from the north. Neither of these main roads is bisected by the RCTC ROW. In the event of a derailment near Hyatt Elementary School, emergency response would be able to reach the train by entering the RCTC ROW at Poarch Road (south of the school), or by entering the ROW at Manfield Street (north of the school).

Emergency access to Highland Elementary School could come from either Spruce Street (north of the school) or from Blaine Street (south of the school). If either Spruce Street or Blaine Street is blocked for any reason, the other street could be used for access into or out of the area. Emergency response would be able to reach the derailed train by entering the RCTC ROW at the same grade crossings and not having to travel through the school.

Furthermore, the PVL project's trains would be commuter trains of only a few cars. These trains are too short to block more than a single crossing. Thus, even in the unlikely event that a project train stops in the neighborhood, there would be no significant impact because only one of three ingress/egress locations would be affected.

Additionally, with the implementation of the PVL project, the corridor will become a shared corridor with the Metrolink and BNSF under the responsibility of SCRRRA. Due to the shared nature of the operations, it is not anticipated that trains would be allowed to stop in areas of single track (including the UCR neighborhood) because this would block other trains from passing through. Instead, trains would stop in the areas where there is a bypass track (between MP 7.50 to MP 16.90, the section that is parallel and adjacent to I-215) and not in the UCR neighborhood. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L3-29. See Master Response #8 – Grade Crossings. There are no reports of student deaths as a result of train traffic along the SJBL. SCRRRA/Metrolink provides a safety and awareness program called Operation Lifesaver (Draft EIR, Section 2.4.14). This program is designed to increase awareness of the trains and the extreme hazards created by illegally crossing the tracks. The program is designed for both students and the general public. It should also be noted that students do not have to cross the ROW, legally or illegally, to reach Hyatt Elementary School. The main road into the area is Watkins Drive. There are no impacts as a result of this comment and the Draft EIR has not been changed.

- L3-30. For the proposed PVL project, a health risk assessment was conducted, following CEQA air quality guidelines, to take into account the effects of air toxic contaminants



on human health (see Draft EIR, Section 4.3.3). The results of the health risk assessment are shown in Table 4.3-9 of the Draft EIR and are presented in full detail in the Air Quality Technical Report, Appendix C. Based on the results shown in Table 4.3-9, there would be no exceedances of the impact thresholds for any of the criteria pollutants arising from the operation of the proposed PVL project. Therefore, the Draft EIR adequately considers potential health impacts to children at the elementary schools.

Concerning air quality impacts to sensitive receptors in specific locations, the Draft EIR evaluated carbon monoxide hot spots at six specific locations. Included in those six locations were Highland and Hyatt Elementary Schools (see Draft EIR, Section 4.3.4). The hot spot analysis evaluated the potential impacts to sensitive receptors near intersections most affected by the project, and parking lots (see Draft EIR, Section 4.3.4). Additionally, the health risk assessment evaluated potential impacts to sensitive receptors as a result of diesel emissions (see Draft EIR, Section 4.3.4). Based upon the hot spot analysis and the health risk assessment, it was determined that the risk to sensitive receptors would be below the SCAQMD threshold of significance. Therefore, it was determined that the impacts to sensitive receptors would be less than significant and no mitigation was required.

- L3-31. See L3-17 and Master Response #6 – Noise. The results of the assessment of construction emissions from the proposed project are shown in Table 4.3-11 (see Draft EIR, Section 4.3.3). None of the daily construction activities would exceed SCAQMD's daily construction emissions thresholds and, therefore, are properly identified in the Draft EIR as less than significant (see Draft EIR, Section 4.3.3). Although significant adverse impacts would not occur during construction, contractors would be required to implement BMPs during the construction period to control fugitive dust emissions in accordance with SCAQMD Rule 403 (see Draft EIR, Section 4.3.3, and the Air Quality Technical Report).

Information regarding construction is provided in the Draft EIR, Section 2.1.10. Performance standards related to air quality, noise and vibration, and traffic would be applied during construction.

- L3-32. The purpose of the health risk assessment is to evaluate the potential health risks created by the proposed project (see response L3-30). The proposed project would add twelve (12) passenger commuter train trips to the existing rail alignment. The addition of 12 passenger commuter train trips was taken into account in the health risk assessment and was found to have a negligible effect on emissions in the vicinity of nearby homes, schools, and businesses along the PVL alignment. Concerning pollutant emissions from existing freight trains, because the PVL project is already included in the RTIP (see Draft EIR, Section 4.3.2), existing freight emissions are already accounted for with regard to public exposure. In addition, emissions from the existing freight trains are included in measurements taken by local air quality monitoring stations. Consequently, pollutant emissions from existing freight trains are already accounted for in the baseline condition. Moreover, the AQMD health risk methodology specifically requires that the analysis focus on the project's incremental risk to health, which was properly the focus of the health risk assessment.



In addition, the project underwent a regional-level air quality assessment and it was determined that the PVL is not a POAQC on April 16, 2010 (<http://www.scag.ca.gov/tcwg/projectlist/march10.htm>). A copy of the TCWG review form is shown in Appendix F of the Air Quality Traffic Report. Any additional increases in train traffic above that described for the proposed PVL project would have to be evaluated independently of this assessment.

Overall, with the consideration of existing emissions and expected reductions in vehicle traffic as a result of the use of the PVL commuter trains, the proposed PVL project would result in decreases in emissions for the majority of pollutants, thus producing a cumulative net benefit to the region's air quality.

L3-33. See above response to L3-32.

L3-34. The discussion of cumulative impacts in Section 5.3 of the Draft EIR accurately assesses cumulative impacts of the proposed PVL project in the context of past, present, and probable future projects in the PVL study area. As indicated above, freight train emissions were included in the baseline conditions and were appropriately captured by the cumulative impact analysis. The discussion of air quality within the Cumulative Impacts Section 5.3 in the Draft EIR is correctly addressed. Also, see response to L3-32.

L3-35. Localized Significance Thresholds (LSTs) are entirely voluntary (see SCAQMD Fact Sheet on LSTs, available at: [http://www.aqmd.gov/localgovt/images/lst\\_fact\\_sheet.pdf](http://www.aqmd.gov/localgovt/images/lst_fact_sheet.pdf)). Based on the SCAQMD Fact Sheet, it is recommended that proposed projects larger than five acres in area undergo air dispersion modeling to determine localized air quality.

For operational impacts, LSTs are more appropriate for stationary source projects. With respect to the proposed project, this would apply to proposed stations and their parking lots. As noted in the above referenced LST Fact Sheet for construction impacts, LSTs are more appropriate for a medium sized to large project that would have a longer-term influence on specific sensitive receptors neighboring the construction site. None of the stations that will be constructed as part of the PVL project would be larger than two acres in size so the PVL would be considered a smaller project. The overall project construction period is estimated at approximately 18 months. However, because of the linear nature of rail construction, the actual construction period at any one individual sensitive receptor would be approximately two to three months. As a result, the assessment of localized air quality impacts for the proposed project did not utilize LSTs.

However, for project operations, a microscale analysis utilizing the NAAQS was conducted for the project. Pollutant concentrations were calculated near the intersections in the study area where air quality is expected to be the worst. In addition, localized calculations were made near receptors close to proposed PVL parking lots. Finally, a health risk assessment was conducted based on diesel emissions from the operation of the proposed SCRRRA/Metrolink locomotives.



With respect to construction, the daily SCAQMD regional construction threshold emission limits were used in the assessment of PVL construction. In this manner, the overall project impact can be evaluated. With respect to any temporary localized construction emissions, contractors would be required to implement BMPs to control fugitive dust emissions in accordance with SCAQMD Rule 403 (see Draft EIR, page 4.3-25).

- L3-36. This comment correctly indicates that Mitigation Measure NV-1 requires the noise barrier to be 680 feet long and nine feet high.
- L3-37. See Master Response #6 – Noise. A noise barrier specifically designed to mitigate project noise levels is proposed for Highland Elementary School (see Draft EIR, Table 4.10-11). The required project noise decibel reduction near the school is less than one decibel (see Draft EIR, Table 4.10-16). However, the noise barrier would actually provide three decibels of project noise reduction (see Draft EIR, Table 4.10-11). The height and length of the proposed noise barrier can be found in the Draft EIR, Table 4.10-16. The noise barrier will be constructed of concrete block.
- L3-38. See Master Response #6 – Noise. A noise barrier is provided to attenuate noise impacts at Highland Elementary School. The landscape wall will be constructed of the same material and at the same height as the noise barrier in order to provide continuity with the noise barrier. The locations of the landscape walls are shown on Figure 4.1-4 Landscape Walls, and locations of the noise barriers are shown on Figure 4.10-6 Noise Barrier Locations of the Draft EIR.
- L3-39. See Master Response #6 – Noise. As explained in the Noise and Vibration Technical Report, construction noise impacts of the proposed project were evaluated using the established FTA Transit Noise and Vibration Impact Assessment methodology (see Noise and Vibration Technical Report, Section II G). According to the FTA methodology, potential noise impacts to sensitive receptors are measured in  $L_{eq}$ , which accounts for sensitivity of particular land uses (see FTA Manual, Section 12.1). Local ordinances and noise codes were not used in the assessment because they are typically associated with maximum noise levels ( $L_{max}$ ) which are not to be exceeded. While this represents useful information limiting noise from a construction site, they are not practical for assessing the noise impact of an actual construction project since human sensitivity to noise is related to both time and degree, and local noise ordinance  $L_{max}$  levels do not assess potential impacts over a period of time. Conversely, the FTA construction noise criteria utilize an equivalent noise level ( $L_{eq}$ ) which is applied over a specific period of time. Because these criteria are assessed over a period of time, they are more effective at identifying impacts on humans' daily activities and annoyance levels.

Based on the examination of potential construction noise impacts at a representative worst-case location, a construction noise assessment for the Perris Station area was conducted since this area would experience the most noise impacts. The criteria used for selecting the representative location included the proximity of construction activities to noise sensitive receivers and the extent of construction-related activities in the area. The location at 228 C Street in the City of Perris was chosen because it is directly adjacent to the alignment and the proposed Perris Station. Therefore, it





represents the only sensitive cluster location adjacent to the alignment that would be exposed to both station and track-related construction activities. This is a worst-case scenario in terms of the potential impact to a sensitive residential receptor, the length of time for construction, the distance to an existing receptor, and the types of equipment that would be used. No impacts were predicted at this location and therefore, it is assumed that no impacts would occur at other locations (such as Highland Elementary School) where less intense construction would occur. With respect to the types of construction equipment that would be used for track and station construction, noise levels and types of equipment are presented in the Draft EIR Noise and Vibration Technical Report, Table 14. The similarity between construction equipment used in rail construction projects and street utility projects is also made in the Draft EIR. The construction activity that would create the most noise and vibration is pile driving associated with the bridge replacements near the South Perris Station and Layover Facility, around the San Jacinto River. However, since there are no noise sensitive receptors located within almost one mile of the proposed Layover Facility and the pile driving sites, construction-related noise impacts would not occur.

Construction noise impacts as defined by the FTA construction noise criteria (see FTA Manual, Section 12.1.3) would not be expected. However, during the normal allowable hours of construction defined in the local noise ordinances, project-related construction activities could result in increases in noise levels at noise-sensitive areas adjoining the project alignment. These increases would be based on potential occurrences of atypical events given the inconsistent and transitory nature of some construction activities and equipment usage. Contractors are required to adhere to the local noise code and therefore, implement standard construction noise control measures such as: temporary construction noise barriers, low-noise emission equipment, and the use of acoustic enclosures for particularly noisy equipment. ([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf)).

- L3-40. The traffic impact study identifies key intersections that are likely to be affected by the assignment of project-generated trips by considering the primary streets serving the general area and the potential access points to the stations. These include mainly intersections in close proximity of the proposed station locations because the project-generated trips would originate from various directions, and merge together in the vicinity of the station, resulting in more substantial increases in traffic at these intersections than remote intersections.

With respect to cumulative projects, discussions were held with local jurisdictions to identify all major approved land developments to be occupied or implemented by the PVL opening year, which were incorporated into the traffic analyses of the future opening Build Year (see Draft EIR, Section 4.11.4).

- L3-41. The size of the March LifeCare Campus indicated in the comment letter reflects the full build-out size of this project, which would be developed over the next 20-25 years. Because the Draft EIR studies only the PVL opening year of 2012, the traffic impact analysis for the Moreno Valley/March Field Station area incorporated the vehicle trip generation and assignments from the 2011 opening year of the March



LifeCare Campus, which represents approximately 25 percent of the daily vehicle trips that would be expected by full build-out.

The trip generation and vehicle assignments for the March LifeCare Campus development as well as other cumulative projects in the area were derived from the *Cactus Avenue and Commerce Center Drive Commercial Center Traffic Impact Study* (2008) per the direction of the City of Moreno Valley. A review of the *March LifeCare Campus Specific Plan Draft Program Environmental Impact Report* (2009) was undertaken per this comment, which indicated that the trip generation for the March LifeCare Campus opening year used from the *Cactus Avenue and Commerce Center Drive Commercial Center Traffic Impact Study* per the direction of the City in the Draft EIR is accurate. Therefore, the total number of trips that was assumed to be added to the roadway network by the March LifeCare Campus in the Draft EIR remains unchanged.

However, the vehicle assignments in the March LifeCare Campus EIR differ from the assumptions of the 2008 *Cactus Avenue and Commerce Center Drive Commercial Center Traffic Impact Study*. The 2009 March LifeCare Campus EIR generally assigns slightly higher traffic volumes (in the range of 50 vehicles per hour) to the study area intersections than the 2008 *Cactus Avenue and Commerce Center Drive Commercial Center Traffic Impact Study*, with the exception of Alessandro Boulevard and Cactus Avenue at Old 215, where the 2009 March LifeCare Campus EIR's assigned traffic to westbound Alessandro Boulevard and Cactus Avenue is lower than the volume used in the Draft EIR. The Draft EIR was revised to incorporate the vehicle assignments from the 2009 March LifeCare Campus EIR (see Appendix D of the Traffic Technical Report). However, this revision did not reveal new or different significant environmental impacts or mitigation measures compared to the originally circulated Draft EIR; it merely clarified and amplified the existing explanation. Therefore, these revisions do not require recirculation. (State CEQA Guidelines § 15088.5).

- L3-42. The analyses for the 2012 Conditions with and without the proposed PVL project at Moreno Valley/March Field Station were revised to incorporate the vehicle assignments provided in the 2009 March LifeCare Campus EIR, as this document provides more recent and detailed information relating to this development. The revised traffic volumes and levels of service are provided in Figures 14 and 26 and Tables 3 and 7 in the Traffic Technical Report to the Draft EIR. As shown in Tables 3 and 7, traffic impacts at the Moreno Valley/March Field Station would be the same as the original traffic counts. The previously recommended Mitigation Measure TT-1 (signal timing adjustments) at the Cactus Avenue/Old 215 intersection would completely mitigate the PVL project impacts (see Draft EIR, Section 4.11.6). Therefore, no new significant impacts would result and no new mitigation measures are necessary.
- L3-43. See Section 5.2 of the Draft EIR, which addresses growth-inducing impacts. The PVL project is intended to provide an option to commuters along the I-215 corridor. In this way, the project is accommodating the existing population. While the PVL project would alleviate current traffic congestion by providing alternative means of transportation it would not itself promote future growth. Moreover, because the PVL



study area is serviced by existing roads, highways, and freeways, the PVL project does not remove a transportation impediment to growth. The infrastructure already exists. Finally, RCTC does not have land use authority. Therefore, the scope of RCTC's authority is limited to providing transportation planning and implementation that accommodates local and regional growth induced by decisions made by local governments with land use jurisdiction. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L3-44. See Master Response #5 – Freight Operations. The PVL project would not increase freight train usage. Instead, the PVL project would provide for improved track conditions along the RCTC ROW to accommodate commuter rail service into the I-215 corridor. As stated in Master Response #5, freight service depends on market based conditions and not the condition of local tracks. If the PVL is not constructed, then freight traffic will continue on the existing tracks as a market driven service and will abide by the local freight speed restrictions in place for the various segments of track. The growth inducing impacts analysis is sufficient and no impacts would result from this comment. Therefore, no changes in the Draft EIR are necessary.
- L3-45. See Master Response #5 – Freight Operations. The improved track conditions will not increase freight traffic either directly or indirectly. The improved track conditions will provide for safer operations along the entire corridor. Freight traffic will only increase if local market forces demand it.
- L3-46. CEQA does not require an evaluation of future train service needs in this PVL Draft EIR because (1) the future train service is not a reasonably foreseeable consequence of the PVL project, which is a commuter rail project; and (2) the future expansion of commuter rail service will likely change the scope of this PVL project because the PVL project involves adding 12 commuter train trips to the line whereas a future expansion would add more trips to the project description. (*Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal.* (1988) 47 Cal.3d 376. 396.) Moreover, RCTC does not have current plans to add future train service to the PVL. Consequently, RCTC has committed to conduct supplemental environmental review should additional train stations become necessary along the corridor.
- L3-47. See response to comment L3-46. In accordance with State CEQA Guidelines Section 15130, the Draft EIR evaluated a list of past, present and probable future projects producing related or cumulative impacts. The list included fourteen (14) related projects (see Draft EIR, Section 5.3). The list of projects was established based on information “garnered from interviews with county and city planning agencies” Appendix E (see Draft EIR, Section 5.3). Appendix E was attached to the Draft EIR during public circulation and provided a list of individuals who were contacted for interviews in preparation of the Draft EIR. This list includes the City of Riverside Principal Planner, City of Moreno Valley Planning Official, Principal Planner for the Riverside County Planning Department, Planning Manager for the March Joint Powers Authority, and the Executive Director for the Western Riverside Council of Governments. These varied individuals provided a broad perspective on past, present, and probable future planning activities within the project area, which also included “those projects outside the control of the agency”, as mentioned in State CEQA Guidelines § 15130(b)(1)(A). As stated in the Draft EIR, these



individuals provided the project team with the list of projects that was included in the analysis.

- L3-48. See response L3-46. Economic conditions and recent trends make projecting future ridership beyond the project's opening year of 2012, speculative, at best.
- L3-49. In accordance with State CEQA Guidelines Section 15130, the Draft EIR evaluated a list of past, present and probable future projects producing related or cumulative impacts. The list included fourteen (14) related projects (see Draft EIR, Section 5.3). The list of projects was established based on information "gathered from interviews with county and city planning agencies" Appendix E (see Draft EIR, Section 5.3). Appendix E was attached to the Draft EIR during public circulation and provided a list of individuals who were contacted for interviews in preparation of the Draft EIR. This list includes the City of Riverside Principal Planner, City of Moreno Valley Planning Official, Principal Planner for the Riverside County Planning Department, Planning Manager for the March Joint Powers Authority, and the Executive Director for the Western Riverside Council of Governments. These varied individuals provided a broad perspective on past, present, and probable future planning activities within the project area, which also included "those projects outside the control of the agency", as mentioned in State CEQA Guidelines § 15130(b)(1)(A). As stated in the Draft EIR, these individuals provided the project team with the list of projects that was included in the analysis.

As no specific concerns were raised, a more specific response is not required. (*Browning-Ferris Industries v. City of San Jose* (1986) 1818 Cal. App. 3d 852 [where a general comment is made, a general response is sufficient]). Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L3-50. In accordance with State CEQA Guidelines Section 15130, the Draft EIR evaluated a list of past, present and probable future projects producing related or cumulative impacts. The list included fourteen (14) related projects (see Draft EIR Technical Reports B through D for Air Quality, Noise and Vibration and Traffic). The list of projects was established based on information "gathered from interviews with county and city planning agencies" Appendix E (see Draft EIR, Section 5.3). Appendix E was attached to the Draft EIR during public circulation and provided a list of individuals who were contacted for interviews in preparation of the Draft EIR. This list includes the City of Riverside Principal Planner, City of Moreno Valley Planning Official, Principal Planner for the Riverside County Planning Department, Planning Manager for the March Joint Powers Authority, and the Executive Director for the Western Riverside Council of Governments. These varied individuals provided a broad perspective on past, present, and probable future planning activities within the project area, which also included "those projects outside the control of the agency", as mentioned in State CEQA Guidelines § 15130(b)(1)(A). As stated in the Draft EIR, these individuals provided the project team with the list of projects that was included in the analysis.
- L3-51. March LifeCare Campus was analyzed in the cumulative analysis. For example, it is discussed in Section 4.11.4. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.



- L3-52. The discussion of the March LifeCare Campus in the Draft EIR in Section 4.11.1 is revised in this Final EIR to further clarify what was considered in the traffic analysis. The updated text states that:

“March LifeCare Campus is a development project including a mix of healthcare and ancillary uses, including hospitals, general and specialty medical offices, medical retail, research and education, a wellness center, senior center, independent/assisted-living facilities, skilled nursing facilities, and related support facilities. The project will be developed in five planning areas, of which the first two are expected to be developed by 2011, and include a 50-bed hospital, 660 units of institutional residential, 190,000 square feet of medical office, 200,000 square feet of research and education, and 210,000 square feet of retail land uses. The remaining planning areas will be developed over the next 20 to 25 years. Therefore, the trip generation and vehicle assignments associated with only the first two planning areas for this project were incorporated into the 2012 future traffic volumes without the project. Vehicle trip generation and assignments for this development project were obtained from the March LifeCare Campus Specific Plan Draft Program Environmental Impact Report (Applied Planning Inc., 2009).”

The analysis did not mistakenly identify the March LifeCare Campus as being only a 30-acre project; it only considered the phases of the project that would occur in the reasonable future. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L3-53. See Responses L3-12 and L3-14, and Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School, Master Response #3 – Derailment (General), Master Response #4 – Hazardous Materials Transport, Master Response #7 – Emergency Planning and Response, and Master Response #10 - Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment).

Attached to the comment letter is a report, “Railroad Safety Study and Pipeline Risk Analysis” (Kleinfelder, November 2005, for Christopher Joseph & Associates). This study was prepared in accordance with the California Department of Education’s Guidance Protocol for School Site Rail and Pipeline Risk Analysis. This guidance protocol is used for determining the risk associated with siting a new school, not determining the risk at an existing school location. (See Master Response # 2 – Kinder Morgan Pipeline Segment Near Highland Elementary School.) Additionally, the potential school site discussed in the study that the commenter provided is located in northern California, which does not provide any local information about derailment risk in the Riverside area.

With regard to railroad hazards, the study states that, “For example, a determination of low probability of a hazardous situation would be based on non-hazardous materials being transported, low frequency of track use, the presence of control measures within a system, the existence of emergency response plans, the existence of federal, state, or local agencies that inspect and permit these businesses, and a low rate of emergency incidents in the industry as a whole.”



The PVL project is a commuter rail project and, as such, there would never be an occasion when hazardous materials would be transported. The SJBL alignment near Hyatt and Highland Elementary Schools currently has about two freight trains traveling on it daily and, including the PVL project commuter trains, 14 train trips would occur along the SJBL alignment. This number is far less than the study's project with 32 passenger trains and 28 freight trains, and could be considered a low frequency of track use. Additionally, the PVL project includes track improvements throughout its length that would upgrade the existing physical condition of the rail line, which would result in a stronger infrastructure, a higher level of maintenance, and enhanced operational safety (see Draft EIR, Section 4.7.1).

Furthermore, as explained in Master Response #7 – Emergency Planning and Response, SCRRA/Metrolink developed a System Safety Program Plan (SSPP) as a means of integrating safety into all facets of SCRRA, and RCTC, in concert with FTA, is preparing a PVL Safety and Security Management Plan (SSMP) to continue to integrate safety and security specifically into the PVL project. Additionally, the Federal Railroad Administration (FRA), Department of Homeland Security (DHS) and the California Public Utilities Commission (CPUC) have a variety of rules and regulations in place to maintain safety and security along rail corridors, with which the PVL project would be fully compliant (explained more fully in Master Response #7 – Emergency Planning and Response). Finally, Master Response #3 – Derailment discusses statistics of past derailments. These calculations show that the risk for train derailments on SCRRA tracks is lower than the risk for train derailments on BNSF tracks. The reason for this difference is that, because the SCRRA tracks are used for commuter rail, the tracks are maintained to high standards of safety and ride quality due to their role in public passenger transport.

The PVL project would not transport hazardous materials and would have a low frequency of track use. Control measures within a system would be present, emergency response plans would exist, federal, state, or local agencies would inspect and permit the project, and the tracks would be upgraded to SCRRA tracks, which would mean a lower risk of derailments than is currently present. Therefore, the PVL project would be considered having a low probability of a hazardous situation occurring.

With regard to pipeline hazards, a separate risk analysis was conducted for the Kinder Morgan pipeline and Hyatt and Highland Elementary Schools because both are already in existence (*Analysis of Safety Issues for the Proposed Commuter Rail Service on the Riverside County Transportation Commission's Perris Valley Line in the Vicinity of the Highland and Hyatt Schools*, Zeta Tech, 2011). This risk analysis supporting the finding that no significant impacts would occur with the addition of PVL commuter trains to the tracks.

Furthermore, Response L3-14 describes the risk management procedures Kinder Morgan requires for construction activities near their pipelines, and Master Response #7 – Emergency Planning and Response describes the federal, state, and local, emergency response plans present. As stated in Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School, maintenance and operation of fuel pipelines are defined and mandated by state and federal laws, with



which Kinder Morgan is in full compliance. Additionally, unlike the project analyzed in the study, the PVL project is not located within an Alquist-Priolo special studies zone or fault, and the seismic risk is considered less than significant. Finally, the calculations determining the probability of a fatality resulting from a leak or rupture presented in the study are specific to that project, and are not appropriate to compare with the PVL project.

The aforementioned explanations further illustrate the validity of the evaluation in the Draft EIR, namely that the implementation of the PVL project would not result in significant impacts to Hyatt or Highland Elementary Schools. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

Also, included with the report attached to commenter's letter was a photograph taken from Hyatt Elementary School looking east as a freight train was travelling north. The photograph appears to exaggerate the actual spatial relationship between the SJBL and school. It should be noted the closest rail is approximately 350 feet away from the nearest school building and more than 90 feet to the school property line. The photo included in Master Response #10 – Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment) better illustrates the distance between the rail and the school property.



Letter 4
California Department of Transportation - Daniel Kopulsky
May 25, 2010

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STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

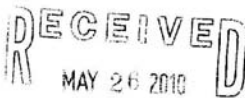
ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION

DISTRICT 8
PLANNING
464 WEST 4th STREET, 6th Floor MS 725
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4557
FAX (909) 383-5936
TTY (909) 383-6300



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RIVERSIDE COUNTY
TRANSPORTATION COMMISSION

May 25, 2010

Ms. Edda Rosso
Riverside County Transportation Commission
4080 Lemon Street
P.O. Box 12008
Riverside, CA 92502

Draft Environmental Impact Report for the Perris Valley Line SCH No. 2009011046, RIV-215-
PM 26.181/44.187

Dear Ms. Rosso:

We have completed our review of the Perris Valley Line Draft Environmental Impact Report
(DEIR). The Project proposes to extend the commuter rail service, which is known as the Perris
Valley Line (PVL), 24 miles along the Interstate 215 (I-215) corridor in western Riverside
County and the addition of four new stations. The following new PVL stations will be located:

- Hunter Park – this location includes three potential options:
o Palmyrita – east side of the SJBL main track, east of Iowa Ave. between
Palmyrita and Columbia Ave.
o Columbia – west side of the SJBL main track on Columbia Ave.
o Marlborough - west side of the SJBL main track on Marlborough Ave.
• Moreno Valley/March Field – west of the I-215, between Alessandro Blvd. and Cactus
Ave.
• Downtown Perris – C Street and 4th Street
• South Perris – Case Road and southbound I-215 off-ramp

L4-1

Our previous comment letter dated February 25, 2009 concurred that the proposed Project will
aid in the relief of congestion along the I-215 corridor. However, it also stated that
improvements will be needed at intersections experiencing LOS E or F that impact State
facilities. The DEIR proposes the following mitigation:

- SR-74 at D Street (for the Downtown Perris Station) - restripe north/southbound
approaches to provide one left-turn and one through/right turn shared lane. Please note
that this portion of SR-74 has been relinquished to the City of Perris and is no longer
under the jurisdiction of Caltrans.
• Bonnie Drive at southbound I-215 ramps (for South Perris Station) – install traffic signal.

L4-2

“Caltrans improves mobility across California”

B.02.02.11.10





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May 25, 2010

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Please note that this interchange is currently in the PID phase (EA 0P420K) and analysis is being conducted for future improvements. L4-2 (cont'd)

Although some mitigation measures are provided to offset identified impacts not all State facilities providing regional access to the proposed PVL stations were analyzed in the traffic study. Section A of the PVL Traffic Technical Report identifies 38 traffic study intersections in the analysis of the proposed PVL stations. For example, for the Moreno Valley/March Field station access from State facilities is provided at Alessandro Blvd/I-215 and Cactus Ave/I-215, but the traffic study only included the southbound I-215 ramps at Cactus Ave. in the analysis. Additionally, the Hunter Station does not include analysis at the Columbia Ave/I-215 interchange. To identify and fully analyze potential impacts to State facilities we recommend that all State facilities providing regional access to the proposed stations are analyzed. Please provide the following information for ramp termini intersections located at I-215/Columbia Ave., I-215/Cactus Ave., I-215/Alessandro Blvd., I-215/ D St., I-215/Bonnie Drive, and I-215/Redlands Ave.:

- It is recommended that the Traffic Study includes a Synchro Analysis for the I-215 ramp termini interchanges impacted by the Project.
• It is recommended that the Synchro Analysis includes all intersections from the Project site to the I-215 interchange study areas. A PHF of 0.92 is recommended to be used in the Synchro Analysis.
• A Merge/Diverge Analysis for the I-215 interchanges within the study area.
• Queuing Analysis for the I-215 ramp termini intersections within the study area.
• Clearly indicate LOS with/without the project and the LOS for existing conditions with/without improvements at the I-215 interchange study areas.
• Submit a hard copy of all Traffic Impact Analysis documents and an electronic Synchro Analysis file.

Furthermore, the applicant's environmental documentation must indicate that an encroachment permit will be needed. As part of the encroachment permit process, the developer must provide appropriate environmental approval for potential environmental impacts to State Highway R/W. Issuance of a Caltrans Encroachment Permit will be required prior to any construction within State R/W. In addition, all work undertaken within State R/W shall be in compliance to all current design standards, applicable policies, and construction practices. Please contact the Encroachment Permits Department for additional information at:

Encroachment Permits Department
464 W 4th Street MS 619
San Bernardino, CA 92401-1400
(909) 383-4526
(909) 383-4224 FAX

Thank you for providing us this opportunity to review the PVL DEIR and for your consideration of these and future comments. These recommendations are preliminary and summarize our "Caltrans improves mobility across California"



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California Department of Transportation - Daniel Kopulsky  
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review of materials provided for our evaluation. If this proposal is revised in any way, please forward appropriate information to this Office so that updated recommendations for impact mitigation may be provided. If you have questions concerning these comments, or would like to meet to discuss our concerns, please contact me at (909) 383-4557 for assistance. } L4-5 (cont'd)

Sincerely,

DANIEL KOPULSKY  
Office Chief  
Community Planning, IGR/CEQA Review

**Response to Letter 4****California Department of Transportation - Daniel Kopulsky****May 25, 2010**

- L4-1. This comment is introductory in nature and does not raise specific environmental concerns. Therefore, no response is necessary.
- L4-2. This comment indicates that the California Department of Transportation previously commented in support of the PVL project. In addition, it is indicated that intersections operating at LOS E or F would require improvements. The comment closes by pointing out specific mitigation measures that RCTC included in the Draft EIR to address traffic impacts. RCTC notes that the City of Perris now has jurisdiction over the intersection of SR-74 (now 4<sup>th</sup> Street) and D Street, and that the intersection at Bonnie Drive and southbound I-215 ramps is in the PID phase.
- L4-3. One of the six ramp termini locations requested to be analyzed, I-215 at Bonnie Drive, has already been analyzed as part of the project, and included in the Draft EIR (see Draft EIR, Section 4.11.4 and Table 4.11-8). The analyses indicated that the project would result in significant impacts at this location, and a new traffic signal was proposed to fully mitigate those impacts.

Another location, where the northbound I-215 on-ramp splits off from Cactus Avenue to the highway below, would experience an increase of up to 106 vehicles during the peak hours, none of which would be merging onto I-215. As this intersection does not have any traffic control devices and all project-generated traffic is assigned to the westbound through movement, the level of service would be constrained by the traffic signal operation downstream at the Cactus Avenue intersection with the southbound I-215 off-ramp, which is analyzed in the Draft EIR (see Draft EIR, Table 4.11-6).

As shown in the Traffic Technical Report, Figures 17 through 22, the project would add fewer than 49 vehicles during the peak hours to the remaining ramp termini locations listed (I-215 at Columbia Avenue, I-215 at Alessandro Boulevard, I-215 at D Street, and I-215 at Redlands Avenue), and these locations do not experience significant delay, unstable or forced traffic conditions (LOS E or F) per the Cities of Riverside, Moreno Valley, and Perris General Plans. Therefore, a traffic impact study would not be required at these locations according to the most recent web-issued *Caltrans Guide for the Preparation of Traffic Impact Studies*.

- L4-4. The Draft EIR identifies key intersections that are likely to be affected by the assignment of project-generated trips by considering the primary streets serving the general area and the potential access points to the stations. Following this approach, two ramp termini intersections were selected and analyzed using the *Highway Capacity Manual* procedures as advocated by Caltrans, and significant impacts at State facilities that would be caused by the PVL project were disclosed in the Draft EIR. Thus, there is no reason to anticipate that utilization of Synchro software would result in different findings or conclusions.



Further, such network simulation would require an extensive data collection effort. Considering that the PVL is a commuter rail project with relatively low levels of new trip generation at any study area intersection approach and these trips would occur mostly outside of typical peak traffic periods, an extensive data collection program and additional Synchro analyses would be disproportionate to the small percentage of study approaches (13 of 163 studied) that were potentially impacted.

- L4-5. As indicated above, an in-depth study including merge/diverge and queuing analyses of the I-215 ramp termini locations mentioned was determined not to be necessary per the *Caltrans Guide for the Preparation of Traffic Impact Studies*.
- L4-6. The levels of service with/without the project and with improvements (mitigation) have been indicated in the Traffic Technical Report to the Draft EIR for two termini locations (Cactus Avenue/SB I-215 and Bonnie Drive/SB I-215). Refer to Table 3, Table 7 and Table 8 in the Traffic Technical Report.
- L4-7. All traffic impact analyses and supporting documentation are provided in the Traffic Technical Report and its six appendices (A–F). As mentioned above, Synchro was not utilized for this project as it was determined that impacts could be properly assessed for this project without its use; therefore, electronic Synchro analysis files are not available (see *Caltrans Guide for the Preparation of Traffic Impact Studies*).
- L4-8. A Caltrans Encroachment Permit will be obtained for any work within Caltrans ROW.
- L4-9. RCTC will provide Caltrans with any subsequent environmental documentation in accordance with CEQA and the State CEQA Guidelines.



Letter 5
City of Perris - Michael Morales
May 24, 2010



CITY OF PERRIS
PUBLIC WORKS DEPARTMENT
Engineering Administration

May 24, 2010

Ms. Edda Rosso, P.E., Capital Project Manager
Riverside County Transportation Commission
P.O. Box 12008
Riverside, CA 92502-2208



Subject: COMMENTS ON DRAFT EIR FOR PERRIS VALLEY LINE (PVL)

Dear Ms. Rosso:

The Engineering Administration Division of the City of Perris Public Works Department is pleased to provide initial comments to the Draft Environmental Impact Report for the Perris Valley Line Project. This endeavor to bring Metrolink service to the multi-modal commuter station in Downtown Perris, and establish a new south Perris Station will result in increased economic opportunities for residents; a reduction in harmful emissions from privately owned vehicles; and provides an opportunity for the City to cooperate and work collaboratively with RCTC to promote the planning goals outlined in the City's Comprehensive General Plan and Downtown Specific Plan. We look forward to contributing to the success Perris Valley Line, and assisting with the planning and construction phase of the Project. L5-1

Volume 1 of 2, Chapter 4 of the EIR provides an evaluation of several environmental topics, to determine the potential environmental consequences of the PVL project, including: L5-2

Aesthetics.

The intent of the Downtown Specific Plan, and Downtown Specific Plan EIR, is to create pedestrian corridors that allow for easy walking transitions from businesses, residential homes, and proposed commuter rail station located near 2nd and D Streets. In addition to specific uses, another way in which a pedestrian oriented environment can be fostered is through the development of scenic pedestrian roadways and beautification of the environment through landscaping. The proposed project should consider a landscape plan that provides for a landscape design that fosters a pedestrian oriented environment, by providing outdoor amenities such as seating areas, scenic roadway landscaping, a pedestrian plaza, and pedestrian paseos linking D and C Streets. The EIR makes reference to a Multi-Modal Station that is currently under construction, which was intended to support the finding that the planned improvements are consistent with the scenic vistas in the area. The RTA Transit center has not been constructed in substantial compliance with all conditions of approval that would result in a less than a significant impact on scenic vistas and roadways. However, the City is currently working with RCTC, and continues to do so in a collaborative fashion to make the necessary corrections to the Metrolink Platform to ensure full compliance with the Conditions of Approval. L5-3

The EIR makes reference to a lack of scenic vistas near or at the proposed layover facility near the south Perris Station. As stated in the EIR, this area is characterized by agricultural uses, scattered development, and large expanses of open space. As further stated, the future land use designations in the area will include retail, business park, and public uses. The proposed site is currently zoned light industrial or Riverglen Specific Plan. The proposed layover facility will be 120 NORTH PERRIS BLVD., PERRIS, CALIFORNIA 92570 L5-4

ENGINEERING ADMINISTRATION
Tel: (951) 956-2120
Fax: (951) 956-2931

FIELD SERVICES
Tel: (951) 657-3280
Fax: (951) 943-1871

FACILITIES MAINTENANCE
Tel: (951) 943-6100, X290
Fax: (951) 943-8591

ANIMAL CONTROL
Tel: (951) 657-4134
Fax: (951) 943-1871



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highly visible from Case Road, a critical secondary arterial in the City; and outdoor storage, rail cars, etc., should be shielded from view through the use of a decorative garden wall. The incorporation of mitigation measures, although not described in the EIR, would support the finding that the planned improvements are consistent with the scenic vistas in the area. The proposed project should consider a landscape plan that provides for a landscape design that fosters a scenic roadway, and decorative/landscaped screen walls to preserve the existing scenic open space, and vistas proposed through future public and business park uses.

L5-4 (cont'd)

The EIR makes reference to fencing in several sections, including but not limited to "Planned Grade Crossing Enhancements." The EIR does not include an analysis of the fencing restrictions found in the Downtown Specific Plan or the City of Perris Zoning Code, which regulates the construction of fencing, and limits the type, height, and materials that can be used in specific zoning districts. Further detail should be provided to demonstrate that the fencing proposed by the project is compatible with the relevant policies, codes and ordinances of the City.

L5-5

Air Quality

The City of Perris General Plan contains a Sustainable Community section within its Conservation Element. The standards and guidelines contained in this section are intended to support the City of Perris' commitment to protect the environment, improve quality of life, and promote sustainable development. Sustainable development or "Green Building" is an environmentally conscience building practice that enables architects, contractors, developers, and building owners to use natural resources effectively and efficiently to provide healthier and more energy efficient homes and commercial and industrial buildings. When feasible, the Perris Valley Line project described in the EIR should consider incorporating Green Building Practices into the design of the South Perris Station. The Project should consider a strategy for energy and resource conservation. Energy demands can be greatly reduced through encouraging the use of green building design including materials, equipment, lighting, alternative energy sources, and structure maintenance. The building design should also consider building shape and site orientation to take advantage of solar power and natural lighting. By using and encouraging alternative forms of energy and energy usage, the community can be an active participant in the reduction of the emissions of green house gasses in the United States that contribute to global warming.

L5-6

Public Services

The EIR analyzes the impact to the closure of 6<sup>th</sup> Street crossing between 4<sup>th</sup> and 7<sup>th</sup> Streets only, and concludes for various reasons that public emergency services are not likely to be impacted. The reasons stated in the EIR include the availability of other nearby crossings, and the negligible amount of time crossing gates remain closed. As far as emergency access between between D and C Streets, north of 4<sup>th</sup> to San Jacinto, certain access rights, including pedestrian travel, and the right of the Fire Department to traverse 2<sup>nd</sup> Street using Fire Fight/emergency equipment apparatus was preserved by the Condition of Approvals for the Phase I Multi-Modal Transit Center. Conditions for the proposed Project are likely to be similar for any future road closures. The City is currently working with RCTC, and continues to do so in a collaborative fashion to make the necessary corrections to the Metrolink Platform. The corrections will ensure full compliance with the Conditions of Approval, and create a landscaped pedestrian paseo linking D & C Streets. As mitigated, the impacts would be less then significant.

L5-7

Hazards and Hazardous Materials

The EIR should more fully describe the planned activities within the layover facility to support the finding that the planned improvements would not create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials. The EIR should further consider the City of Perris Storm Water Management Plan

L5-8



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(amended 8-8-06), and City of Perris Ordinance #1194 Storm Water Management and Discharge Controls, which describes land use activities/businesses of concern, and Water Quality Management Plans necessary for Post-Construction Operations. Greater detail of the proposed "layover facility", which is to be located in south Perris is necessary to adequately assess potential environmental impacts. These details may include the type and amounts of chemicals, fuels, oils and other combustibles. The EIR should consider that the City's policies concerning land use activities/businesses of concern, which include, but are not limited to businesses that handle hazardous materials in cumulative quantities equal to or greater than a total volume of 500 pounds or 55 gallons, and/or 200 cubic feet for compressed gas. In addition, the EIR mentions the implementation of a SWPPP during construction activities, but does not address the Post-Construction Activities of new developments, required under Ordinance #1194. The EIR should more fully describe the Water Quality Management Plan necessary to protect contaminated run-off from entering the City's storm water system from the south Perris Station. The EIR should more fully describe any modifications necessary to the approved Water Quality Management Plan for the Downtown Perris Station, to accommodate the increased run-off from impervious areas, parking lots etc.

L5-8 (cont'd)

Hydrology/Water Quality

The EIR should more fully describe the proposed site design, source control, and treatment control BMP's planned for each station to support the finding that the planned improvements would not significantly alter the discharge into surface waters or other alteration of surface water quality. The EIR should further consider the City of Perris Storm Water Management Plan (SWMP amended 8-8-06), and City of Perris Ordinance #1194 Storm Water Management and Discharge Controls, which describes land use activities/businesses of concern, and Water Quality Management Plans necessary for Post-Construction Operations.

L5-9

The proposed Metrolink Service at the existing downtown station and proposed south station; including bus, train, and layover operations can be classified under SIC Codes 4011, 4013, 4111, 4119, and 4131 found in the SWMP. These codes are generally railroad line hauling operations and local and suburban transit services. The State of California requires a General Industrial Permit for these particular uses, under certain circumstances including maintenance activities. Therefore, for storm water pollution prevention purposes it is reasonable to classify the proposed use as an industrial activity, and is subject to industrial inspections as described in the City's Storm Water Management Plan. City of Perris Ordinance #1194 requires the review and approval of a site specific Water Quality Management Plan (WQMP). According to the WQMP guidance document, commercial and industrial development have certain anticipated and potential pollutants associated with their activities. The pollutant list included in any project specific WQMP should approximate the pollutants indicated in the WQMP guidance document. The proposed project is likely to generate the following pollutants: Sediment/turbidity, nutrients, organic compounds, trash & debris, oxygen demanding substances, oil and grease, pesticides, and metals.

L5-10

The EIR should describe in general terms a WQMP that will contain a comprehensive set of site design, source control and treatment control BMP's (Best Management Practices) that will help to prevent these pollutants from entering the City Storm Drain system and by extension the following regional/local receiving waters: San Jacinto River, Canyon Lake and Lake Elsinore.

L5-11

With regard to drainage system proposed in the EIR, all replacement, modified and new culverts proposed by this project, when feasible, should be sized for the 100-year design storm and be compatible with the Perris Valley Area Drainage Plan.

L5-12

The systems that are constructed, where practical, should also be connected to the existing flood control facilities, or adequate permanent improvements to reduce erosion, repairs and future costs of maintenance.

L5-13



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This criteria will insure that the Perris Valley Drainage Plan will function as designed and will prevent the expenditures of public and private funds in the future to reconstruct undersized facilities, build new and/or additional facilities and reduce the cost of the project by possible elimination of proposed culverts that are not required for the Perris Valley Master Drainage Plan. } L5-14

The design of the facilities ultimately required should be coordinated with the Riverside County Flood Control District, the City of Perris and Caltrans to achieve the most cost effective and efficient system that will provide the greatest benefit to the citizens of Riverside County. }

We look forward to working collaboratively with RCTC, and discussing the cost sharing and funding that will be required to achieve these goals. } L5-15

Biological Resources

As described in the EIR, the proposed project sites in the downtown and in south Perris are located where weed abatement activities have occurred yearly, or have been paved with asphalt, or currently experience freight operations. However, according to the Downtown Specific Plan EIR and Master Environmental Assessment conducted for the City, the Stephen's Kangaroo Rat (SKR) is either known to occur within the study area, or contains a habitat that would support this species. Although the EIR states that the City of Perris does not have any local policies or ordinances other than MSHCP intended to protect biological resources, there is in fact an Ordinance that provides for a development fee of \$500 per acre for preservation of SKR habitat area. The proposed project should consider the payment of fees in budget and entitlement planning. } L5-16

Cultural Resources

The EIR identified "cultural resources" that are archaeological, traditional and constructed buildings, structures, objects, districts and sites significant to the History of the United States, and according to this criteria the EIR identified one historic resource in the vicinity of the PVL, including the Historic Perris Depot. The EIR should further describe the steps being taken to preserve and protect the railroad heritage associated with Perris, to support the finding that the planned improvements do not adversely change the Significance of this historical resource. The EIR should expand the scope of resources to be analyzed to include 2201 S. A Street, which is the site of the original Pinacate Railroad Station, constructed circa 1882, and the protection of railroad connections from this historic site to the historic depot. This site is also the location of the Orange Empire Railway Museum (OERM). The OERM was founded as a 501(c) 3 educational organization in 1956. The Museum has garnered one of the largest collections of historic railway equipment in the United States. OERM operates vintage trains between the Pinacate Railroad Station and the Historic Depot on an intermittent basis. This arrangement has helped to meet the City's General Plan Goal IV, which is to protect significant historical sites or structures, and maintain their historical significance and integrity. The EIR should consider the impacts of the Project upon the historic railroad, including right-of-way and alignment needs necessary to maintain the historic connection between Pinacate Station and the historic depot. The project should consider grade crossing upgrades and modifications to include a single set of crossing arms and pedestrian channelization devices at both the 4<sup>th</sup> Street and 7<sup>th</sup> Street crossings, to protect both the Meterolink and OERM railroads. } L5-17

Land Use and Planning

The EIR should more fully incorporate the approved plans and codes of the City of Perris to support the finding that the Project does not divide an established community. The intent of the Promenade District, as described in the City of Perris Zoning Code, Downtown Specific Plan, and Downtown Specific Plan EIR, is to create pedestrian corridors that allow for easy walking transitions from the business and retail core, to the adjacent residential neighborhoods. The } L5-18





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proposed closure of 2<sup>nd</sup> Street noted in the EIR, bisects Neighborhood I residents from accessing goods and services in the Downtown Promenade District, restricts the movement of people, and would not promote the goals found in the approved Downtown Zoning Code/Specific Plan. The EIR makes reference to a Multi-Modal Station that is currently under construction, however, the RTA Transit center has not been constructed in substantial compliance with all conditions of approval that would have resulted in the closure of 2<sup>nd</sup> Street to vehicular traffic only; therefore, the City has retained all vehicular and pedestrian rights over 2<sup>nd</sup> Street. The City is currently working with RCTC, and continues to do so in a collaborative fashion to make the necessary corrections to the Metrolink Platform to ensure full compliance with the Conditions of Approval.

L5-18 (cont'd)

The proposed Project as described in the EIR should consider encouraging pedestrian oriented land uses including specialty retail shops, restaurants, grocery, clothing stores, mixed uses (residential/commercial), and other consumer/service related uses. The EIR should analyze the impacts associated with building a Downtown Station more in conformance with established land use plans, zoning code and policies of the City. The EIR should incorporate appropriate mitigating designs that promote pedestrian rather than automobile circulation within the districts themselves. The proposed Downtown Station in the EIR encourages automobile traffic in place of pedestrian traffic, through the redistribution of walking trips to high volume vehicular traffic areas. The Phase I RTA Transit center currently under construction was intended to foster a pedestrian oriented environment, and minimize automobile/pedestrian conflicts through site design, incorporation of pedestrian paths, and minimizing ingress/egress points; and through continued collaborative efforts between the City and RCTC the Transit center will be corrected to reflect the approved plans and conditions of the original project.

L5-19

Although the EIR states that the 5<sup>th</sup> Street was closed by the City of Perris, in actuality, BNSF temporarily placed concrete barriers in the road to complete necessary repairs to the railroad. The City has retained all vehicular and pedestrian rights over 5<sup>th</sup> Street.

L5-20

The EIR should more fully incorporate all the appropriate plans and codes of the City of Perris to support the finding that the Project does not conflict with local regulations. As stated in the EIR, the proposed land use activities of the south Perris Station, including the commuter rail station and layover facility is subject to several land use plans, policies and regulations. The City of Perris Municipal Zoning Code (Title 19), Subdivision Code (Title 18), and Planning Fee Resolutions regulate development that occurs outside of the Downtown Specific Plan. Although the layover facility appears to be situated on a parcel designated as Light Industrial, and appears to be permitted as a conditional use, the remainder of the commuter rail station is situated within the Riverglen Specific Plan. The Riverglen Specific Plan provides for medium to small lot residential subdivisions, and the Project proposed in the EIR is therefore not compatible with the Specific Plan Zoning. As such, the project would require an application for a General Plan Amendment and Zoning Change, as described in Chapter 19 Authority and Review Procedures. Specific sections of Chapter 19 provide Development Plan Review Requirements. Chapter 18 Subdivisions, regulates division or reconfiguration of parcels, including the creation of parcel maps, or the preparation of certificates of parcel merger, which may be required for the Project, as described in the EIR.

L5-21

Noise and Vibration

The EIR should more fully consider the City's General Plan Land Use/Noise Compatibility to determine the acceptability or unacceptability of noise created in the Project area. Based on the information provided in the EIR, it would appear that the following downtown neighborhoods may be impacted by noise, and in accordance with the City's General Plan, a detailed analysis of noise reduction requirements should be considered with the station development: Downtown Promenade, Mercado, and small portions of Neighborhood 1 and Neighborhood 2.

L5-22



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With regard to the Promenade District, the Project is located in a Public Facilities Zone, near a secondary arterial, and adjacent to an active railroad right-of-way. According to the Master Environmental Assessment, the Project site is located within a contour that experiences noise levels over 65dB (confirmed in Project EIR Noise Summary 2002 measuring Ldn between 66-70 db). According to a Noise and Vibration Study completed by the City of Perris (see Initial Study For DPR 07-0045) the combined noise levels from freight and commuter rail traffic for the build-out scenario of 16 Metrolink and 14 freight trains is 79.8 dB CNEL. The proposed rail station is bordered by commercial and mixed residential uses on D Street (Promenade), and R-14 Multi-family residential uses on C Street (Neighborhood 1). As shown in the attached Exhibit A, in some cases current or future residential, multi-family, and commercial uses are within 70' of the railroad right-of-way. The Noise Element of the City of Perris General Plan states that uses in a commercial and mixed use zone are conditionally acceptable up to 65-75 dB; and Residential Multi-family are normally unacceptable at 65-75 dB, and both require a detailed noise analysis of noise reduction requirements.

L5-23

With regard to the Mercado District, the Project traverses multiple-family R-14 zones. The most severe impacts occur between 7<sup>th</sup> and 11<sup>th</sup> Streets, near D Street and Perris Boulevard, where zoning permits multiple family residential projects, which come as close as 50' feet to the railroad right-of-way. Again, according to the City's General Plan, noise in Residential Multi-Family zones is normally unacceptable at 65-75 dB, and requires a detailed noise analysis of noise reduction requirements.

L5-24

The EIR should consider a detailed analysis of noise reduction requirements in the most heavily impacted areas, and consider noise barriers and other sound insulation methods. At a minimum, these areas would include C, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup> 10<sup>th</sup> and 11<sup>th</sup> Streets.

L5-25

Transportation and Traffic

The EIR begins with certain assumptions, local policies, and regulations that serve as the basis for conclusions developed throughout the analysis, which may not be entirely accurate. For instance, the City of Perris General Plan target LOS for all City maintained roads and intersections between local roads and I-215 or SR 74 is "LOS D," not "LOS E" as stated in the analysis. The General Plan only allows LOS E at arterial and expressways that intersect with SR 74, Ramona Expressway, or I-215. Another assumption in the EIR is that the D Street and San Jacinto Avenue intersection will be signalized prior to the start-up of Metrolink operations. The intersection will actually remain stop controlled. Also, the vehicle trip distribution, noted on page 4.11-19 of the EIR, would seem to underestimate the patrons accessing the Metrolink Downtown Station from I-215 and south onto D Street; and overestimate the number of patrons accessing the Station from the north, via southbound Perris Boulevard. According to the EIR, 40% of the vehicle trips would come from southbound on Perris Boulevard, and only 5% from southbound on D Street. Given the number of traffic signals, stops, etc. on Perris Boulevard, it seems implausible that motorists coming from the north would choose southbound Perris Boulevard over the I-215 freeway and southbound D Street off-ramp. Finally, the mitigation measure proposed in the EIR for north/south bound D Street shared/left through lane may not be technically feasible, due to the required lane widths, and current street improvements: wide plaza areas encroaching into the right-of-way may prevent separate striping for separate left turn and through lanes.

L5-26

L5-27

L5-28

L5-29

The EIR mentions the deterioration of LOS to levels "E" and "F" at various intersections, but it appears appropriate mitigation for each of the impacted Level 'E' roadways have not been fully addressed by the proposed Project, including: 1) Perris Blvd at SR 74 (4<sup>th</sup> St), 2) Nuevo at Perris Blvd., 3) San Jacinto at C Street, 4) San Jacinto at Redlands Ave., and 5) 7<sup>th</sup> and Perris Blvd. In at least one case, specifically D Street at SR 74 (4<sup>th</sup> Street), the LOS deteriorates to LOS F, and the mitigation measure proposed may not be technically feasible, and may require work to upgrade the traffic signal system to permit protected left turn phasing.

L5-30



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The analyses in the EIR may not entirely support the finding that the Project will not cause an increase in traffic in relation to the existing traffic load and capacity of the street system. The Section "Acquisitions & Relocations" of the EIR seems to indicate that additional acquisitions are necessary to widen certain roadways to the ultimate street profiles noted in the City's General Plan Circulation Element. Many of these crossings can meet the minimum street section through railroad frontage dedications. However, right-of-way acquisitions will be necessary to complete the railroad crossing and meet the following minimum street sections:(see Exhibit B): 1) San Jacinto Avenue- Ultimate roadway section is 74' wide, 2) 7<sup>th</sup> Street- Ultimate roadway section is 66' wide, 3) D Street- Ultimate roadway section is 66' wide, 4) Perris Boulevard-Ultimate roadway section is 128' wide, 5) G Street-Ultimate roadway section is 78' wide, 6) Ellis Avenue- Ultimate roadway section is 128' wide, 7) Case Road- Ultimate roadway section is 94' wide, and 8) Mapes Road-Ultimate roadway section is 94' wide.

L5-31

With regard to the South Perris Station, the conclusions developed in the EIR would be improved with the inclusion of the following intersection analyses. 1) Mapes at Case Road, 2) Murrieta at Case Road, and 3) I-215 at Nuevo. The analyses for these intersections should include current conditions, projected changes with "no-project" and "with-project" alternatives.

L5-32

The proposed Project should more fully incorporate the relevant policies and goals of the Circulation Element of the Downtown Specific Plan, which has the unique goal of fostering pedestrian oriented planning concepts, transit oriented development, creating walkable communities, and ensuring complimentary mix of land uses within comfortable walking distances. The EIR states that as part of the Perris Multi-Modal Transit Facility Project, grade crossings at 2<sup>nd</sup> and 5<sup>th</sup> Streets were closed. The 2<sup>nd</sup> Street crossing was conditioned by the City of Perris to preserve pedestrian access rights over the roadway, and closure was contingent upon successful construction of adequate handicap accessibility through the Metrolink Platform. Further, the right of the Fire Department to traverse 2<sup>nd</sup> Street using Fire Fighting/emergency equipment apparatus was also preserved by the Condition of Approval. The City is currently working with RCTC, and continues to do so in a collaborative fashion to make the necessary corrections to the Metrolink Platform. The corrections will ensure full compliance with the Conditions of Approval, and create a landscaped pedestrian paseo linking D & C Streets. As mitigated, the impacts would be less than significant.

L5-33

As proposed in the EIR, the complete closure of 2<sup>nd</sup> Street, would effectively eliminate the comfortable walking distance between two complimentary land uses, retail and residential; thereby promoting increased vehicle trips. The Downtown Specific Plan preserved the pedestrian access between C and D Streets, through a planned 2<sup>nd</sup> Street Promenade Walk. According to the Downtown Specific Plan, the Promenade Walk results in a very comfortable 440 ft. walk between the land use districts. However, the Project proposed in the EIR would re-route pedestrian traffic to 4<sup>th</sup> Street, resulting in a substantially longer walking distance. This works against the goals stated in the Downtown Specific Plan of encouraging alternative transportation modes, and creating walkable communities. The Project should consider grade crossing upgrades and modifications at 2<sup>nd</sup> Street to include pedestrian crossing arms; such as those described in the California Public Utilities Commissions' manual of pedestrian-rail crossing devices in California, (dated May, 2008), to protect residents who will be traversing 2<sup>nd</sup> Street.

As proposed in the EIR, the project recommends the closure of Ellis Avenue to through traffic, due to the underutilization of the road. Ellis Road is part of the roadway network described in the City of Perris General Plan Circulation Element, and must be kept open, and be improved as a major arterial to meet the Goals of the General Plan.

L5-34

Table 4.11-9, and various other portions of the EIR describe several mitigation measures for various impacts created by the proposed project. RCTC has thoroughly researched the investigated private development and agency projects that may be occurring in the future throughout the City of Perris. As described in the EIR, these private development or agency projects are expected to complete the necessary traffic signal or roadway upgrades at D Street and San Jacinto Avenue, San Jacinto Avenue at Redlands, SR 74 at I-215, and Mapes Road. In the event that these private

L5-35



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developments or agency projects do not occur before the scheduled construction of the Perris Valley Line, adequate mitigation measures and improvements should be installed by the Project. } L5-35 (cont'd)

Recreation

The EIR analyses the impacts to recreation, and concludes the project will not adversely impact park resources. The Project may wish to consider, when feasible, the inclusion of pedestrian rest areas, bus plaza seating areas, and covered shelters in the area of the proposed downtown Perris Station. } L5-36

Again, the City of Perris Engineering Administration Division of the Public Works Department appreciates the opportunity to comment on the Draft Environmental Impact Report for the Perris Valley Line Project, and would welcome the opportunity to be of further assistance. We look forward the start of construction on this most important and long awaited transportation project, and wish you the all the success in your future endeavor. } L5-37

Sincerely,

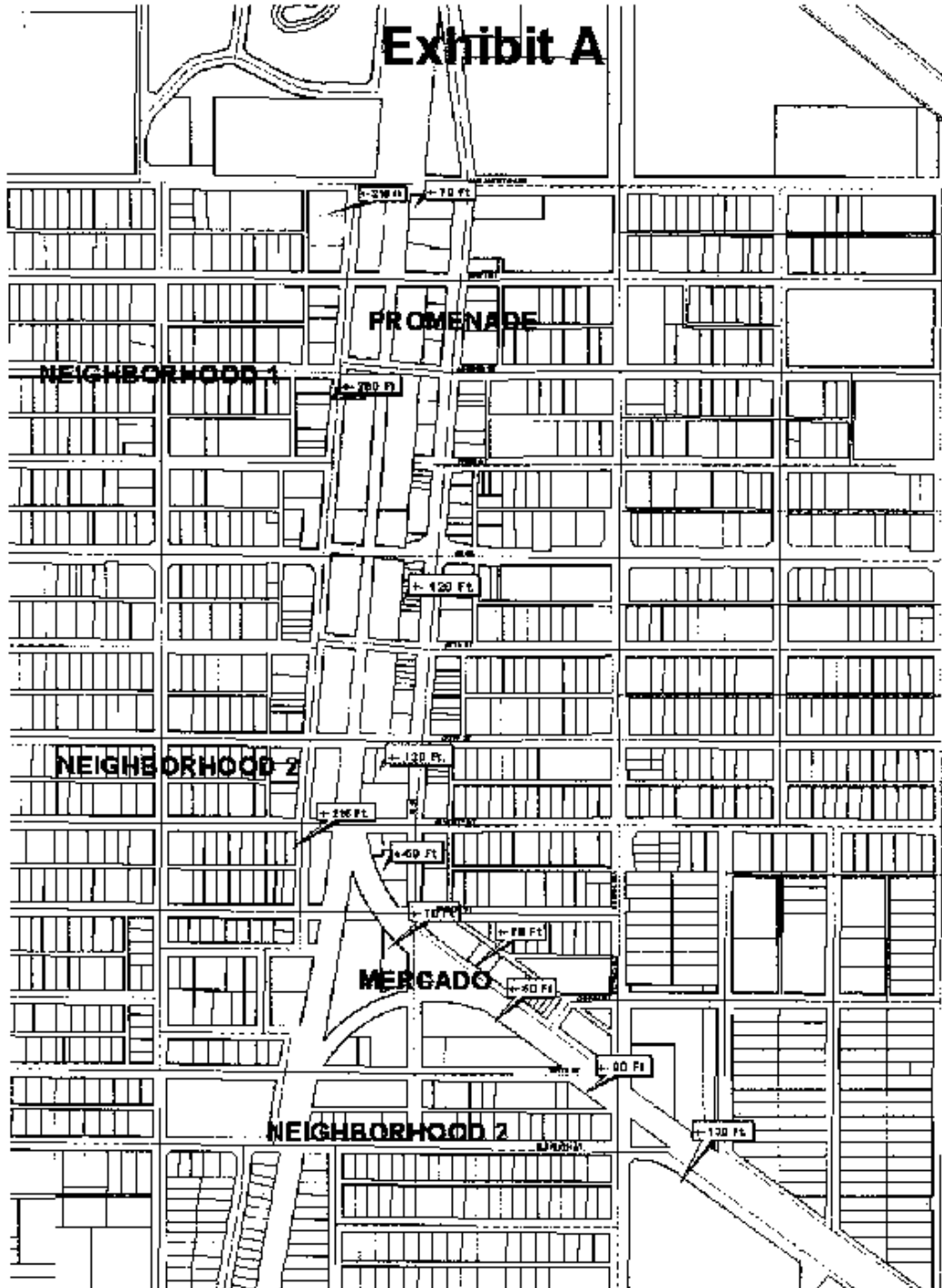
  
Michael A. Morales  
Capital Improvements Project Manager

Attachment(s): Exhibit A, Exhibit B

cc: Richard Belmudez, City Manager  
Ron Carr, Assistant City Manager  
Brad Eckhardt, Planning Manager  
Habib Mottagh, City Engineer  
Michael McDermott, RDA Manager

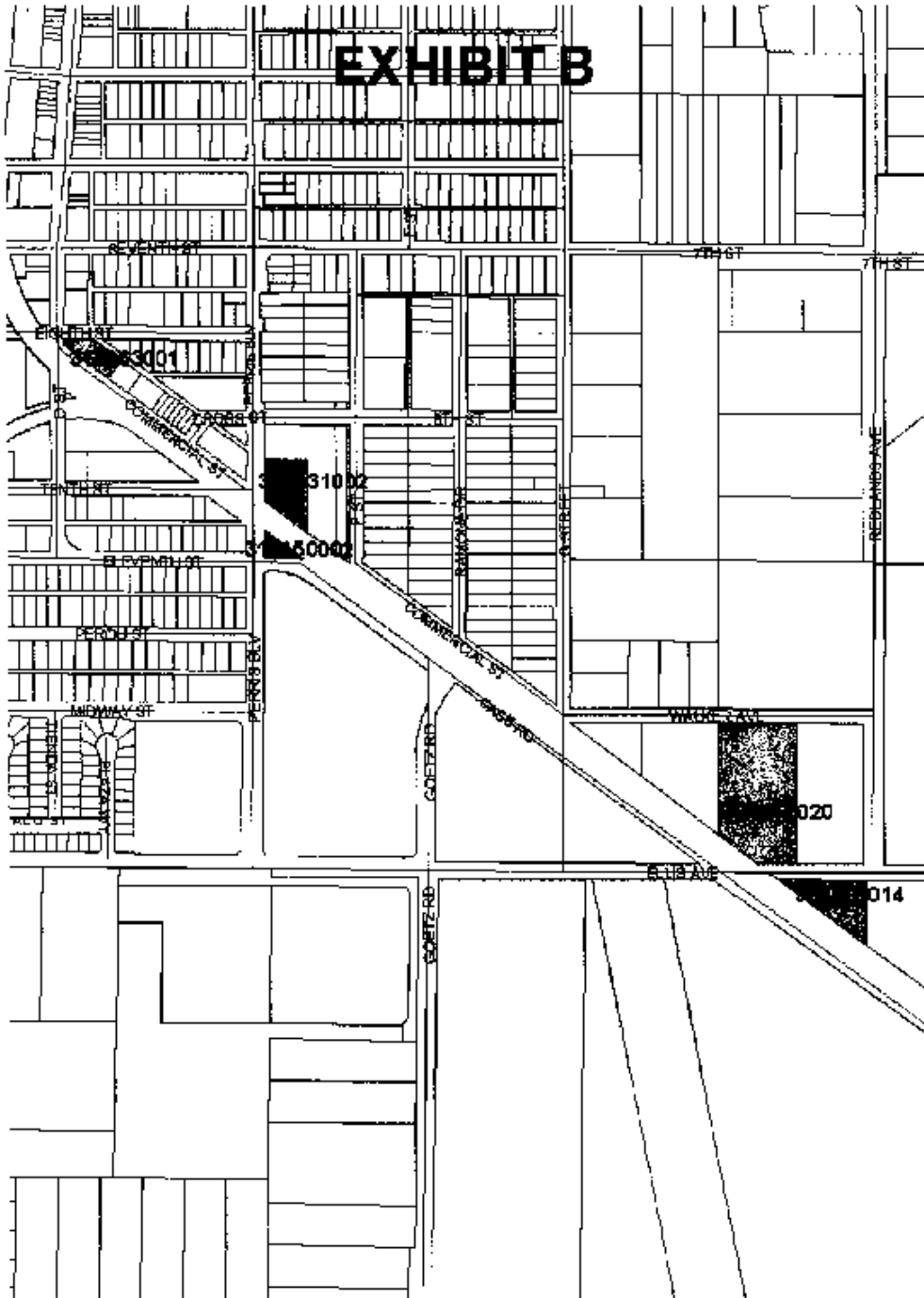


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**Response to Letter 5**  
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**May 24, 2010**

- L5-1 This comment is introductory in nature and does not raise specific environmental concerns. However, this comment expresses support for the project. No response is necessary.
- L5-2. This comment is introductory in nature and does not raise specific environmental concerns. Therefore, no response is necessary.
- L5-3. The project does not propose any landscaping outside of the station parking areas. The parking areas are being landscaped to provide a visually pleasing experience to patrons of the Multi-Modal Transit Center. There is no intention of providing seating areas, or pedestrian plazas outside of the current Multi-Modal Transit Center. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L5-4. This comment states that the area around the South Perris Station and Layover Facility “is currently zoned light industrial or Riverglen Specific Plan...The incorporation of mitigation measures, although not described in the EIR, would support the finding that the planned improvements are consistent with the scenic vistas in the area.” This comment misunderstands the term “scenic vista” as it applies to CEQA. While the definition of a scenic vista according to CEQA is subjective, a general plan, specific plan, zoning code, or other planning ordinance can identify scenic vistas. For example, as stated in the Draft EIR, Section 4.1.2, “according to the Multipurpose Open Space Element chapter in the Riverside County General Plan, ‘Scenic vistas are points, accessible to the general public, that provide a view of the countryside.’” The Riverside County General Plan and the City of Perris General Plan do not identify specific scenic vistas in the vicinity of the South Perris Station and Layover Facility.

Furthermore, the proposed Layover Facility is planned to be located across Case Road from the existing wastewater treatment plant. The wastewater plant currently has limited landscaping and is surrounded by chain link fencing. The PVL project intends to match the wastewater treatment plant fencing and will provide for a consistent visual experience. Since there are no scenic vistas that would be impacted, no mitigation measures, such as the “decorative garden wall” are required.

This comment also states that, “the proposed project should consider a landscape plan that provides for a landscape design that fosters a scenic roadway...” However, as the Draft EIR stated, there are no impacts to scenic roadways and therefore no mitigation measures are required. As stated in the Draft EIR, Section 4.1.1, a “scenic roadway” or a “scenic highway” are designated on a national, state, and local level. Roadways can be designated as scenic by the National Scenic Byways Program, the California Scenic Highway Program, or a city’s general plan. The nearest, designated scenic highway near the South Perris Station/Layover Facility is SR-74. As the Draft EIR states in Section 4.1.4, from this location, “the view of SR-74 currently includes an airport, wastewater treatment plant, and various industrial structures.”



Since the South Perris Station and Layover Facility would be consistent with existing conditions and would not introduce new visually impacting elements around SR-74, there are no significant impacts as a result of the project. Therefore, no mitigation measures, including the “landscape plan” that this comment suggests, are necessary. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

L5-5. RCTC is currently coordinating fencing plans with the City of Perris. SCRRA has very specific fencing requirements to safely guide pedestrians to appropriate crossings of the RCTC ROW. SCRRA requires welded wire mesh fence along the ROW and as an intertrack fence where two or more tracks run adjacent to one another, i.e., the Orange Empire Railroad Museum (OERM) track from 4<sup>th</sup> to 7<sup>th</sup> Streets. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

L5-6. Section 4.3 of the Draft EIR (and the Air Quality Technical Report) outlines the extensive measures used to calculate the expected emissions due to the implementation of the PVL project. The air quality analysis for the PVL accounted for relevant project parameters and conditions. Where applicable, the analysis was done in compliance with the most up-to-date local, state, and federal air quality regulations and guidance from the SCAQMD, CARB, and the USEPA. Table 4.3-10 of the Draft EIR shows that emissions of greenhouse gases by the locomotives associated with the PVL will be completely offset by the reduction in emissions resulting from the diversion in ridership from private vehicles.

It should be noted that the station locations do not propose habitable buildings. The proposed stations comprise a platform, canopy over the platform, and parking as described with the Draft EIR in Section 2.4.2 . The platform and parking area lighting is designed to provide sufficient lighting to provide a safe experience for commuters while at the station but to cycle to limited lighting when the platform and parking areas are not in use. This is designed to conserve energy. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

L5-7. As stated in the comment, RCTC continues to coordinate with the City of Perris regarding the existing and project conditions of the Downtown Perris Station (the Multi-Modal Transit Center). There are many safety considerations to evaluate prior to allowing vehicle traffic through the middle of an existing passenger platform.

The Perris Downtown Specific Plan, on page II-6, requires street closures to eliminate rail and vehicular conflicts at 2<sup>nd</sup>, 5<sup>th</sup>, 6<sup>th</sup> and G Streets. The PVL project is consistent with the specific plan’s goals to eliminate vehicular conflicts with the proposed rail operations and minimize grade crossings where vehicles and/or pedestrians would have to wait for a train to pass.

Resolution 3647 for the vacation (formal closure) of portions of 1<sup>st</sup> and 2<sup>nd</sup> Streets states the City reserves and exempt from the vacation an easement and right to non-vehicular trails (pedestrian access) but does not mention fire or vehicular crossings to be maintained (in short, no vehicles but pedestrians would be allowed). This is reiterated in Condition #8 of the conditions of approval for the street vacation P06-0063, and does not mention vehicular access is to be maintained.





Also, the Perris Multimodal P05-0425 Condition #4 from the Department of Engineering states "First and Second Streets within this project shall be vacated subject to 60' wide utility easement retained by the City for maintenance of utilities" but does not mention the exception or reservation for vehicular access or emergency vehicular crossings. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L5-8. The Layover Facility is for storing trains overnight. It is expected that the inside of the trains would be cleaned of any solid waste debris, and empty the restroom holding tanks for appropriate treatment while at the Facility. There is no anticipated maintenance at the Layover Facility, and no hazardous materials storage. All train maintenance work would occur outside the SJBL corridor.

Additionally, the PVL project will comply with both the local storm water requirements but also the most current Regional Water Quality Control Board Municipal Permit for Riverside County. The site will have a detention basin and vegetative swales as permanent BMPs for the site.

The Layover Facility will incorporate best management practices post construction to reduce contaminated runoff. BMPs could include catch basin inserts and oil/water separators that would stop debris, oil, and other pollutants from entering the MS4s. The BMPs selected place the emphasis on separating runoff flows from industrial activities. For example, track underdrains will be routed to the storm drain system while track drip pans and track pit drains will be routed to an oil-water separator then diverted via a sewage force main to the sanitary sewer. This ensures that runoff from industrial activities do not contaminate storm water runoff. Grading is designed such that storm water runoff flows away from the track pit, track drain pan, or sewage dump stations so that storm water runoff is separate.

The South Perris Station will incorporate BMPs that could include catch basin inserts and oil/water separators that would stop debris, oil, and other pollutants from entering the MS4s. The lack of storm drain infrastructure in the area and deeper underground storm drainage facilities limit the storm drain BMP selection for this Station to above ground facilities such as swales and shallow basins. Parking lot sweeping will mitigate gross pollutants, where particulate matter, sediments and oils will be mitigated by long swales and the detention basin.

The detention basin will be designed with an outlet structure containing orifice plates, weirs and/or an overflow structure that will drain the basin within 48 hours as to not attract a hazard to the airport operations from bird nesting or migratory birds (and comply with ALUC approval conditions). Extended detention using the limit of 72 hours to mitigate mosquito breeding will be eliminated and the more restrictive design of a complete drain down time within 48 hours will be adopted. It should be noted that the EMWD Perris Valley Regional Water Reclamation Facility's outfall into the adjacent basin across Case Road (21.6 acres in area) will be a more significant attraction to migratory birds than the station's basin (1.3 acres in area), especially since the outfall is partially full over much longer periods of time throughout the year whereas the station's basin will be dry most of the year.



The increased impervious area created by the additional parking lots at the Downtown Perris Station was analyzed and the increased runoff resulting from the additional impervious area will be controlled through the modification of the approved Water Quality Management Plan (WQMP) from Phase I for the existing Perris Multimodal Facility. It is not expected that the hydraulic flow will require the replacement of the existing oil-water separator (Vortech Unit model 4000), The station's proposed improvements will not significantly alter the design methodology in the approved WQMP from the previous phase. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

L5-9. See response L5-11. In addition, the PVL project is proposing oil/water separators to remove contaminants prior to discharge into the local storm water system or into the San Jacinto River. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

L5-10. During operation, the PVL project is not anticipated to generate sediment/turbidity, nutrients, organic compounds, or oxygen demanding substances. The operation and maintenance of the SJBL alignment for the PVL project would be the same as it is currently; therefore, no new nutrients, organic compounds, or oxygen demanding substances would be created.

It is noted that the City will classify the PVL project (Perris, South Perris and Layover Facility are only project components that the City can regulate) as an industrial activity and the WQMP selections and designs will be adjusted accordingly with the specified Standard Industrial Classification codes and the appropriate items added for industrial education materials, industrial activity mitigations, and inspection logs. Based upon the industrial activities noted, and the Riverside County/City's Storm Water Management Plan's pollutant matrix with respect to the development's use and activities, the potential to create the pollutants listed is noted and the WQMP will address each accordingly. The discussion of the scope and detail of such controls will be addressed in the project specific WQMP. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

L5-11. It is anticipated that the largest potential contributor of pollutants would be the passenger cars parked at the station sites during the day. RCTC will implement source control by providing regular sweeping of the parking areas at each of the station sites.

A WQMP is being developed that addresses the impairments of downstream reaches, specifically Canyon Lake and Lake Elsinore which are listed in the State's Clean Water Act Section 303(d) list of impaired water bodies due to the following: Canyon Lake - nutrients and pathogens; Lake Elsinore – nutrients, organics and toxicity. Since the project's downstream receiving waters are listed as impaired, the project specific WQMP will address specific controls that will result in a no net loading criteria for the listed impairments in the downstream reaches. The extensive discussion for these mitigations is the subject of the WQMP.

To summarize, the WQMP makes controls of site, source and treatment mechanisms to eliminate potential pollutants and the impaired listed pollutants from entering



downstream reaches via the project's storm water runoff. To accomplish this, the project makes use of the following:

- (1) Site design Best Management Practices (BMPs) such as:
  - a. Reducing the storm water runoff using detention methods. At the South Perris Station, a detention basin to promote infiltration and minimize developed flows. At the Downtown Perris Station, pipe detention to minimize developed flows.
  - b. Minimizing impervious areas by clustering the developed areas as much as possible and only improving the width of streets required for the expected traffic flows.
- (2) Source control BMPs such as:
  - a. Non-structural source controls such as education of employees on the proper handling of hazardous wastes, spill prevention, outdoor storage restrictions, proper disposal of landscape wastes, education of low flow irrigation systems and leak inspections, education on storm water pollution, contamination and control measures.
  - b. Parking lot sweeping to eliminate trash, debris and pathogen propagation. Common area litter control by maintenance personnel.
  - c. Drainage facility inspection and proper maintenance to prevent the build-up of trash and debris, sediments or erosion problem areas.
  - d. Structural source control BMPs such as trash enclosure isolation to prevent the transport of pollutants offsite via wind and water by placing the bins in a masonry enclosure, providing a roof to eliminate storm water run-on, lids on the bins to prevent wind transport, and grading controls to prevent runoff from entering the enclosure.
  - e. Catch basin stenciling.
  - f. Irrigation designs such as the use of low flow irrigation design and point-to-point emitter instead of pop-up spray heads, irrigation controllers with rain sensors, and limit or group landscaping.
  - g. Pave the fueling or maintenance areas with concrete instead of asphalt concrete to minimize spill degradation of the paving, grade controls to prevent storm water run-on, isolation of the area to prevent spills from draining offsite.
- (3) Treatment control BMPs such as:
  - a. Vegetative swales to promote biofiltration and infiltration of low flows.
  - b. A detention basin that eliminates pathogens through the disposal of low flows via infiltration.



- c. Swale pre-filters such as the Kristar SwaleGard that captures and contains gross pollutants while promoting infiltration and oil absorption (<http://www.kristar.com/products.asp?id=14>).
- d. At the Downtown Perris Station, treatment controls include a Vortechnic storm water clarifier that includes oil-water separation and hydrodynamic pollutant separation via a vortex grit chamber.

Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L5-12. Culverts: It was the intent of the investigation associated with the PVL project to identify the existing conveyances tributary to the RCTC ROW and their influence on the existing culverts along the SJBL alignment. During meetings with Riverside County Flood Control and Water Conservation District and Caltrans, requests were received from the agencies to convey only the existing runoff and that no additional conveyance could be accommodated. These requests coincide with the PVL design philosophy to upgrade the track alignment, ditches and culverts to current Metrolink standards. Special considerations were made to ensure that the improvements being made do not have an adverse effect on the upstream and downstream properties and existing systems with increased erosion or other impacts. Therefore, the PVL design was to upgrade the track and culverts for immediate service and not to upgrade to future development, including drainage.

Crossings and Bridges: Drainage design for the street crossings in Perris attempted to design for the 100-year design storm per the City's and SCRRA requirements. The crossings in Perris from 4th Street south to Ellis do not have existing local drainage systems which can accommodate the volume of water in the 100-year design storm because of the relatively flat local topography therefore the project is unable to meet these requirements without constructing extensive new storm drains throughout the area. The designs include low flow systems to convey water from the west under the tracks to the east as per existing flow patterns, or capture the street flow and convey it down the RCTC ROW towards the San Jacinto River. The project maintains the existing flow patterns and doesn't conflict with the overall Area Drainage Plan.

At the San Jacinto River, the existing flow capacities under the two bridge structures were maintained as is to comply with the "No Rise" constraint for flood zone requirements. As such once the capacities are reached, the storm water will begin to overtop the bridges and tracks. The designs of all facilities in this area consider this situation. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L5-13. See previous comment.
- L5-14. See Responses L5-9 through L5-13 regarding the adequacy of drainage facilities. RCTC and the project design engineers will continue to coordinate with the City of Perris, Caltrans, and the Riverside County Flood Control and Water Conservation District with regards to drainage improvements related to the project. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.



- L5-15. RCTC and the project design engineers will continue to coordinate with the City of Perris. As stated in Responses L5-9 through L5-13, the PVL project will not significantly impact hydrology and water quality. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L5-16. The comment proposes paying the Stephen's Kangaroo Rat (SKR) development fee within the City of Perris. As stated in the Draft EIR, Section 4.4.5, RCTC shall pay the \$500 per acre to the SKR for development outside of the existing ROW. This fee will be paid when the project applies for grading permits for South Perris Station and the Layover Facility. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L5-17. The Pinacate Railroad Station is outside of the Area of Potential Effect as identified for the PVL project, which means the PVL project will not impact it. As stated in the Draft EIR, Section 4.5.4, the historic Perris Depot is listed in the National Register of Historic Places and will not be impacted by the PVL project. Additionally, the PVL project will not modify the setting and engineering of the tracks so the "historic connection between Pinacate Station and the historic depot" will not be significantly impacted. The State Office of Historical Preservation has agreed to this conclusion (letter dated October 4, 2010).

Please see Master Response #8 – Grade Crossings. The grade crossing improvements at 4<sup>th</sup> Street and 7<sup>th</sup> Street would include pedestrian swing gates, pedestrian warning devices and gates, pedestrian barricades and metal hand railings, concrete raised medians, double yellow medians and island noses, warning devices, safety lighting, and signs. These improvements would meet the current standards set by the CPUC. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L5-18. RCTC is currently in discussions with the City of Perris, SCRRRA and the CPUC to determine the location of the pedestrian crossing that is mentioned at both 1<sup>st</sup> Street and 2<sup>nd</sup> Street to provide pedestrian access from C Street to D Street between San Jacinto Avenue and 4<sup>th</sup> Street to comply with the Downtown Specific Plan. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L5-19. The PVL project intends to provide commuter rail service along the I-215 corridor between the cities of Riverside and Perris. The goals and objectives of the project do not rely on pedestrian movements in order to be successful. The goals and objectives relate to removing vehicles from the I-215 corridor. With the stated goals and objectives, the station locations need to be easily accessed by passenger vehicles or the project will not be successful.
- L5-20. The City of Perris General Plan EIR, October 2004, does not include 5<sup>th</sup> Street in the list of "at-grade" crossing identified on page 135. Also on the map, Exhibit 4.9-6, City of Perris Future Roadway Network, 5<sup>th</sup> Street is not shown crossing the ROW. The street is physically blocked with concrete barriers during the environmental analysis but the closure of 5<sup>th</sup> Street is not complete and the City still retains rights. The PVL project will file the necessary submittals, street vacations, design reviews and work



with the City to legally complete the closure. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

L5-21. RCTC intends to pay the appropriate project fees as required to develop the project features. For the South Perris Station and Layover Facility, the General Plan Amendment and Zoning change, are being coordinated with the City directly. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

L5-22. A detailed noise assessment as per the “Transit Noise and Vibration Impacts Assessment,” FTA (FTA Manual, 2006) was conducted for project Metrolink trains at representative sensitive properties along the entire project rail alignment (FTA Manual, page 3-10). Where impacts were predicted, noise mitigation including sound insulation and noise barriers were proposed at specific locations to reduce impacts to less than significant levels. Specific locations analyzed included the downtown Promenade, the Mercado Condominiums and Neighborhoods 1 and 2 (see Draft EIR, Tables 4.10-5, 4.10-10 and 4.10-11). Less than significant noise impacts were predicted at sensitive properties in the City of Perris. As a result, noise mitigation was not proposed for the City of Perris.

It is important to note that, the FTA Manual contains noise criteria based on USEPA studies that have been adapted by major federal agencies such as the U.S. Department of Housing and Urban Development (FTA Manual, Section 2.4 & 2.5.5). The City of Perris General Plan “noise element” is also based on HUD standards; therefore, the PVL noise assessment methodology is consistent with Perris noise element standards.

([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))

L5-23. See Comment L5-22. The downtown Perris area, including the Promenade district was examined for sensitive residential receptors. One sensitive receptor at the Senior Center on 146 W San Jacinto Avenue was selected for analysis (see Draft EIR, Tables 4.10-5, 4.10-10 and 4.10-11). This receptor was closest to the alignment and is most representative of potentially impacted noise sensitive sites in the area. As indicated in the Draft EIR, there would be no noise impacts to the Senior Center (see Draft EIR, Table 4.10-11). Therefore, no mitigation was required (*Id.*).

L5-24. See Comment L5-22. The downtown Perris area, including the Mercado area was examined for sensitive residential receptors. Sensitive receptors on 10<sup>th</sup> Street, State Street and Case Road were selected for analysis (see Draft EIR, Tables 4.10-5, 4.10-10 and 4.10-11). These receptors were closest to the alignment and are most representative of potentially impacted noise sensitive sites in the area. As indicated in the Draft EIR, there would be no noise impacts to sensitive receptors at 10<sup>th</sup> Street, State Street or Case Road (see Draft EIR, Table 4.10-10). Therefore, no mitigation was required. (*Id.*)

L5-25. See Comments L5-22, L5-23 and L5-24.

L5-26. The City of Perris General Plan Circulation Element, page 14, paragraph 2 states that “According to Caltrans policy, roadways maintained by Caltrans (I-215 and SR



- 74 in the City of Perris) must maintain a minimum LOS of “D”. The City of Perris currently has adopted minimum LOS of “E” (based on the 1991 General Plan Circulation Element) along its local roads.” This criterion is correctly stated in the Draft EIR in Section 4.11.2. Therefore, the Draft EIR text will remain unchanged.
- L5-27. This intersection was analyzed as signalized for the future conditions, based on previous information provided by the City of Perris. As the City of Perris has decided not to put this signal into operation by the PVL opening year, this intersection was re-analyzed as an all-way stop controlled intersection for the future conditions without the project and the analyses in the Draft EIR were updated accordingly. The signalization of this location is now proposed as a PVL project feature. Therefore, the future conditions with the project were also revised. However, these changes did not result in new, different, or amplified impacts. Instead, the revisions merely clarify the future conditions and the proposed PVL project feature.
- L5-28. The Draft EIR’s assumptions regarding the trip distribution are based on the project’s ridership model, which shows that the majority of the passengers coming from the north would originate from the residential communities east of Perris Boulevard between Rider Street and San Jacinto Avenue. Passengers would need to travel north to Ramona Expressway or south to Harvill Avenue to access I-215, either of which would lengthen their travel distance, as opposed to traveling south on Perris Boulevard to access the station. Overall, Perris Boulevard would be a shorter and more direct travel route for these passengers. Please refer to Appendix E of the Traffic Technical Report attached to the Draft EIR for the station access maps.
- L5-29. The Draft EIR analyses and text were revised to propose a different Mitigation Measure TT-2 at the intersection of SR-74 and D Street for the north and southbound D Street’s left-turn/through movements. The revised mitigation measure (to reduce the maximum green time for the east/westbound SR-74 left-turn phase to 14 seconds during the PM analysis hour) was added to the Draft EIR in place of restriping north/southbound D Street.
- L5-30. This comment is not entirely correct. Although certain movements at two of the intersections mentioned, SR-74 and Nuevo Road at Perris Boulevard, would operate at LOS E or F in the future, those intersections would not experience any deterioration in level of service from future conditions without the project to future conditions with the project. Also, all approaches at the intersection of 7<sup>th</sup> Street at Perris Boulevard would operate within LOS C with the project. Therefore, no mitigation was required for these intersections.

The intersection of San Jacinto Avenue at Redlands Avenue would experience significant increases in delay, for which the installation of a new traffic signal was recommended as a mitigation measure. A traffic signal will be installed at this location by a private developer for the Venue at Perris project (not part of the PVL project) as conditioned by the City of Perris upon the completion of the SR-74 and I-215 Interchange Improvement project in early 2012. All approaches at this intersection would operate within LOS D with this measure in place (as shown in Table 4.11-9 in the Draft EIR).



Finally, the intersection of San Jacinto Avenue and C Street was reconfigured recently and the 2012 future conditions without the project were revised as a result. In addition, the PVL project would implement intersection control and striping related changes at this intersection as part of the San Jacinto Avenue crossing improvements (restripe westbound San Jacinto Avenue with a left/through shared and a right-only lane and make the intersection two-way stop controlled with San Jacinto Avenue having the ROW). Therefore, the future conditions with the project were revised to reflect these changes. The intersection would not experience any significant traffic impacts with these improvements in place. Therefore, no new mitigation measures are necessary.

- L5-31. The roadway acquisitions that are identified within the Draft EIR are necessary for safety issues related to sight lines, placement of warning devices or necessary space for turning movements. The acquisitions are not related to providing additional roadway capacity necessary to mitigate for project traffic impacts.
- L5-32. The project would not add any new vehicle trips to the intersection of I-215 and Nuevo Road, and would assign up to 80 vehicles to Case Road intersections at Mapes and Murrieta roads, which, considering the existing volumes (less than 3,000 vehicles daily) and roadway levels of services (LOS A) indicated in the City of Perris General Plan Circulation Element, would not be a significant increase and would not be expected to create any significant traffic impacts. Therefore, detailed analyses at these three locations were deemed to be unnecessary.
- L5-33. It should be noted that the Draft EIR does not propose the complete closure of 2<sup>nd</sup> Street in downtown Perris. The grade crossing at 2<sup>nd</sup> Street was closed to vehicular and pedestrian traffic in 2008 as part of the Perris Multimodal Transit Facility project (not a part of the PVL project) and will remain closed to vehicular traffic permanently. Therefore, the traffic analysis performed for the Draft EIR evaluated 2<sup>nd</sup> Street as closed. With regards to pedestrian access, the Draft EIR does not propose any changes to the Condition of Approval for the Perris Multimodal Transit Facility project. RCTC continues to work with the City of Perris, SCRRA and the CPUC as indicated by the commenter to ensure full compliance with the Conditions of Approval and with the Downtown Specific Plan.
- L5-34. The closure of Ellis Avenue was considered as part of the project in the earlier planning stages but the closure was later abandoned. The current version of the Draft EIR (April, 2010) no longer proposes this closure. Ellis Avenue will be improved as part of the PVL project in accordance with the agreement between RCTC and the City of Perris.
- L5-35. In the event that planned traffic signals are not installed by other projects (unrelated to the PVL) prior to the opening year of the PVL (as part of the future conditions without the project), the installation of additional traffic signals at three locations where significant impacts are expected (San Jacinto and Redlands avenues, SR-74 at northbound I-215 Off-Ramp, and SR-74 at Sherman Road) shall be required as part of the PVL project.





- L5-36. The proposed PVL project is the extension of Metrolink service from the existing Riverside Downtown Station to south of the City of Perris. All proposed improvements are directly related to initiating commuter rail service to this area. Any improvements that are not directly related to implementing the PVL project are not included or identified, particularly if they are outside the existing ROW. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L5-37. This comment concludes the letter and does not raise specific environmental concerns. Therefore, no response is necessary.



Letter 6  
State Clearinghouse - Scott Morgan  
May 26, 2010

89212 ER, SK, EE



ARNOLD SCHWARZENEGGER  
GOVERNOR May 26, 2010

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE of PLANNING AND RESEARCH  
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT  
DIRECTOR

RECEIVED  
JUN 01 2010  
RIVERSIDE COUNTY  
TRANSPORTATION COMMISSION

Edda Rosso, P.E.  
Riverside County Transportation Commission  
4080 Lemon Street, 3rd Floor  
P.O. Box 12008  
Riverside, CA 92502-2208

Subject: Perris Valley Line  
SCH#: 2009011046

Dear Edda Rosso, P.E.:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on May 24, 2010, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

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

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

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

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

Sincerely,

Scott Morgan  
Acting Director, State Clearinghouse

Enclosures  
cc: Resources Agency

L6-1



**Letter 6 (cont'd)**  
**State Clearinghouse - Scott Morgan**  
**May 26, 2010**

**Document Details Report**  
**State Clearinghouse Data Base**

**SCH#** 2009011046  
**Project Title** Perris Valley Line  
**Lead Agency** Riverside County Transportation Commission

**Type** EIR Draft EIR  
**Description** To address regional mobility issues, RCTC proposes to extend commuter rail service approximately 24 miles into the Interstate 215 (I-215) corridor in western Riverside County. This new commuter rail service, known as PVL, would be an extension of the SCRRA/Metrolink 91 line from the existing Riverside Downtown Station along a three mile segment of the Burlington Northern Santa Fe (BNSF) main line and would connect to the San Jacinto Branch Line (SJBL) with the proposed Citrus Connection. The Citrus Connection will construct a new curved rail segment that connects the BNSF to the SJBL for approximately 21 miles extending south to the City of Perris.

**Lead Agency Contact**

**Name** Edda Rosso, P.E.  
**Agency** Riverside County Transportation Commission  
**Phone** (951) 787-7141 **Fax**  
**email**  
**Address** 4080 Lemon Street, 3rd Floor  
 P.O. Box 12008  
**City** Riverside **State** CA **Zip** 92502-2208

**Project Location**

**County** Riverside  
**City** Riverside  
**Region**  
**Lat / Long** 33° 58' 33.28" N / 117° 22' 11.41" W  
**Cross Streets** 12th and Vine Streets (Riverside); Mapes and Case Roads (South Perris)  
**Parcel No.** multiple  
**Township** **Range** **Section** **Base**

**Proximity to:**

**Highways** I-215  
**Airports** Perris Valley Airport, MARB  
**Railways** BNSF, SLBL  
**Waterways** San Jacinto River  
**Schools** Riverside & Perris USD  
**Land Use** Land uses within/adjacent to PVL corridor include: transportation, industrial, business park, residential, open space & commercial.

**Project Issues** Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Noise; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Wetland/Riparian; Landuse; Cumulative Effects; Aesthetic/Visual; Agricultural Land; Soil Erosion/Compaction/Grading

**Reviewing Agencies** Resources Agency; Department of Fish and Game, Region 6; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Management Agency, California; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 8; Air Resources Board, Transportation Projects; Regional Water Quality Control Board, Region 8; Native American Heritage Commission; Public Utilities Commission

**Date Received** 04/05/2010 **Start of Review** 04/05/2010 **End of Review** 05/24/2010

Note: Blanks in data fields result from insufficient information provided by lead agency.



**Response to Letter 6  
State Clearinghouse - Scott Morgan  
May 26, 2010**

- L6-1. This comment is introductory in nature, informational and does not raise specific environmental concerns. Therefore, no response is necessary.



Letter 7
Metropolitan Water District - Delaine Shane
May 20, 2010

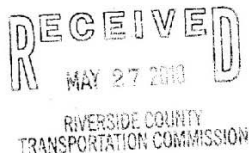
Postmarked after the 5/24/10 deadline.

89204 ER, SK, EE



MWD
METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Executive Office



May 20, 2010

Via Regular Mail

Ms. Edda Rosso
Capital Projects Manager
Riverside County Transportation Commission
P.O. Box 12008
Riverside, California 92502-2208

Dear Ms. Rosso:

Draft Environmental Impact Report (EIR) for Perris Valley Line, Riverside County, California

The Metropolitan Water District of Southern California (Metropolitan) has reviewed a copy of the Draft Environmental Impact Report (EIR) for the Perris Valley Line project, located within Riverside County. The Riverside County Transportation Commission is acting as the California Environmental Quality Act (CEQA) Lead Agency for this project. The proposed project would extend Metrolink service 24 miles farther into Riverside County, from the existing downtown Riverside station to a location south of the city of Perris. The proposed Perris Valley line would serve the communities of Riverside, Moreno Valley, and Perris and would utilize the existing Burlington Northern Santa Fe (BNSF) and San Jacinto Branch Line rail corridors. The proposed project would also include construction of four new Metrolink stations, improvements to existing grade crossings and culverts, installation of new traffic signals, replacement of two existing bridges at the San Jacinto River, and construction of communications towers and landscape walls. This letter contains Metropolitan's response to the Draft EIR as a potentially affected agency.

L7-1

Metropolitan owns and operates several facilities within the proposed project area, as follows:

- The Colorado River Aqueduct, a 186-inch-inside-diameter concrete pipeline which runs in an east-west direction between Cajalco Road/Ramona Expressway and Rider Street, intersects the proposed rail line.

L7-2



**Letter 7 (cont'd)**  
**Metropolitan Water District - Delaine Shane**  
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THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

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- The Chemical Unloading Facility, a chlorine and chemical storage and handling facility, is located along the Colorado River Aqueduct at Patterson Avenue. Metropolitan receives its deliveries to this facility by rail car using the BNSF line east of Harvill Avenue.
- The Box Springs Feeder, a 96-inch-inside-diameter precast concrete pipeline which runs in a northeasterly to southwesterly direction near Box Springs Boulevard and Fischer Road, intersects the proposed rail line.
- The Perris Valley Pipeline, a 96-inch-inside-diameter pipeline originating from the Henry J. Mills Water Treatment Plant and extending in a northwesterly to southeasterly direction, includes crossings of the rail line between Alessandro Boulevard and Van Buren Avenue along the west side of Interstate 215. This pipeline would also be adjacent to the Moreno Valley/March Field Station.
- Metropolitan is planning a future north-south pipeline that will connect the Perris Valley Pipeline with Lake Mathews and provide water service to the Moreno Valley, Perris, and Hemet areas within Riverside County.

L7-2 (cont'd)

Metropolitan must be allowed to maintain its rights-of-way and may require unobstructed access to its facilities in order to maintain and repair its system. Due to the proximity of Metropolitan's facilities to the proposed project, we request that the Riverside County Transportation Commission consult with Metropolitan regarding proposed plans and that we be listed in Table 1.6-2 (Agency Actions and Approvals), as an agency whose approval and/or consultation is required for the proposed project.

L7-3

In order to avoid potential conflicts with Metropolitan's facilities, we request that the plans for any construction or operation of the rail project in the area of Metropolitan's pipelines or facilities be submitted for our review and comment. Detailed prints of drawings of Metropolitan's pipelines and rights-of-way may be obtained by calling Metropolitan's Substructures Information Line at (213) 217-6564.

L7-4



**Letter 7 (cont'd)**  
**Metropolitan Water District - Delaine Shane**  
**May 20, 2010**

*THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA*

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We appreciate the opportunity to provide input to your planning process and we look forward to receiving future documentation for this project. If we can be of further assistance, please contact Ms. Jennifer Harriger of the Environmental Planning Team at (213) 217-7658.

} L7-5

Very truly yours,

Delaine W. Shane  
Manager, Environmental Planning Team

JAH/jh  
Public Folders\EPT\Draft Letters\ 2010\12-MAY-10A.doc - Edda Rosso)  
Enclosure: Planning Guidelines



Letter 7 (cont'd)  
Metropolitan Water District - Delaine Shane  
May 20, 2010

Guidelines for Developments in the  
Area of Facilities, Fee Properties, and/or Easements  
of The Metropolitan Water District of Southern California

1. Introduction

a. The following general guidelines should be followed for the design of proposed facilities and developments in the area of Metropolitan's facilities, fee properties, and/or easements.

b. We require that 3 copies of your tentative and final record maps, grading, paving, street improvement, landscape, storm drain, and utility plans be submitted for our review and written approval as they pertain to Metropolitan's facilities, fee properties and/or easements, prior to the commencement of any construction work.

2. Plans, Parcel and Tract Maps

The following are Metropolitan's requirements for the identification of its facilities, fee properties, and/or easements on your plans, parcel maps and tract maps:

a. Metropolitan's fee properties and/or easements and its pipelines and other facilities must be fully shown and identified as Metropolitan's on all applicable plans.

b. Metropolitan's fee properties and/or easements must be shown and identified as Metropolitan's with the official recording data on all applicable parcel and tract maps.

c. Metropolitan's fee properties and/or easements and existing survey monuments must be dimensionally tied to the parcel or tract boundaries.

d. Metropolitan's records of surveys must be referenced on the parcel and tract maps.





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Metropolitan Water District - Delaine Shane  
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3. Maintenance of Access Along Metropolitan's Rights-of-Way

a. Proposed cut or fill slopes exceeding 10 percent are normally not allowed within Metropolitan's fee properties or easements. This is required to facilitate the use of construction and maintenance equipment, and provide access to its aboveground and belowground facilities.

b. We require that 16-foot-wide commercial-type driveway approaches be constructed on both sides of all streets crossing Metropolitan's rights-of-way. Openings are required in any median island. Access ramps, if necessary, must be at least 16-foot-wide. Grades of ramps are normally not allowed to exceed 10 percent. If the slope of an access ramp must exceed 10 percent due to the topography, the ramp must be paved. We require a 40-foot-long level area on the driveway approach to access ramps where the ramp meets the street. At Metropolitan's fee properties, we may require fences and gates.

c. The terms of Metropolitan's permanent easement deeds normally preclude the building or maintenance of structures of any nature or kind within its easements, to ensure safety and avoid interference with operation and maintenance of Metropolitan's pipelines or other facilities. Metropolitan must have vehicular access along the easements at all times for inspection, patrolling, and for maintenance of the pipelines and other facilities on a routine basis. We require a 20-foot-wide clear zone around all above-ground facilities for this routine access. This clear zone should slope away from our facility on a grade not to exceed 2 percent. We must also have access along the easements with construction equipment. An example of this is shown on Figure 1.

d. The footings of any proposed buildings adjacent to Metropolitan's fee properties and/or easements must not encroach into the fee property or easement or impose additional loading on Metropolitan's pipelines or other facilities therein. A typical situation is shown on Figure 2. Prints of the detail plans of the footings for any building or structure adjacent to the fee property or easement must be submitted for our review and written approval as they pertain to the pipeline or other facilities therein. Also, roof eaves of buildings adjacent to the easement or fee property must not overhang into the fee property or easement area.



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Metropolitan Water District - Delaine Shane  
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e. Metropolitan's pipelines and other facilities, e.g. structures, manholes, equipment, survey monuments, etc. within its fee properties and/or easements must be protected from damage by the easement holder on Metropolitan's property or the property owner where Metropolitan has an easement, at no expense to Metropolitan. If the facility is a cathodic protection station it shall be located prior to any grading or excavation. The exact location, description and way of protection shall be shown on the related plans for the easement area.

4. Easements on Metropolitan's Property

a. We encourage the use of Metropolitan's fee rights-of-way by governmental agencies for public street and utility purposes, provided that such use does not interfere with Metropolitan's use of the property, the entire width of the property is accepted into the agency's public street system and fair market value is paid for such use of the right-of-way.

b. Please contact the Director of Metropolitan's Right of Way and Land Division, telephone (213) 250-6302, concerning easements for landscaping, street, storm drain, sewer, water or other public facilities proposed within Metropolitan's fee properties. A map and legal description of the requested easements must be submitted. Also, written evidence must be submitted that shows the city or county will accept the easement for the specific purposes into its public system. The grant of the easement will be subject to Metropolitan's rights to use its land for water pipelines and related purposes to the same extent as if such grant had not been made. There will be a charge for the easement. Please note that, if entry is required on the property prior to issuance of the easement, an entry permit must be obtained. There will also be a charge for the entry permit.

5. Landscaping

Metropolitan's landscape guidelines for its fee properties and/or easements are as follows:

a. A green belt may be allowed within Metropolitan's fee property or easement.

b. All landscape plans shall show the location and size of Metropolitan's fee property and/or easement and the location and size of Metropolitan's pipeline or other facilities therein.



Letter 7 (cont'd)  
Metropolitan Water District - Delaine Shane  
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c. Absolutely no trees will be allowed within 15 feet of the centerline of Metropolitan's existing or future pipelines and facilities.

d. Deep-rooted trees are prohibited within Metropolitan's fee properties and/or easements. Shallow-rooted trees are the only trees allowed. The shallow-rooted trees will not be permitted any closer than 15 feet from the centerline of the pipeline, and such trees shall not be taller than 25 feet with a root spread no greater than 20 feet in diameter at maturity. Shrubs, bushes, vines, and ground cover are permitted, but larger shrubs and bushes should not be planted directly over our pipeline. Turf is acceptable. We require submittal of landscape plans for Metropolitan's prior review and written approval. (See Figure 3).

e. The landscape plans must contain provisions for Metropolitan's vehicular access at all times along its rights-of-way to its pipelines or facilities therein. Gates capable of accepting Metropolitan's locks are required in any fences across its rights-of-way. Also, any walks or drainage facilities across its access route must be constructed to AASHTO H-20 loading standards.

f. Rights to landscape any of Metropolitan's fee properties must be acquired from its Right of Way and Land Division. Appropriate entry permits must be obtained prior to any entry on its property. There will be a charge for any entry permit or easements required.

#### Fencing

Metropolitan requires that perimeter fencing of its fee properties and facilities be constructed of universal chain link, 6 feet in height and topped with 3 strands of barbed wire angled upward and outward at a 45 degree angle or an approved equal for a total fence height of 7 feet. Suitable substitute fencing may be considered by Metropolitan. (Please see Figure 5 for details).

#### Utilities in Metropolitan's Fee Properties and/or Easements or Adjacent to Its Pipeline in Public Streets

Metropolitan's policy for the alinement of utilities permitted within its fee properties and/or easements and street rights-of-way is as follows:



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Metropolitan Water District - Delaine Shane  
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- a. Permanent structures, including catch basins, manholes, power poles, telephone riser boxes, etc., shall not be located within its fee properties and/or easements.
- b. We request that permanent utility structures within public streets, in which Metropolitan's facilities are constructed under the Metropolitan Water District Act, be placed as far from our pipeline as possible, but not closer than 5 feet from the outside of our pipeline.
- c. The installation of utilities over or under Metropolitan's pipeline(s) must be in accordance with the requirements shown on the enclosed prints of Drawings Nos. C-11632 and C-9547. Whenever possible we request a minimum of one foot clearance between Metropolitan's pipe and your facility. Temporary support of Metropolitan's pipe may also be required at undercrossings of its pipe in an open trench. The temporary support plans must be reviewed and approved by Metropolitan.
- d. Lateral utility crossings of Metropolitan's pipelines must be as perpendicular to its pipeline alignment as practical. Prior to any excavation our pipeline shall be located manually and any excavation within two feet of our pipeline must be done by hand. This shall be noted on the appropriate drawings.
- e. Utilities constructed longitudinally within Metropolitan's rights-of-way must be located outside the theoretical trench prism for uncovering its pipeline and must be located parallel to and as close to its rights-of-way lines as practical.
- f. When piping is jacked or installed in jacked casing or tunnel under Metropolitan's pipe, there must be at least two feet of vertical clearance between the bottom of Metropolitan's pipe and the top of the jacked pipe, jacked casing or tunnel. We also require that detail drawings of the shoring for the jacking or tunneling pits be submitted for our review and approval. Provisions must be made to grout any voids around the exterior of the jacked pipe, jacked casing or tunnel. If the piping is installed in a jacked casing or tunnel the annular space between the piping and the jacked casing or tunnel must be filled with grout.



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Metropolitan Water District - Delaine Shane  
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**g. Overhead electrical and telephone line requirements:**

1) Conductor clearances are to conform to the California State Public Utilities Commission, General Order 95, for Overhead Electrical Line Construction or at a greater clearance if required by Metropolitan. Under no circumstances shall clearance be less than 35 feet.

2) A marker must be attached to the power pole showing the ground clearance and line voltage, to help prevent damage to your facilities during maintenance or other work being done in the area.

3) Line clearance over Metropolitan's fee properties and/or easements shall be shown on the drawing to indicate the lowest point of the line under the most adverse conditions including consideration of sag, wind load, temperature change, and support type. We require that overhead lines be located at least 30 feet laterally away from all above-ground structures on the pipelines.

4) When underground electrical conduits, 120 volts or greater, are installed within Metropolitan's fee property and/or easement, the conduits must be incased in a minimum of three inches of red concrete. Where possible, above ground warning signs must also be placed at the right-of-way lines where the conduits enter and exit the right-of-way.

**h. The construction of sewerlines in Metropolitan's fee properties and/or easements must conform to the California Department of Health Services Criteria for the Separation of Water Mains and Sanitary Services and the local City or County Health Code Ordinance as it relates to installation of sewers in the vicinity of pressure waterlines. The construction of sewerlines should also conform to these standards in street rights-of-way.**

**i. Cross sections shall be provided for all pipeline crossings showing Metropolitan's fee property and/or easement limits and the location of our pipeline(s). The exact locations of the crossing pipelines and their elevations shall be marked on as-built drawings for our information.**



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Metropolitan Water District - Delaine Shane  
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j. Potholing of Metropolitan's pipeline is required if the vertical clearance between a utility and Metropolitan's pipeline is indicated on the plan to be one foot or less. If the indicated clearance is between one and two feet, potholing is suggested. Metropolitan will provide a representative to assist others in locating and identifying its pipeline. Two-working days notice is requested.

k. Adequate shoring and bracing is required for the full depth of the trench when the excavation encroaches within the zone shown on Figure 4.

l. The location of utilities within Metropolitan's fee property and/or easement shall be plainly marked to help prevent damage during maintenance or other work done in the area. Detectable tape over buried utilities should be placed a minimum of 12 inches above the utility and shall conform to the following requirements:

1) Water pipeline: A two-inch blue warning tape shall be imprinted with:

"CAUTION BURIED WATER PIPELINE"

2) Gas, oil, or chemical pipeline: A two-inch yellow warning tape shall be imprinted with:

"CAUTION BURIED \_\_\_\_\_ PIPELINE"

3) Sewer or storm drain pipeline: A two-inch green warning tape shall be imprinted with:

"CAUTION BURIED \_\_\_\_\_ PIPELINE"

4) Electric, street lighting, or traffic signals conduit: A two-inch red warning tape shall be imprinted with:

"CAUTION BURIED \_\_\_\_\_ CONDUIT"

5) Telephone, or television conduit: A two-inch orange warning tape shall be imprinted with:

"CAUTION BURIED \_\_\_\_\_ CONDUIT"



Letter 7 (cont'd)  
Metropolitan Water District - Delaine Shane  
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m. Cathodic Protection requirements:

1) If there is a cathodic protection station for Metropolitan's pipeline in the area of the proposed work, it shall be located prior to any grading or excavation. The exact location, description and manner of protection shall be shown on all applicable plans. Please contact Metropolitan's Corrosion Engineering Section, located at Metropolitan's F. E. Weymouth Softening and Filtration Plant, 700 North Moreno Avenue, La Verne, California 91750, telephone (714) 593-7474, for the locations of Metropolitan's cathodic protection stations.

2) If an induced-current cathodic protection system is to be installed on any pipeline crossing Metropolitan's pipeline, please contact Mr. Wayne E. Risner at (714) 593-7474 or (213) 250-5085. He will review the proposed system and determine if any conflicts will arise with the existing cathodic protection systems installed by Metropolitan.

3) Within Metropolitan's rights-of-way, pipelines and carrier pipes (casings) shall be coated with an approved protective coating to conform to Metropolitan's requirements, and shall be maintained in a neat and orderly condition as directed by Metropolitan. The application and monitoring of cathodic protection on the pipeline and casing shall conform to Title 49 of the Code of Federal Regulations, Part 195.

4) If a steel carrier pipe (casing) is used:

(a) Cathodic protection shall be provided by use of a sacrificial magnesium anode (a sketch showing the cathodic protection details can be provided for the designers information).

(b) The steel carrier pipe shall be protected with a coal tar enamel coating inside and out in accordance with AWWA C203 specification.

n. All trenches shall be excavated to comply with the CAL/OSHA Construction Safety Orders, Article 6, beginning with Sections 1539 through 1547. Trench backfill shall be placed in 8-inch lifts and shall be compacted to 95 percent relative compaction (ASTM D698) across roadways and through protective dikes. Trench backfill elsewhere will be compacted to 90 percent relative compaction (ASTM D698).



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Metropolitan Water District - Delaine Shane  
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o. Control cables connected with the operation of Metropolitan's system are buried within streets, its fee properties and/or easements. The locations and elevations of these cables shall be shown on the drawings. The drawings shall note that prior to any excavation in the area, the control cables shall be located and measures shall be taken by the contractor to protect the cables in place.

p. Metropolitan is a member of Underground Service Alert (USA). The contractor (excavator) shall contact USA at 1-800-422-4133 (Southern California) at least 48 hours prior to starting any excavation work. The contractor will be liable for any damage to Metropolitan's facilities as a result of the construction.

8. Paramount Right

Facilities constructed within Metropolitan's fee properties and/or easements shall be subject to the paramount right of Metropolitan to use its fee properties and/or easements for the purpose for which they were acquired. If at any time Metropolitan or its assigns should, in the exercise of their rights, find it necessary to remove any of the facilities from the fee properties and/or easements, such removal and replacement shall be at the expense of the owner of the facility.

9. Modification of Metropolitan's Facilities

When a manhole or other of Metropolitan's facilities must be modified to accommodate your construction or reconstruction, Metropolitan will modify the facilities with its forces. This should be noted on the construction plans. The estimated cost to perform this modification will be given to you and we will require a deposit for this amount before the work is performed. Once the deposit is received, we will schedule the work. Our forces will coordinate the work with your contractor. Our final billing will be based on actual cost incurred, and will include materials, construction, engineering plan review, inspection, and administrative overhead charges calculated in accordance with Metropolitan's standard accounting practices. If the cost is less than the deposit, a refund will be made; however, if the cost exceeds the deposit, an invoice will be forwarded for payment of the additional amount.





Letter 7 (cont'd)  
Metropolitan Water District - Delaine Shane  
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10. Drainage

a. Residential or commercial development typically increases and concentrates the peak storm water runoff as well as the total yearly storm runoff from an area, thereby increasing the requirements for storm drain facilities downstream of the development. Also, throughout the year water from landscape irrigation, car washing, and other outdoor domestic water uses flows into the storm drainage system resulting in weed abatement, insect infestation, obstructed access and other problems. Therefore, it is Metropolitan's usual practice not to approve plans that show discharge of drainage from developments onto its fee properties and/or easements.

b. If water must be carried across or discharged onto Metropolitan's fee properties and/or easements, Metropolitan will insist that plans for development provide that it be carried by closed conduit or lined open channel approved in writing by Metropolitan. Also the drainage facilities must be maintained by others, e.g., city, county, homeowners association, etc. If the development proposes changes to existing drainage features, then the developer shall make provisions to provide for replacement and these changes must be approved by Metropolitan in writing.

11. Construction Coordination

During construction, Metropolitan's field representative will make periodic inspections. We request that a stipulation be added to the plans or specifications for notification of Mr. \_\_\_\_\_ of Metropolitan's Operations Services Branch, telephone (213) 250-\_\_\_\_, at least two working days prior to any work in the vicinity of our facilities.

12. Pipeline Loading Restrictions

a. Metropolitan's pipelines and conduits vary in structural strength, and some are not adequate for AASHTO H-20 loading. Therefore, specific loads over the specific sections of pipe or conduit must be reviewed and approved by Metropolitan. However, Metropolitan's pipelines are typically adequate for AASHTO H-20 loading provided that the cover over the pipeline is not less than four feet or the cover is not substantially increased. If the temporary cover over the pipeline during construction is between three and four feet, equipment must be restricted to that which



Letter 7 (cont'd)  
Metropolitan Water District - Delaine Shane  
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imposes loads no greater than AASHTO H-10. If the cover is between two and three feet, equipment must be restricted to that of a Caterpillar D-4 tract-type tractor. If the cover is less than two feet, only hand equipment may be used. Also, if the contractor plans to use any equipment over Metropolitan's pipeline which will impose loads greater than AASHTO H-20, it will be necessary to submit the specifications of such equipment for our review and approval at least one week prior to its use. More restrictive requirements may apply to the loading guideline over the San Diego Pipelines 1 and 2, portions of the Orange County Feeder, and the Colorado River Aqueduct. Please contact us for loading restrictions on all of Metropolitan's pipelines and conduits.

b. The existing cover over the pipeline shall be maintained unless Metropolitan determines that proposed changes do not pose a hazard to the integrity of the pipeline or an impediment to its maintenance.

13. Blasting

a. At least 20 days prior to the start of any drilling for rock excavation blasting, or any blasting, in the vicinity of Metropolitan's facilities, a two-part preliminary conceptual plan shall be submitted to Metropolitan as follows:

b. Part 1 of the conceptual plan shall include a complete summary of proposed transportation, handling, storage, and use of explosions.

c. Part 2 shall include the proposed general concept for blasting, including controlled blasting techniques and controls of noise, fly rock, airblast, and ground vibration.

14. CEQA Requirements

a. When Environmental Documents Have Not Been Prepared

1) Regulations implementing the California Environmental Quality Act (CEQA) require that Metropolitan have an opportunity to consult with the agency or consultants preparing any environmental documentation. We are required to review and consider the environmental effects of the project as shown in the Negative Declaration or Environmental Impact Report (EIR) prepared for your project before committing Metropolitan to approve your request.



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Metropolitan Water District - Delaine Shane  
May 20, 2010

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2) In order to ensure compliance with the regulations implementing CEQA where Metropolitan is not the Lead Agency, the following minimum procedures to ensure compliance with the Act have been established:

a) Metropolitan shall be timely advised of any determination that a Categorical Exemption applies to the project. The Lead Agency is to advise Metropolitan that it and other agencies participating in the project have complied with the requirements of CEQA prior to Metropolitan's participation.

b) Metropolitan is to be consulted during the preparation of the Negative Declaration or EIR.

c) Metropolitan is to review and submit any necessary comments on the Negative Declaration or draft EIR.

d) Metropolitan is to be indemnified for any costs or liability arising out of any violation of any laws or regulations including but not limited to the California Environmental Quality Act and its implementing regulations.

b. When Environmental Documents Have Been Prepared

If environmental documents have been prepared for your project, please furnish us a copy for our review and files in a timely manner so that we may have sufficient time to review and comment. The following steps must also be accomplished:

1) The Lead Agency is to advise Metropolitan that it and other agencies participating in the project have complied with the requirements of CEQA prior to Metropolitan's participation.

2) You must agree to indemnify Metropolitan, its officers, engineers, and agents for any costs or liability arising out of any violation of any laws or regulations including but not limited to the California Environmental Quality Act and its implementing regulations.

15. Metropolitan's Plan-Review Cost

a. An engineering review of your proposed facilities and developments and the preparation of a letter response



Letter 7 (cont'd)  
Metropolitan Water District - Delaine Shane  
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giving Metropolitan's comments, requirements and/or approval that will require 8 man-hours or less of effort is typically performed at no cost to the developer, unless a facility must be modified where Metropolitan has superior rights. If an engineering review and letter response requires more than 8 man-hours of effort by Metropolitan to determine if the proposed facility or development is compatible with its facilities, or if modifications to Metropolitan's manhole(s) or other facilities will be required, then all of Metropolitan's costs associated with the project must be paid by the developer, unless the developer has superior rights.

b. A deposit of funds will be required from the developer before Metropolitan can begin its detailed engineering plan review that will exceed 8 hours. The amount of the required deposit will be determined after a cursory review of the plans for the proposed development.

c. Metropolitan's final billing will be based on actual cost incurred, and will include engineering plan review, inspection, materials, construction, and administrative overhead charges calculated in accordance with Metropolitan's standard accounting practices. If the cost is less than the deposit, a refund will be made; however, if the cost exceeds the deposit, an invoice will be forwarded for payment of the additional amount. Additional deposits may be required if the cost of Metropolitan's review exceeds the amount of the initial deposit.

16. Caution

We advise you that Metropolitan's plan reviews and responses are based upon information available to Metropolitan which was prepared by or on behalf of Metropolitan for general record purposes only. Such information may not be sufficiently detailed or accurate for your purposes. No warranty of any kind, either express or implied, is attached to the information therein conveyed as to its accuracy, and no inference should be drawn from Metropolitan's failure to comment on any aspect of your project. You are therefore cautioned to make such surveys and other field investigations as you may deem prudent to assure yourself that any plans for your project are correct.



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Metropolitan Water District - Delaine Shane  
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17. Additional Information

Should you require additional information, please contact:

Civil Engineering Substructures Section  
Metropolitan Water District  
of Southern California  
P.O. Box 54153  
Los Angeles, California 90054-0153  
(213) 217-6000

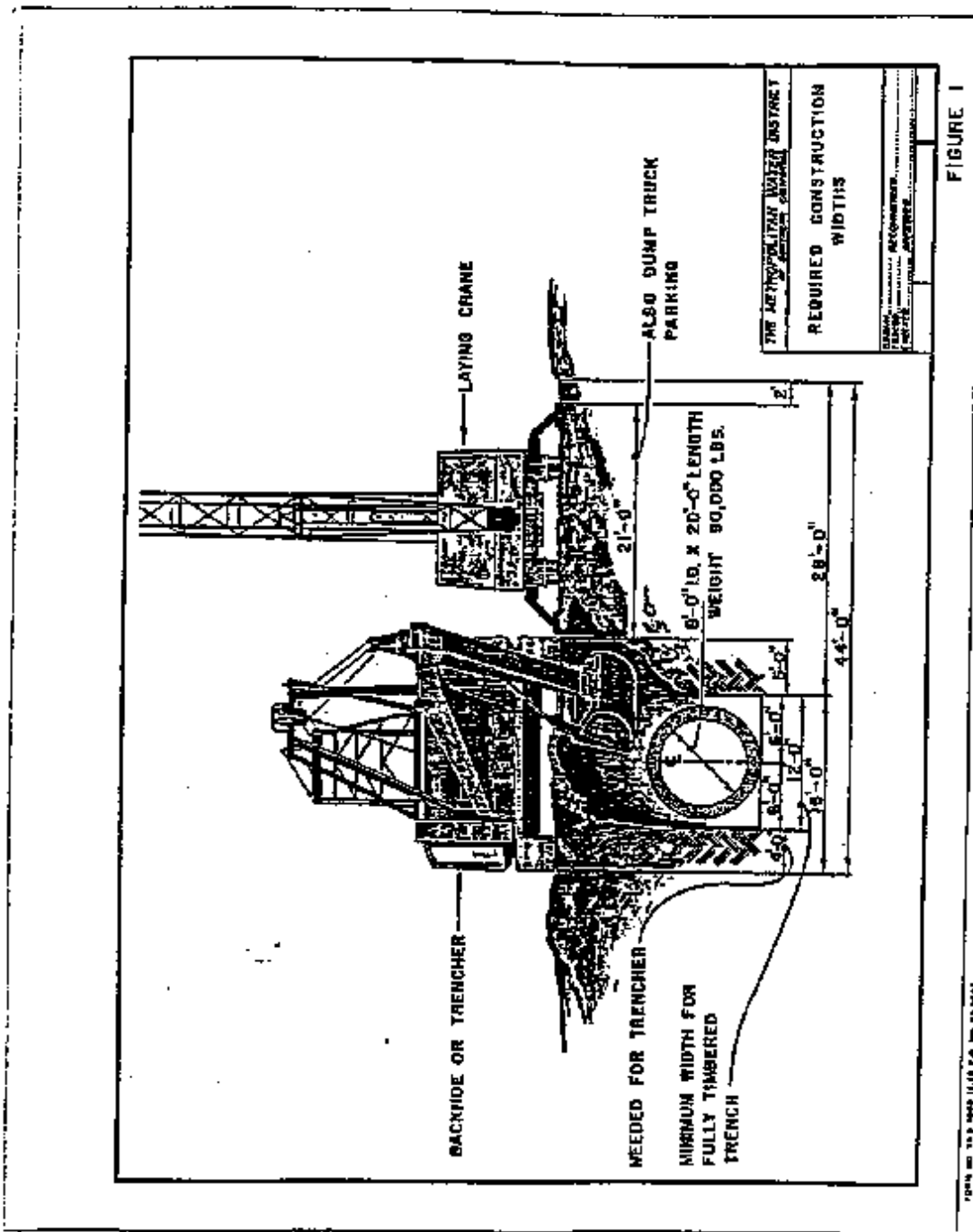
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Rev. January 22, 1989

Encl.

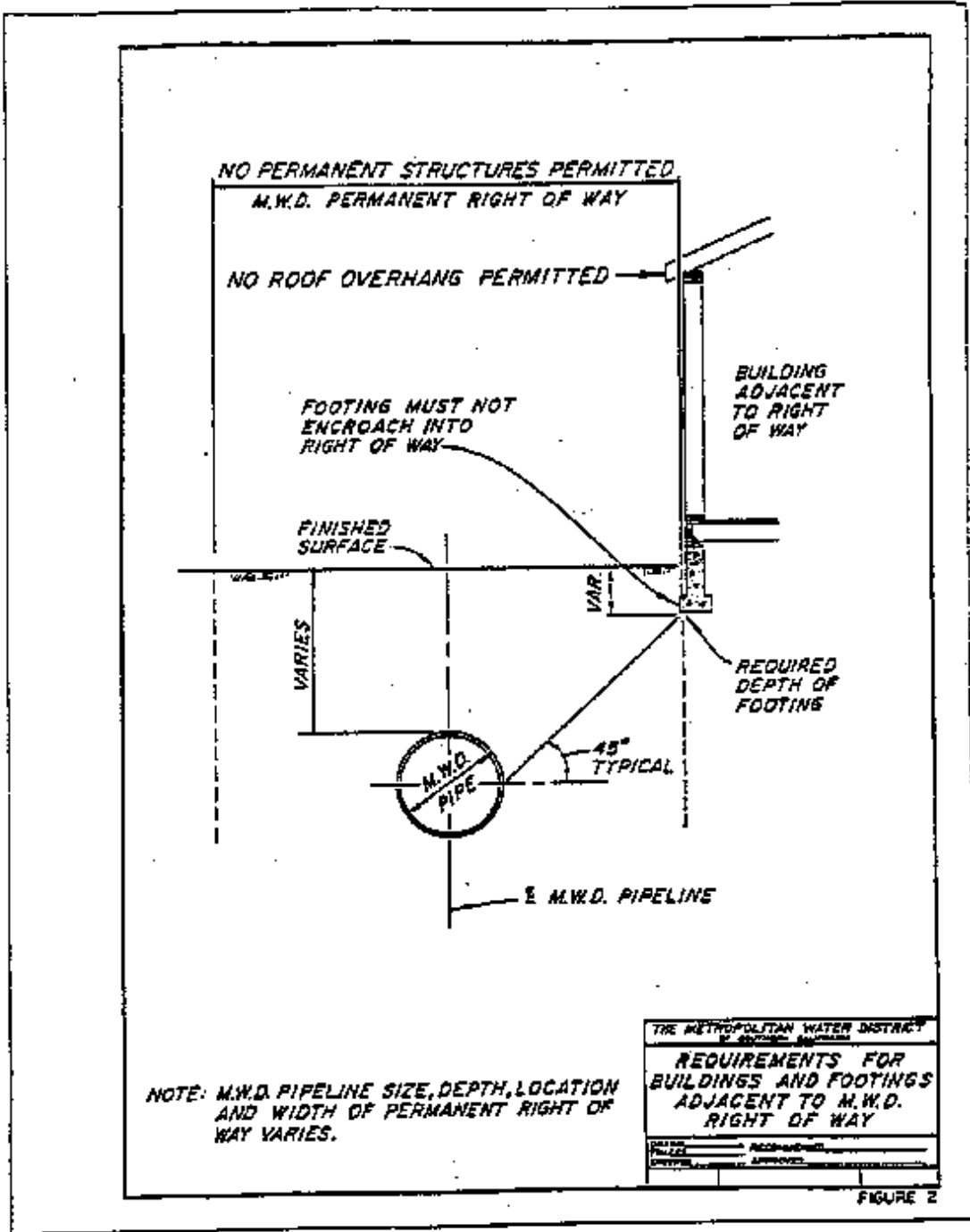


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 Metropolitan Water District - Delaine Shane  
 May 20, 2010



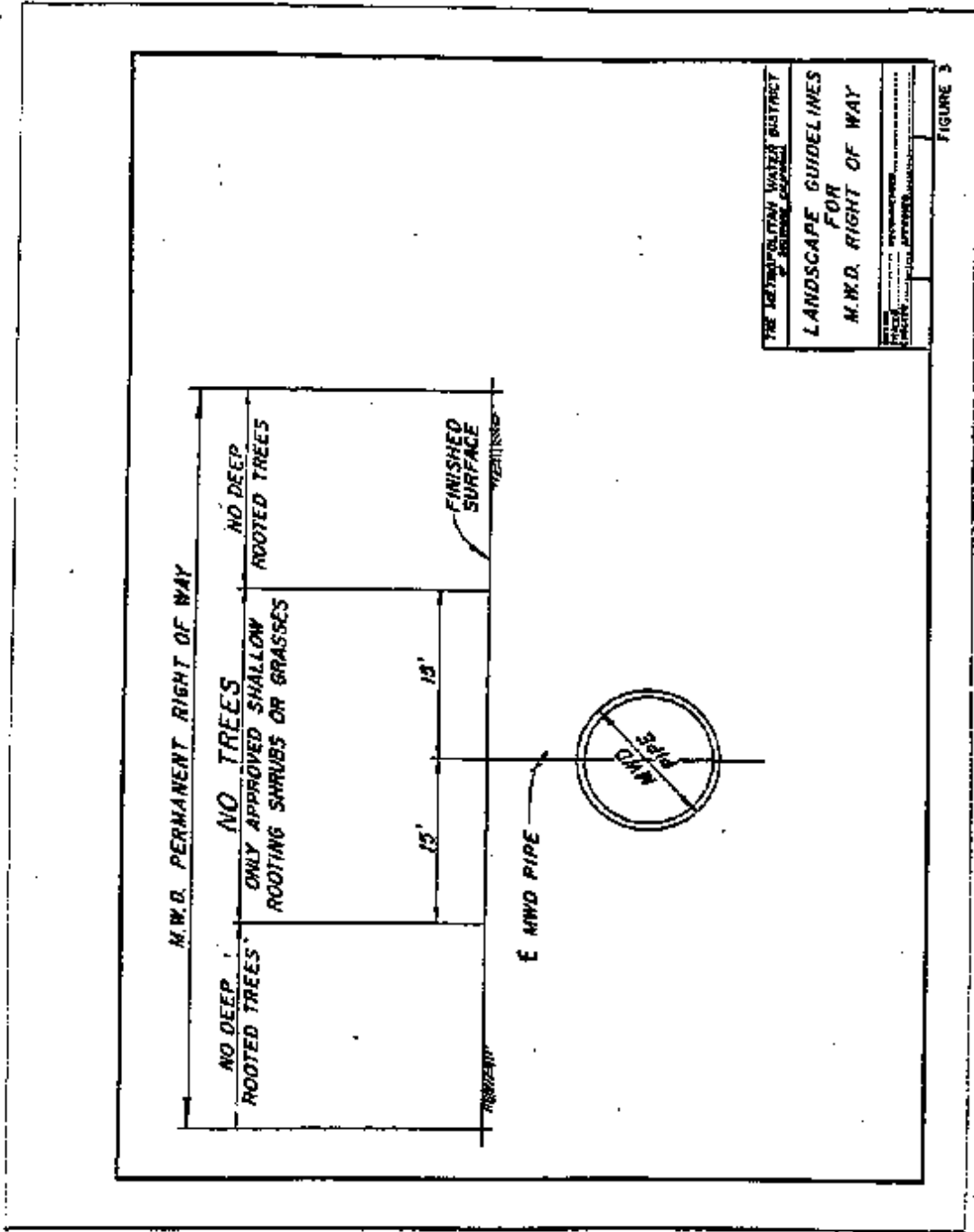


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Metropolitan Water District - Delaine Shane  
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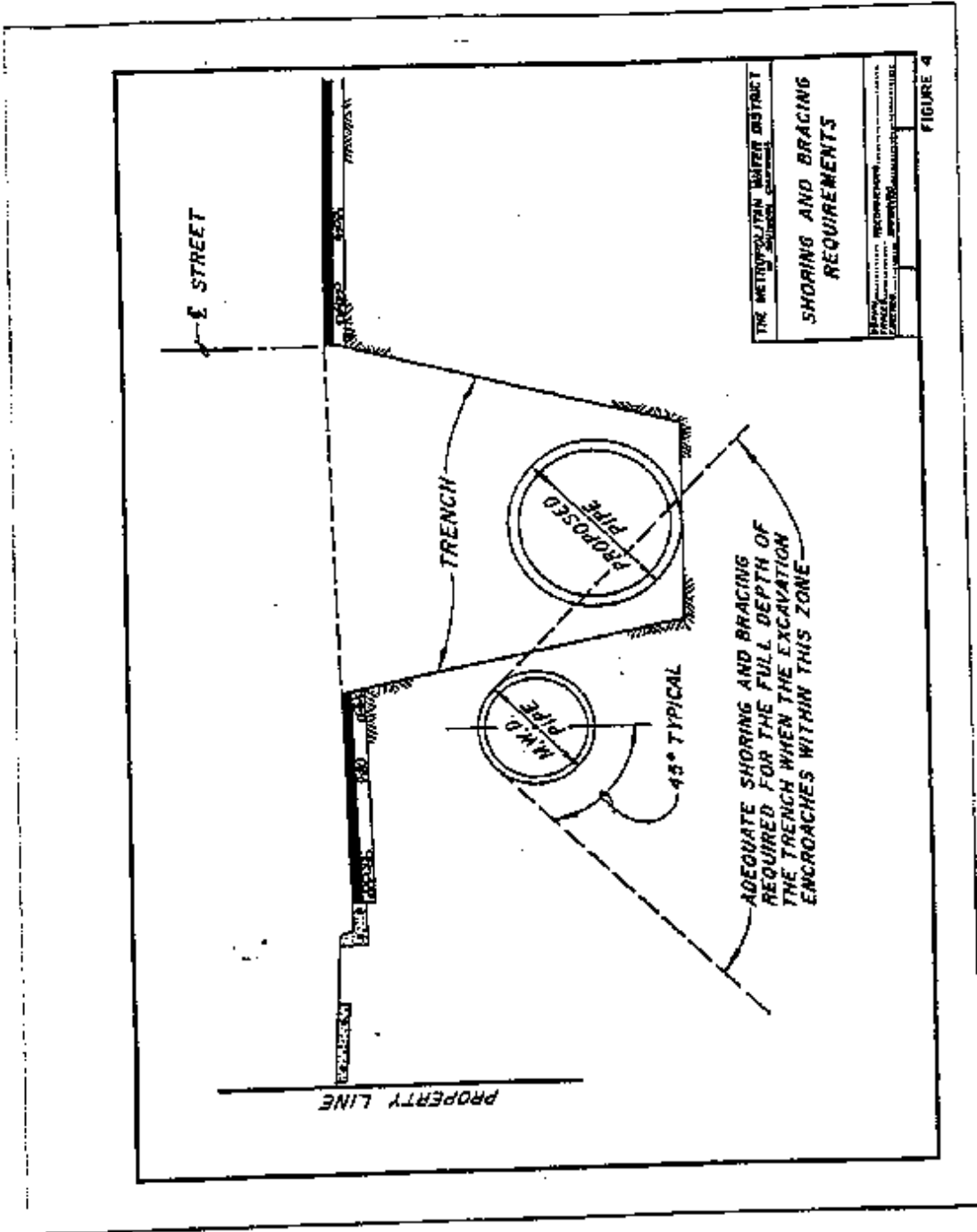
Letter 7 (cont'd)  
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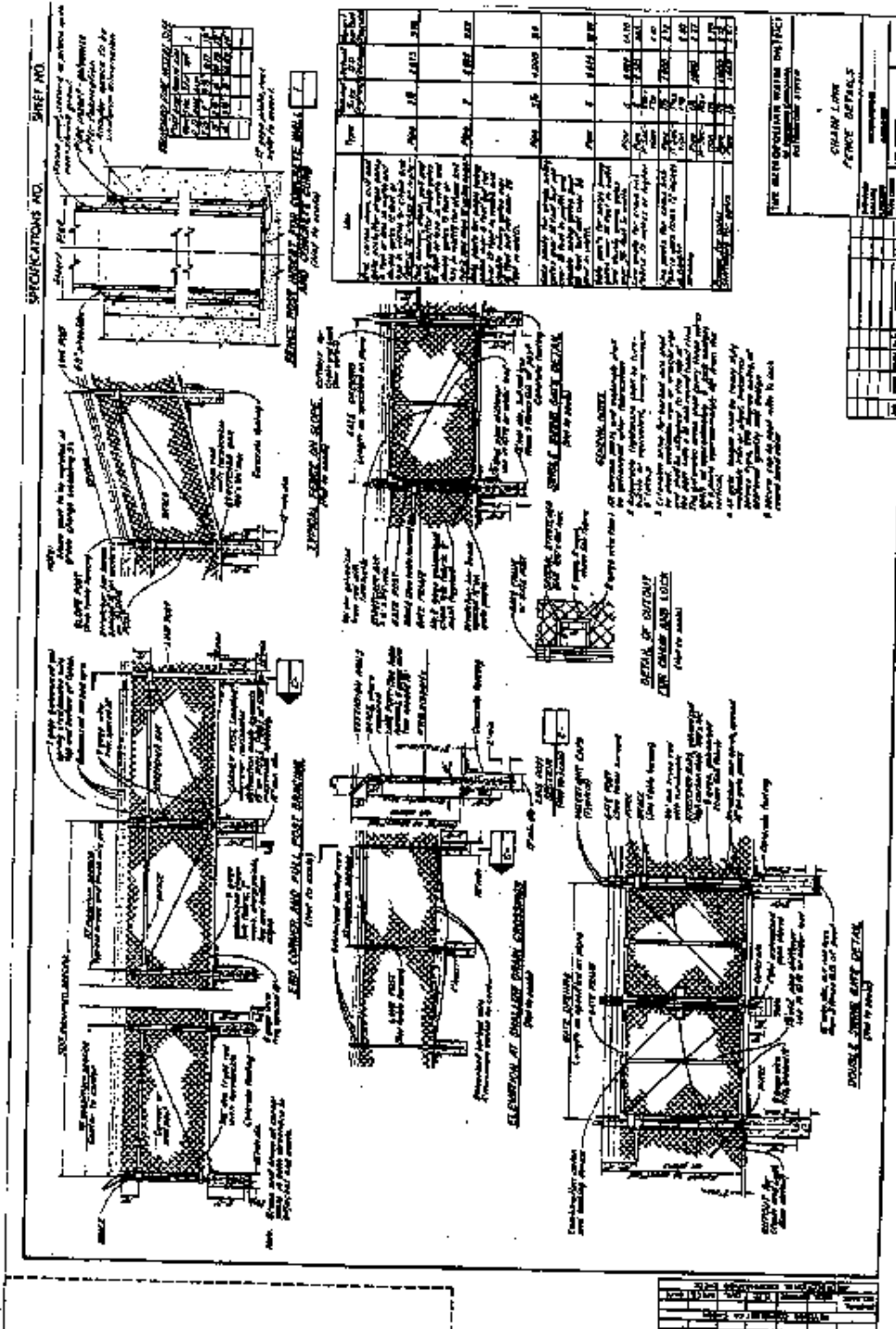
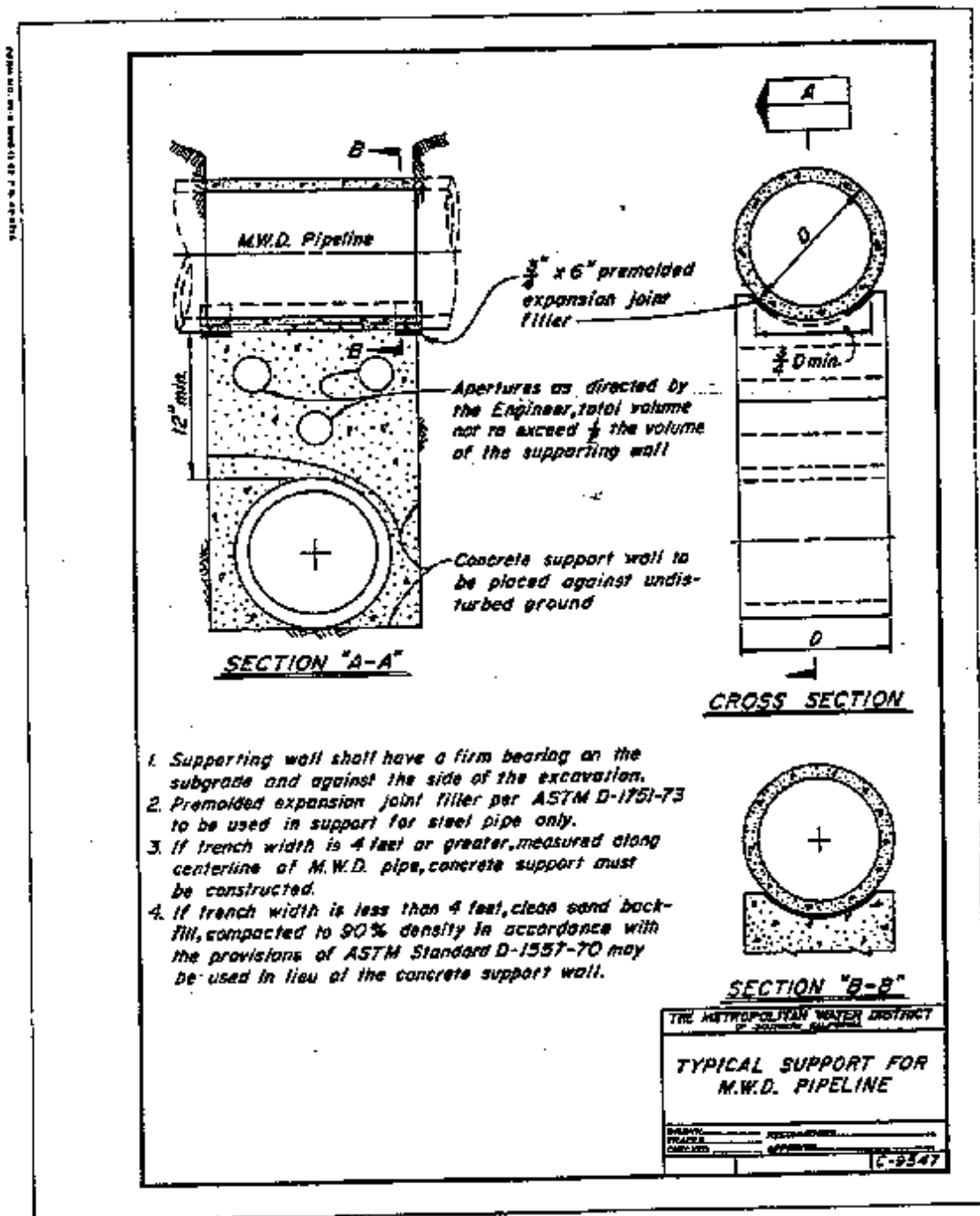


FIGURE 6

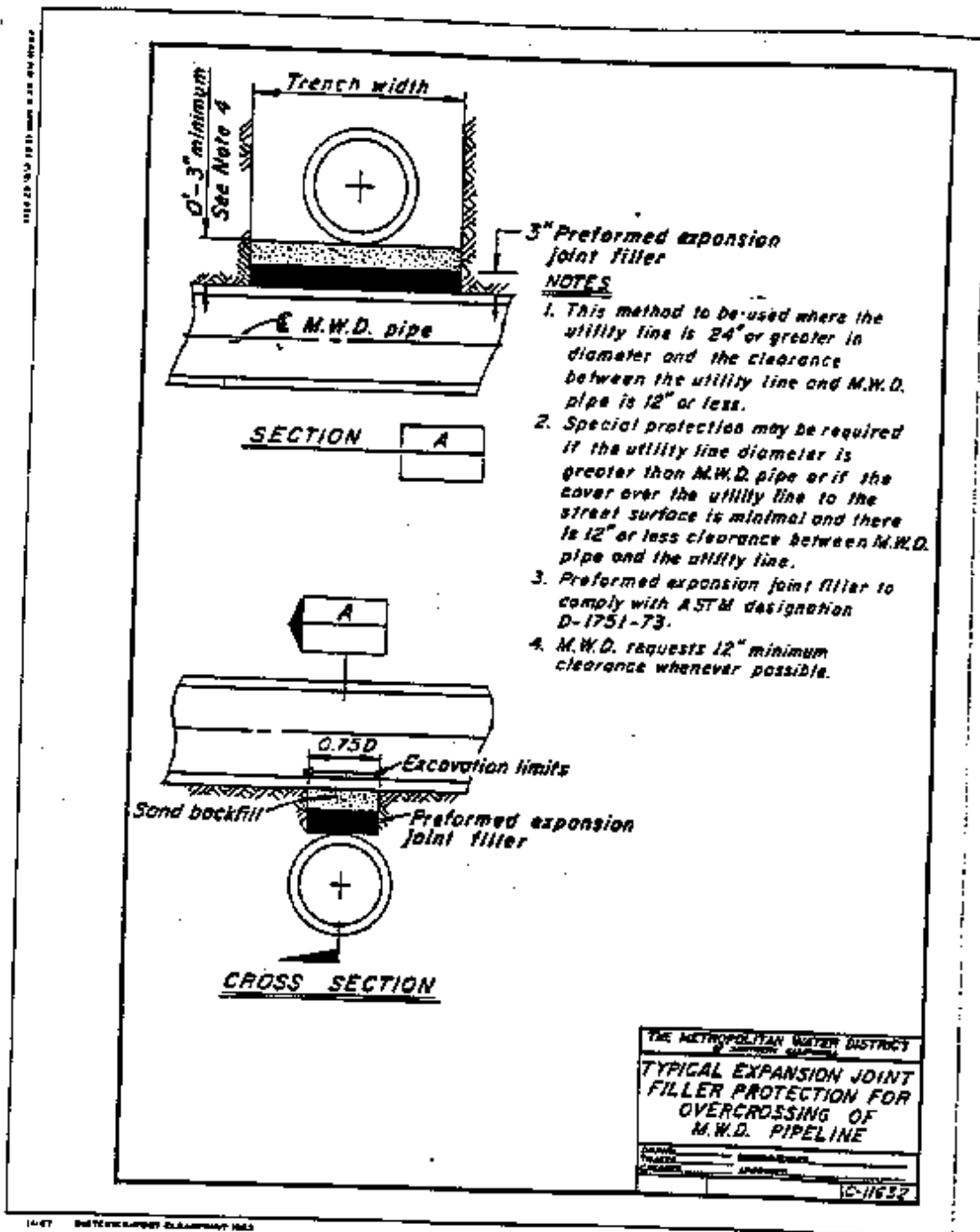


Letter 7 (cont'd)  
 Metropolitan Water District - Delaine Shane  
 May 20, 2010



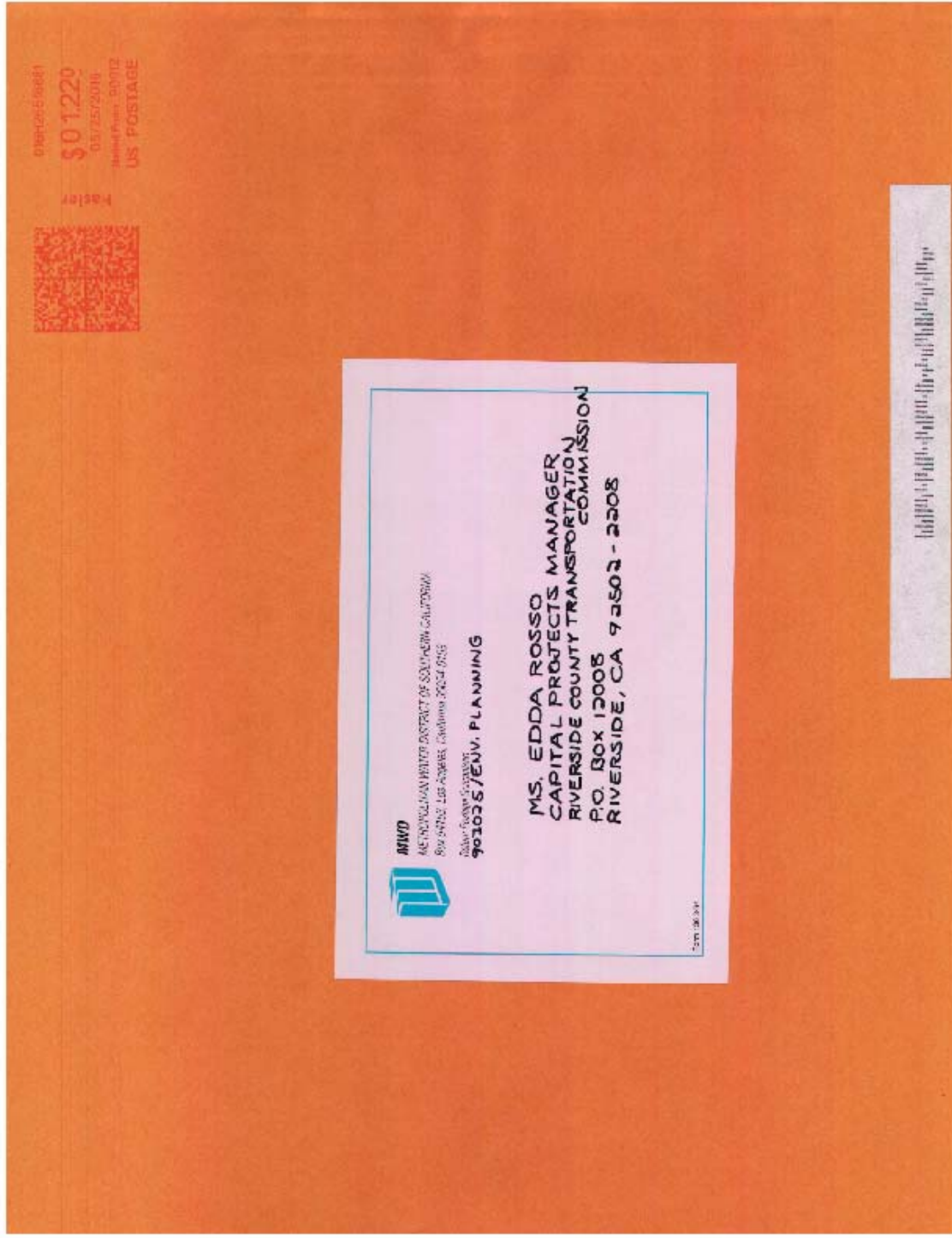


Letter 7 (cont'd)  
 Metropolitan Water District - Delaine Shane  
 May 20, 2010





Letter 7 (cont'd)  
Metropolitan Water District - Delaine Shane  
May 20, 2010





**Response to Letter 7**  
**Metropolitan Water District - Delaine Shane**  
**May 20, 2010**

- L7-1. This comment is informational and does not raise specific environmental concerns. Therefore, no response is necessary.
- L7-2. The commenter identifies the following MWD facilities within the PVL project area; Colorado River Aqueduct, Chemical Unloading Facility, Box Springs Feeder, Perris Valley Pipeline, and a future pipeline to connect the Perris Valley Pipeline with Lake Mathews.
- L7-3. RCTC will coordinate with MWD for project improvements near the MWD easement. It should be noted that attached to commenter's letter was a document entitled "Guidelines for Development of the Area of Facilities, Fee Properties, and/or Easements of the Metropolitan Water District of Southern California". This attachment, as indicated, outlines the MWD requirements for work near existing facilities. Since MWD does not require an environmental related permit there is no need to update Table 1.6-2. However, RCTC will coordinate with MWD, as necessary. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L7-4. A copy of the 90% plans has been sent to the Substructures Section of MWD for review. RCTC will continue to coordinate with MWD for project improvements that are identified near the MWD existing facilities. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L7-5. This comment concludes the letter and does not raise specific environmental concerns. Therefore, no response is necessary.



**Letter 8**  
**MARCH Joint Powers Authority - Dan Fairbanks**  
**June 3, 2010**



June 3, 2010

Ms. Edda Rosso, P.E.  
Capital Projects Manager  
Riverside County Transportation Commission  
County Regional Complex  
P.O. Box 12008  
Riverside, CA 92502-2208

**SUBJECT: REVIEW OF THE PERRIS VALLEY LINE COMMUTER RAIL  
DRAFT TRAFFIC IMPACT ANALYSIS (TIA) AND  
ENVIRONMENTAL IMPACT REPORT (EIR) DATED MARCH 2010**

Dear Ms. Rosso:

The Draft Traffic Impact Analysis (TIA) and Environmental Impact Report (EIR) for the Perris Valley Line Commuter Rail, prepared by STV Incorporated, has been reviewed by the March JPA and its traffic consultant, VRPA Technologies, Inc. The following comments are based upon the review of the TIA and EIR utilizing professional traffic engineering judgment, previous engineering studies/warrants, and knowledge of the study area.

} L8-1

It should be noted that our review of the traffic analysis was conducted for the Moreno Valley/March Field Station only.

} L8-2

1. March JPA and VRPA Technologies feel the TIS and EIR generally addresses TIS preparation requirements for the following areas:

- Minimum level of service (LOS) policies
- Significance criteria
- Intersection level of service analysis methodology and parameters
- Trip distribution
- Traffic forecasting for Opening Day (2012)
- Cumulative projects

} L8-3

2. The traffic study analyzes: 1) Existing Conditions (2008); 2) Year 2012 Conditions without the Project; and 3) Year 2012 Conditions with the Project. The project description further identifies that future conditions were not studied, but the report states that future conditions will be analyzed at a later date when new stations and parking lot expansions are needed to address increased ridership and availability of funding.

} L8-4



**Letter 8 (cont'd)**  
**MARCH Joint Powers Authority - Dan Fairbanks**  
**June 3, 2010**

Ms. Edda Rosso  
June 3, 2010  
Page 2

- 3. Signal timing changes are not generally recognized as appropriate mitigation measures and should not be used as a mitigation measure for this project. Any traffic impacts that are recommended to be mitigated should be mitigated through additional lanes and/or changes in traffic control hardware. } L8-5
  
- 4. In accordance with the phone call between Dan Fairbanks and Edda Rosso of the Riverside County Transportation Commission (RCTC) on June 1, 2010, provision of a traffic signal is identified in the 65% construction plans for the primary/bus entrance to the Moreno Valley/March Field Metrolink Station. March JPA/VRPA Technologies requests that the disclosure of this signal be added to the Final EIR in the revised Project Description and/or it be identified as a project mitigation measure. } L8-6

Should you have any questions regarding our review of the TIS, please contact Georgiena Vivian of VRPA Technologies at 559-259-9257. Please also feel free to contact me at (951) 656-7000. } L8-7

Sincerely,

Dan Fairbanks, AICP  
Planning Director

cc: Georgiena Vivian, March JPA Traffic Engineer (VRPA)  
Lori Stone, March JPA Executive Director



**Response to Letter 8****MARCH Joint Powers Authority - Dan Fairbanks****June 3, 2010**

- L8-1. This comment is introductory in nature and does not raise specific environmental concerns. Therefore, no response is necessary.
- L8-2. This comment indicates that March JPA's comments are limited to the Moreno Valley/March Field Station only. Therefore, no response is necessary.
- L8-3. This comment expresses March JPA's concurrence with the traffic impact analysis in the six specified areas. Therefore, no response is necessary.
- L8-4. The commenter identifies the three categories of traffic impacts evaluated in the Draft EIR. However, the commenter does not raise specific environmental concerns regarding the analysis. Therefore, no further response is required.
- L8-5. Traffic signal timing changes are a low-cost, easily implemented mitigation measure that is widely accepted by the engineering community (*A Toolbox for Alleviating Traffic Congestion and Enhancing Mobility, Institute of Transportation Engineers, 1996*). The proposed signal timing changes at Cactus Avenue and Old 215 would not require any changes/upgrades to the traffic control hardware and can be achieved by simply reprogramming the controller. Further, the addition of travel lanes as a mitigation measure as suggested would be redundant at this location since all intersection approaches (with the exception of the westbound Cactus Avenue approach, which would experience a significant impact) would operate at acceptable levels-of-service C or better and well below their theoretical travel capacities. Moreover, roadway widening is a capital-intensive measure that may entail potential land acquisition and extensive roadway reconstruction. Therefore, adjusting the signal timing to allow more effective use of the signal system and the existing roadway capacity is a more preferable measure in the pursuit of smooth traffic operations.
- L8-6. The traffic signal is not recommended as a mitigation measure, but is incorporated as part of the design for the proposed station (refer to Figure 2.4-13 of the Draft EIR).
- L8-7. This comment closes the letter and does not raise specific environmental concerns. Therefore, no response is necessary.



0.3.3.1 Other Interested Parties Letters

**Table 0.3.3.3-1  
Response to Other Interested Parties Letters**

Letter No.	Commenter	Date	Page No.
1.	R.A. Barney Barnett	5/24/2010	0.3.3.1-2
2.	Stephanie Pacheco	5/17/2010	0.3.3.1-70
3a.	Austin E. Sullivan	5/17/2010	0.3.3.1-76
3b.	Austin E. Sullivan	5/24/2010	0.3.3.1-88
4.	David Keeling	5/2/2010	0.3.3.1-97
5.	Paul W. Carlisle	5/7/2010	0.3.3.1-99
6.	Aliana Lopez de Victoria	5/14/2010	0.3.3.1-101
7.	Mark Hansen	5/17/2010	0.3.3.1-105
8.	Martha Offeney	5/17/2010	0.3.3.1-117
9.	Espana Velez	5/17/2010	0.3.3.1-122
10.	Lenita Kellstrand	5/19/2010	0.3.3.1-125
11.	Diane E. Elton	5/21/2010	0.3.3.1-129
12.	Kevin Dawson	5/24/2010	0.3.3.1-132
13.	Robert Hice	5/24/2010	0.3.3.1-143
14.	Robert J. Dobry	5/17/2010	0.3.3.1-148
15.	Robert A. Phillips	5/23/2010	0.3.3.1-150
16.	Ramona Batista	5/24/2010	0.3.3.1-160
17.	Gurumantra S. Khalsa	5/24/2010	0.3.3.1-167
18.	Marcia McQuern	5/19/2010	0.3.3.1-170
19.	Kenneth S. Alpern, MD – The Transit Coalition	5/24/2010	0.3.3.1-172
20.	Richard E. Block	5/24/2010	0.3.3.1-178
21.	Len Nunney	5/24/2010	0.3.3.1-197
22.	Cindy Roth – Greater Riverside Chambers of Commerce	5/28/2010	0.3.3.1-201
23.	Raymond W. Johnson – Johnson & Sedlack	5/24/2010	0.3.3.1-203
24.	Highland Elementary School (Multiple Submissions)	5/17/2010	0.3.3.1-211



Letter 1  
R.A. Barney Barnett  
May 24, 2010

May 24, 2010

The following information was submitted to the Riverside County Transportation Commission on May 24, 2010 for the Perris Valley Line Environmental Impact Report.

INDEX

22 Pages of articles from the Highgrove Happenings Newspaper June 2001 to Jan. 5, 2009	
1 Page "RCTC's Opposition To Highgrove Metrolink" dated Aug. 16, 2004 to Jan 25, 2010	
1 Page "Inland Empire-Orange County Line train schedule through Highgrove" Jan.4, 2008	
11 Pages "R. A. Barnett's responses to 13 reasons why RCTC does not want to build a Metrolink Station in Highgrove"	Feb. 27, 2009
4 Pages of names who signed on electronic petition supporting HG Metrolink	May 29, 2009
3 Pages "Public Petition supports Metrolink Stop in Highgrove"	June 23, 2009
1 Page "Rebuttal to RTCTC's engineer" by Denis Kidd	Oct. 9, 2009
5 Pages "Highgrove Metrolink comments over the last eight years"	Jan. 14, 2010
2 Pages "Highgrove Metrolink" 3 easy steps	Jan. 25, 2010
3 Pages "Wrong Track-Wrong Location"	Mar. 22, 2010
4 Pages "Sign-In Sheets Highgrove Library EIR for Perris Valley Line"	April 21, 2010
1 Page "Wrong Track for Metrolink Stop!"	undated
2 Pages "Copy of letter to Federal Transit Administration"	May 22, 2010

Above items delivered to Riverside County Transportation Commission  
4080 Lemon St.  
3<sup>rd</sup> Floor  
Riverside, Ca. 92502

Received by J. Hawley  
RCTC

RECEIVED  
MAY 24 2010  
RIVERSIDE COUNTY  
TRANSPORTATION COMMISSION

Delivered by \_\_\_\_\_



Letter 1 (cont'd)
R.A. Barney Barnett
May 24, 2010

Public Petition supports Metrolink Stop In Highgrove

Page 1 of 3

Home > Categories > Politics and Government > Public Petition supports Metrolink Stop In Highgrove

Public Petition supports Metrolink Stop In Highgrove

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The Petition

Reasons to support a Highgrove Metrolink Station June 23, 2009

- The Perris Valley Line Railroad track branches off from the BNSF # 3 main line in Highgrove and dead ends in San Jacinto. This 38 mile branch line from Highgrove to San Jacinto is owned by the Riverside County Transportation Commission and plans have been made for establishing commuter train service between Riverside and Perris (24 miles).
• But in order to run trains between Riverside and Perris, a curved track is needed at Highgrove to connect the 2 railroads. Without this 19 acre property for the curved track, there will be no commuter train service between Riverside and Perris!
• RCTC continues to insist that they want to build a station near Palmyrita Ave. where there are no commuter trains on the Perris Valley Line track. But only 1/2 mile north of their Palmyrita location, the Highgrove station already has commuter train service between Riverside and San Bernardino on the # 3 BNSF track.
• A station on the Perris Valley Line near Palmyrita Ave. should be abandoned and here are the reasons why:
• The 19 vacant acres have 2 different railroad tracks on its boundaries. The east boundary is the Perris Valley Line Railroad track and the west boundary is the # 3 BNSF Railroad track.
• And the 19 acre Highgrove location is the same exact property that is needed for the curved track that is mandatory to run trains between Riverside and Perris!
• The Highgrove station already has commuter trains passing by the west side of this 19 acres every day of the week including week-ends.
• This amounts to 62 commuter trains per week that go through Highgrove between Riverside and San Bernardino- but they do not stop!
• For several years, there have been 3,224 commuter trains per year that have been passing by this location in Highgrove without stopping because there is no station platform for the existing commuter trains.
• And there is no need to use eminent domain to tear down any structures because the 19 acre parcel is all vacant land and is "For Sale".
• The location of the 19 acres in Highgrove has plenty of room for parking and is within a redevelopment area.
• Highgrove is located the middle of the triangle between Riverside, San Bernardino and Perris and one station platform in Highgrove could serve all 3 destinations.
• New property will need to be purchased by RCTC for a station site. There is no need to buy 2 different locations-one for the curve and another piece of property on the Perris Valley Line for a station where there are no commuter trains.
• The Highgrove station could be used now, by using the existing 62 commuter trains per week, and this same platform could be used in the future when the Perris Valley Line is upgraded to meet passenger train standards.
• The Highgrove station could be located on straight track next to the # 3 BNSF track between mile post 7 and Citrus St. which would be south of the curve from the Perris Valley Line connection.
• With a construction timeframe of 2 years for example, while the Perris Valley Line track is being replaced, a new train signal system installed, and other stations built, there will be 6,448 commuter trains that pass through Highgrove that could have stopped for passengers at a platform on the west side of the 19 acres.
• Delays in delivery of new equipment such as engines and/or coaches are also a possibility because new equipment will be needed for the new commuter train service on the Perris Valley Line.
• No additional equipment will be needed with a station at Highgrove because the train

Sponsor

Concerned citizens that logical location for a me http://www.highgroveha

Contact Petition Spons

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Ads by Google

U.S. Railway project traveling from coast to coast in High-Speed. Powered by Siemens! Siemens.com/High-Spee

The views expressed in th solely those of the petition do not in any way reflect th iPettitions. iPettitions is sole of technical services to the sponsor and cannot be he any damages or injury or c arising from this petition. Ii adequate sponsor is name will consider the individual holder with which the petit created as the lawful spon

http://www.ipettitions.com/petition/highgrovemetrolink/

5/23/2010



Letter 1 (cont'd)  
R.A. Barney Barnett  
May 24, 2010

Public Petition supports Metrolink Stop In Highgrove

Page 2 of 3

service timetable is already established using existing equipment. (See timetable)

- This logical plan from the people has been supported by every surrounding city, and/or community organization for the last 7 ½ years but nothing has happened! We have been requesting, writing, speaking, and talking to RCTC to get them to realize that the property in Highgrove is the best location for a station because commuter train service already exists. The existing trains just need to stop!
- See supporting Docs on website: [www.highgrovehappenings.net](http://www.highgrovehappenings.net)
- Our Federal tax money should be spent to address the entire area's transportation needs and not just commuters in Riverside County between Riverside and Perris.
- We are not opposed to commuter train service on the Perris Valley Line but we are opposed to the location where RCTC is planning to put a station where there are no trains that will only transport riders between Riverside and Perris when completed.
- The Highgrove station will move the most people for the least amount of dollars spent and is a wise investment for the whole region on both sides of the county line. It is a plan for the "present" by stopping the existing trains at Highgrove, and it is a plan for the "future" when the Perris Valley Line is completed.
- 3,224 trains per year will take thousands of vehicles off the freeways during construction.
- Location, location, location are the 3 most important words in Real Estate.
- Highgrove is the best location for a Metrolink stop because it will benefit commuters from both counties in 3 different directions: to and from Riverside, to and from San Bernardino and to and from Perris in the future, and not just future commuters between Riverside and Perris!
- Please look at the important information on our web site: [www.highgrovehappenings.net](http://www.highgrovehappenings.net) Watch the video, click on Metrolink, and Supporting Docs, and click on each letter of support dating back to 2001.
- Please sign the petition and e-mail all your friends to support this petition.

If you pay taxes-you can sign the petition!  
Thank you!

R. A. "Barney" Barnett,  
474 Prospect Ave.  
Highgrove, Ca. 92507  
(951) 683 4994  
(951) 683 7258 fax  
E-mail: [highgrovenews@roadrunner.com](mailto:highgrovenews@roadrunner.com)  
Web site: [www.highgrovehappenings.net](http://www.highgrovehappenings.net)

After reading petition sign the petition at the bottom and please include your comments on the survey. It will take you to another screen. Make sure it says your signature has been accepted. You do not need to donate any money. You can confirm your signature by clicking on the tab at the top that says signitures.

I support a Metrolink Station in Highgrove.

SHARE

Sign petition

Fields marked with \* are required

Name \*

Email \*

Comments

Display options  Show my name in the online signature list  
 Let iPetitions notify me on similar petitions

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5/23/2010



Letter 1 (cont'd)  
R.A. Barney Barnett  
May 24, 2010

Public Petition supports Metrolink Stop In Highgrove

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SIGN!

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5/23/2010



Letter 1 (cont'd)  
R.A. Barney Barnett  
May 24, 2010

Public Petition supports Metrolink Stop In Highgrove

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Public Petition supports Metrolink Stop In Highgrove

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Signatures

100 TOTAL

Sig

Page: 1 , 2

Name: Ardie Barnett on May 29, 2009  
Comments:

1

Spor  
Ads by C

Name: Rufus on Jun 3, 2009  
Comments:

2

River:  
Bank  
Elimin  
Mortg  
Cards  
Const  
(888)  
www RS

Name: Kevin Dawson on Jun 3, 2009  
Comments:

3

Name: Anonymous on Jun 3, 2009  
Comments:

4

Name: Rufus on Jun 3, 2009  
Comments:

5

Name: Kim Quinn on Jun 3, 2009  
Comments:

6

Name: Kurt Ritz on Jun 3, 2009  
Comments:

7

Name: Krystal Gonzales on Jun 3, 2009  
Comments:

8

Name: Tammy Barker on Jun 3, 2009  
Comments:

9

Name: Anonymous on Jun 3, 2009  
Comments:

10

Name: Cher Brooks on Jun 3, 2009  
Comments:

11

Name: Marlyn Maldonado on Jun 3, 2009  
Comments:

12

Name: Alyssa Rae on Jun 3, 2009  
Comments:

13

http://www.ipetitions.com/petition/highgrovemetrolink/signatures

5/23/2010



**Letter 1 (cont'd)**  
**R.A. Barney Barnett**  
**May 24, 2010**

Public Petition supports Metrolink Stop In Highgrove

Page 2 of 4

<b>Name:</b> <i>Anonymous</i> on Jun 3, 2009 <b>Comments:</b> it would make life a lot easier.	14
<b>Name:</b> Jessica Brown on Jun 3, 2009 <b>Comments:</b>	15
<b>Name:</b> Elias Olmedo on Jun 4, 2009 <b>Comments:</b>	16
<b>Name:</b> <i>Anonymous</i> on Jun 4, 2009 <b>Comments:</b>	17
<b>Name:</b> Denis Kidd on Jun 4, 2009 <b>Comments:</b>	18
<b>Name:</b> Damian Gonzalez on Jun 4, 2009 <b>Comments:</b>	19
<b>Name:</b> Denis Kidd on Jun 4, 2009 <b>Comments:</b>	20
<b>Name:</b> Clementina Magdaleno on Jun 4, 2009 <b>Comments:</b>	21
<b>Name:</b> Arthur Bernal on Jun 4, 2009 <b>Comments:</b>	22
<b>Name:</b> Maria Gonzalez on Jun 4, 2009 <b>Comments:</b>	23
<b>Name:</b> Guadalupe Urrutia on Jun 4, 2009 <b>Comments:</b>	24
<b>Name:</b> Socorro Hermosillo on Jun 4, 2009 <b>Comments:</b>	25
<b>Name:</b> Bonifacio Flores on Jun 4, 2009 <b>Comments:</b>	26
<b>Name:</b> Jazmine Jimenez on Jun 4, 2009 <b>Comments:</b>	27
<b>Name:</b> Abigail Parkinson on Jun 4, 2009 <b>Comments:</b>	28
<b>Name:</b> Nataly Garcia on Jun 4, 2009 <b>Comments:</b>	29
<b>Name:</b> Carmen Canela on Jun 4, 2009 <b>Comments:</b>	30
<b>Name:</b> Connie Mejia on Jun 4, 2009 <b>Comments:</b>	31
<b>Name:</b> John Krashoff on Jun 4, 2009	





**Letter 1 (cont'd)**  
**R.A. Barney Barnett**  
**May 24, 2010**

Public Petition supports Metrolink Stop In Highgrove

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**Comments:**



**Name:** Ernerst Oversmith on Jun 4, 2009  
**Comments:**

33

**Name:** Rosalia Navarro on Jun 4, 2009  
**Comments:**

34

**Name:** Paul Navarro on Jun 4, 2009  
**Comments:**

35

**Name:** *Anonymous* on Jun 4, 2009  
**Comments:**

36

**Name:** Augie Perez on Jun 5, 2009  
**Comments:**

37

**Name:** Lisa Brazfield on Jun 5, 2009  
**Comments:**

38

**Name:** Gus Chavez on Jun 5, 2009  
**Comments:** I strongly support a Metrolink Stop in Highgrove!!!!

39

**Name:** JAMES LASBY on Jun 5, 2009  
**Comments:** THIS ONLY MAKES SENSE, TO SINCE IT WOULD BE A MINIMAL EXPENSE AND PROVIDE SERVICE TO THE PEOPLE WHO LIVE IN THE AREA.

40



**Name:** Tammy Matteson on Jun 5, 2009  
**Comments:**

41

**Name:** Byron Matteson on Jun 5, 2009  
**Comments:**

42

**Name:** Mark Barnett on Jun 5, 2009  
**Comments:**

43

**Name:** Bruce Bebow on Jun 5, 2009  
**Comments:**

44

**Name:** Stephanie Darwin on Jun 5, 2009  
**Comments:**

45

**Name:** Mary Labonte on Jun 5, 2009  
**Comments:**

46

**Name:** Mary L. Marchese on Jun 5, 2009  
**Comments:**

47

**Name:** Mike Barnett on Jun 5, 2009  
**Comments:** i support this petition

48



**Name:** Ernest Asebedo on Jun 5, 2009  
**Comments:** great place for one

49

**Name:**Carolynn Crowe on Jun 5, 2009



**Letter 1 (cont'd)**  
**R.A. Barney Barnett**  
**May 24, 2010**

Public Petition supports Metrolink Stop In Highgrove

Page 4 of 4

**Comments:** I absolutely want this in Highgrove I have a family member who gets treatment at Kaiser Sunset in LA we take the train all the time we must drive to Fontana to catch it because San Bernardino parking is always full we really need this . Years past I took my kids to the Beach every weekend in the summertime it was a great experience I want this ,we need this and for future generations what a gift to leave them. Thanks Carolynn Crowe Realtor Grand Terrace Real Estate resident for the past 28 years.

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Letter 1 (cont'd)  
 R.A. Barney Barnett  
 May 24, 2010

DRAFT ENVIRONMENTAL IMPACT REPORT

Sign-in Sheet - Reviewers of the Perris Valley Line  
 Draft Environmental Report  
 Highgrove Public Library

Date	Name	Address	Telephone Number
April 21, 2010	R.A. Barnett	474 Prospect Highgrove	951-683-4994
4-22-10	Jane Yester	690 W Center St Highgrove	951-682-1507
4-22-10	Denis W. King	970 Center St, Highgrove	909 633-3992
4-22-2010	Debbie Pierce	603 Keavn Ct Riverdale Ct 92507	909 838-3929
4-23-2010	Melanie Zimmermann	411 Michigan Ave Ct Highgrove	951-683-0998
4-22-10	Leib Santanara	22241 KENTFREN GRAND TERRACE CA 92335 909 783-7722	
4-22-10	Joe Moreno	533 Highland Ave	951-533-0506
4-25-10	Don Boyd	22803 CA Park Ct,	909 825 0725
4-26-10	Terry Cressman	12510 NIGHTINGALE WAY G.T.	909-825-5311
4-26-10	Berry Reagan	23003 Hampton Ct, G.T.	909-783-6746



Letter 1 (cont'd)  
 R.A. Barney Barnett  
 May 24, 2010

DRAFT ENVIRONMENTAL IMPACT REPORT

Date	Name	Address	Telephone Number
4/26/10	Margaret Bequer	23083 Hampton Ct. S.T.	909 783-6747
4/26/10	Eloa Ingalls	12367 4th St Sp 27 Yucaya Ca	909-797-7272
4/26/10	Jack Ingalls	12367 4th St Sp 28 Yucaya Ca	909-797-7272
4/26/10	John W. Barnett	23142 Vista Grande Ct	909-825-1353
4/26/10	Jan Barnett	23200 Barton Rd S.T	909-825-6072
4/26/10	Pauline Benson	23200 Barton Rd S.T	909-825-6072
4/26/10	Dea Cressin	22668 Arhys Dr GT	909-825-6963
4/26/10	Betty Carson	22668 Arhys Dr GT	909-825-6963
4/26/10	Lene Carlstrom	12034 La Courne Ct	909 825 2001
4/26/10	Johnne Carlstrom	12034 La Courne Ct	909 825 2001
4/27/10	John A. R.	5178 Sierra Vista Ave. Riverside	951.509.3659
4/27/10	Robert A. R.	456 Prospect Ave	951-684-0010



Letter 1 (cont'd)  
 R.A. Barney Barnett  
 May 24, 2010

DRAFT ENVIRONMENTAL IMPACT REPORT

Date	Name	Address	Telephone Number
4-27-10	Nancy Rice	456 Prospect	951-684-5010
4-27-10	Cornie Injejo	61 Highland Ave.	951-684-9326
4-27-10	Arthur S. Bernal	147 Highland Ave.	951-788-7897
4-27-10	Thermy M. Grey	459 Center St. Riv. Ca. 92507	951-341-3466
4-27-10	Delan Adams	12323 Mt Vernon Ave Wood Terrace CA 92513	909-283-0244
4-27-10	Donald H. Fortee	22878 Miriam Way Grand Terrace 92531	909-783-1150
4-27-10	Worthy T. Alben	2309 Waltham Ave Highway 91 92507	977-664-5004
4-27-10	Robert Stewart	3578 Timothy Way Riverside CA 92506	951-680-9845
4-27-10	DONALD E. DAVIS	768 ARLISS ST RIV. 92507	951-683-0136
4-27-10	HAZEL M. DAVIS	768 ARLISS ST RIV. 92507	951-683-0136
4-27-10	Bette Marshall	230 Colbyville, Riverside 92507	951-328-9124
4-27-10	Tracy Renfro	2751 Peche Canyon Rd Colton 92324	909 825-8965



Letter 1 (cont'd)  
 R.A. Barney Barnett  
 May 24, 2010

DRAFT ENVIRONMENTAL IMPACT REPORT

Date	Name	Address	Telephone Number
27 April 10	Ernest Oberknecht	22745 Palm Av #E 92313	(909) 7830243
April 28, 10	Mark L. Ziegler	365 Goldfinch Ln. Bv. 92507	(951) 684-9172
April 28, 10	Janet Clayton	716 W Main St 92507	951 686-9158
April 28, 10	Murray Gutierrez	796 W Main St 92507	(951) 788-2827
April 28, 10	MERRY & ABE SHAAF	88 HIGHLAND AVE 92507	(951) 683-4547
4/28/10	Cynthia Cruz	204 Overton Ln	951-788-7655
4/28	Roy + Rachel Porzy	39 Michigan Ave	951-684-2015
4/28	KATHLEEN M. COCHRAN	303 MURPHY AVE	909-261-6070
4-29	JOHN STANLEY	12490 RECHE CYN.	951-312-9024
4-29	MAJELLA VAN ARKEL	12490 RECHE CYN.	909-213-7093
4-29	Jimmy Crickon	8153 CHERRY AVE <sup>92335</sup>	909 822-7666
4-29-10	Jeany Chikon	11335 Larchwood Dr. 92337	909-587-8606



Letter 1 (cont'd)  
R.A. Barney Barnett  
May 24, 2010



Dedicated to the improvement of our community through awareness and involvement in local issues"

## METROLINK STOP IN HIGHGROVE ????

June 2001 P. 3 & 5

Denis Kidd and I have been gathering information to see if there is enough community support to try and get a Metrolink stop in Highgrove. Several weeks ago, we talked to the City of Grand Terrace Economic Development personnel to see if there could be a joint effort that would benefit both communities and the surrounding area. Denis recently spoke at one of their City Council meetings about a joint effort regarding Metrolink. We previously learned that a consultant recommended that the proposed line between Perris and Highgrove be changed from the more direct route (straight track to Highgrove) and divert southward approximately 2 miles before reaching Highgrove from Perris near Marlborough St. and Rustin Avenue. The Riverside County Transportation Commission would have to purchase additional land and U.P. track rights plus build new track to connect one railroad to the other since the railroads cross each other at this point in a perpendicular manner and are not parallel. All this would have to be done to get onto the old Southern Pacific/ U. P. line which also would have to be upgraded to get to Riverside's Metrolink station therefore bypassing Highgrove. The R. C. T. C. already owns the entire line from Highgrove to San Jacinto. It is my understanding that there is money already set aside for the line to Perris although the 20 million or so is still not enough. If money is an issue (which it always is) why not continue on the additional 2 miles to reach the BNSF main line at Highgrove where additional commuters could get on and off the train. There already is a train signal bridge between Center St. and Main St. that governs eastward train movement from the San Jacinto industrial spur. This part would not require any additional eastward signaling for the trains at this location since it is already in use by the BNSF freight trains.

Furthermore, several developments have occurred since the consulting firm of Schiermeyer Consulting Service from Seal Beach made their recommendation to R. C. T. C. over 2 years ago in March of 1999. Those changes include the recent approval of over 1500 new homes in the Pigeon Pass area of Highgrove, the rapid expansion of the adjacent Hunter Business Park, the new U. C. R. High Tech Park and the availability of vacant land in Highgrove.

For many of us the timing of the predicted expansion of our area may not be what we want. However, to say that Highgrove is going to remain the same is an understatement. We have already experienced the process of change that will soon effect the entire area. If we remain silent and do not speak up on issues that effect our community then only we as residents are to blame if progress does not move in the direction we want. We must face reality when we are located between Grand Terrace which is land locked by the County line, and the Northern boundary of the City Limits of Riverside, especially when so much of our area is vacant and expandable. The land within our boundaries is becoming more valuable each day. To look far into the future may require a crystal ball but while other agencies make plans for our area we should make sure that each one of those agencies receives input from our local people.

As the price of gasoline increases there will be even more people wanting to commute to and from their destination. On the front page of the Press enterprise on May 31, 2001 there is an interesting article about train riders not having enough space to park while they commute especially in San Bernardino and Riverside. Highgrove is approximately half way between the two and already the junction point from Perris. We could be bypassed and the surrounding area will miss out in what could be a positive influence for the revitalization and stimulation for both the business and residential aspect of the older part of Highgrove. *Remember nothing can be done until ample funding is obtained.* Last month we asked for your input and we received several positive responses. I would like to hear from you to get your opinion whether it is positive or negative.

Let us know how you feel! Thank you, "Barney" (909) 683-4994

METROLINK COMMENT: Turn to page 5 for a letter we received about Metrolink. (P.5) Dear Mr. Barnett, We spoke by phone a few weeks ago and you suggested that I write a letter to you regarding my thoughts on the proposed Metrolink Park and Ride stop in Highgrove which I was delighted to read about in your column in the Highgrove Happenings newsletter for May. I work in North Hollywood. My commute is as follows: I drive from my home in Grand Terrace to the Metrolink Station in Riverside (sometimes to San Bernardino). I ride to Los Angeles and then transfer to the Metro Red Line to the North Hollywood terminus where I then transfer to a bus to complete my journey. The time spent commuting is usually 2 - 2 1/2 hours. Done properly, this would not only be great for those of us living in the Highgrove area, but for others who live and work in the greater Riverside-San Bernardino "central" corridor. Thank you, Franklin Carpenter Jr. Grand Terrace, Calif.

December 2001 P. 1

### FUTURE METROLINK STATION IN HIGHGROVE???

The Riverside County Transportation Commission owns the Railroad tracks from Highgrove to San Jacinto which is approximately a distance of 38 miles. The B. N. S. F. Railroad still uses the former Santa Fe track for freight purposes and 1 & 1/2 miles from Highgrove, the former Southern Pacific Railroad track (now owned by Union Pacific) crosses the San Jacinto industrial spur near Marlborough Avenue.

The recommendation received from the consultant hired by R.C.T.C. states that future Metrolink trains coming from Perris should not come to Highgrove but instead should divert onto the SP/UP line near where the two railroads intersect. Since it is impossible for the trains to turn at 90 degree angles, a new switch and curve would have to be installed for access from one railroad to the other. This also would mean additional property would have to be purchased to allow enough room for the curve. As proposed this line would then continue on into Riverside bypassing Highgrove by only 1 & 1/2 miles. It would also mean R.C.T.C. would have to purchase the right to run Metrolink trains over the SP/UP track from Marlborough Ave. to Riverside. In Addition this track is in very poor condition and in need of upgrading and it has many curves.

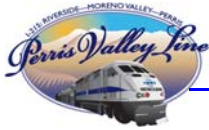
On the other hand, R.C.T.C. already owns the track all the way into Highgrove. Moreover the track between the SP/UP crossing and Highgrove is 1 1/2 miles of STRAIGHT TRACK!

There is also a new Railroad signal bridge between Center St. and Main St. that allows trains to proceed onto the B. N. S. F. main line from the San Jacinto line. In addition the vacant land between Transit Ave., Center St., and Main St. adjacent to the tracks would make an ideal location for a station stop. This land is also under current ownership of the R.C.T.C. which could be used for a "Park And Ride" location. Both San Bernardino and Riverside Metrolink parking lots are near capacity and Highgrove is approximately halfway between the two cities and already railroad connected. At our CSA meeting on Nov. 27th the Advisory Board adopted a 15 point resolution outlining the benefits of a Metrolink station stop in Highgrove.

The City of Grand Terrace is also interested in this type of access to a nearby commuter line since their access to the B.N.S.F. Railroad is almost impossible due to the difference in elevation between Highgrove and the Santa Ana River especially around the Barton Road overpass. Grand Terrace also will have a similar resolution on their agenda at their city council meeting on Dec. 13th starting at 7:30 pm at the Grand Terrace City Hall on Barton Road.

This article is in not to criticize the R.C.T.C., its Consultants or anyone else. Its purpose is to draw attention to the fact that if this line diversion is approved onto the S.P/UP, Highgrove will be bypassed as a station stop. This may not sound too important now but look at the future opportunity we have now to enhance the older part of Highgrove. We have the potential for growth (whether we like it or not). We may not like some of these changes but we have to realistic about

Continued on page 2



**Letter 1 (cont'd)**  
**R.A. Barney Barnett**  
**May 24, 2010**

*December 2001 P. 1*

Continued from page 1

where the future growth will be Grand Terrace on the other hand is "Land Locked" as far as expansion is concerned and we are right next door with buildable, vacant land. A Metrolink stop in Highgrove would increase our property values by providing a combination of a rural type of living and still being able to work in other metropolitan areas. It is important to be aware of what plans are being made by others that affect our community and its future.

R.A. "Barney" Barnett

*February 2002 P. 5 & 6*

**HIGHGROVE METROLINK STOP**

The Riverside County Transportation Commission has announced that an "Alternatives Analysis" will be prepared for the San Jacinto R.R. Branchline / I-215 Corridor from the City of Perris to Downtown Riverside. Highgrove and the surrounding communities are requesting a Metrolink station stop in Highgrove. The 1st meeting will be Feb. 13, 2002 at Moreno Valley Council Chamber, 14177 Frederick St., Moreno Valley at 6:30-8:00 pm., 2nd meeting: Feb. 19, 2002 at R.C. T. C., 3560 University Ave., Suite 100, Riverside at 6:00-8:00 pm (N. E. corner University & Iowa Ave.). 3rd meeting: Feb. 20, 2002 at Cesar E. Chavez Library, Community Room, 163 E. San Jacinto Ave., Perris, at 6:30-8:30 pm.

Nov. 27, 2001 County Service Area 126 (Highgrove) passed a resolution recommending that "the Riverside County Transportation Commission grant a Metrolink Station stop at Highgrove when planning for future track upgrading for Metrolink service on the San Jacinto Industrial Spur".

Dec. 12, 2001 The Riverside County Transportation Commission was addressed by Denis Kidd and R. A. Barnett in reference to the petition and 21 members of the Commission were given copies of the resolution. A few days later 10 more copies were mailed to the remaining Commissioners who did not receive one at the meeting.

Dec. 13, 2001 I addressed the Grand Terrace City Council in regard to resolution # 2001 that was on their agenda which was a duplicate of our C. S. A. resolution. Grand Terrace passed the resolution unanimously.

Jan. 8, 2002 Project Area Committee P. A. C. (Highgrove Area Redevelopment) passed a similar petition.

Jan. 15, 2002 I attended the City of Colton Redevelopment meeting and spoke under the public comments section to inform them of our desire to have a Metrolink stop in Highgrove and asked for their support and to please include it on their next agenda.

Jan. 16, 2002 I spoke at the meeting in San Bernardino of the Commuter Rail Committee of the San Bernardino Associated Governments (SANBAG) to inform them of our desires.

Jan 22, 2002 Loma Linda City Council unanimously supported a Metrolink stop in Highgrove. Councilman Robert H. Christman also serves as President of SANBAG.

Feb. 19, 2002 Colton City Council to consider similar resolution of support on their agenda.

The purpose in informing the Commissioners in both Riverside and San Bernardino Counties and the surrounding communities is to make everyone aware of our desire before plans get too far along when the various agencies make decisions about Metrolink commuter lines and where the station stops will be. Although it may be a very long time until a decision is actually made, we want everyone to know how we feel way before the decision is at hand. We are laying the groundwork now for future consideration.

For additional information please refer to the December 2001 issue of the Highgrove Happenings or call (909) 683-4994.

*January 2003 P. 8*

**Metrolink update**

The passing of measure "A" last November extended the ½ cent sales tax for an additional 30 years and authorized bonds up to \$500 million dollars. The bonds would be used for expansion of freeways and streets, transit for seniors and persons with disabilities, and Metrolink commuter rail service.

According to Riverside County Transportation Commission spokesman John Standford the R.C. T. C. is planning on having additional public hearings in mid February or March, 2003 regarding the proposed commuter service rail line between Riverside and Perris on the San Jacinto industrial spur.

The commuter line would bypass Highgrove if service were diverted onto the old Southern Pacific Railroad tracks near Marlborough Ave. which is only about one mile south of Highgrove.

When more detailed information becomes available, we will inform you of the exact location and time of the public hearings. For more information about Metrolink please call 1 800 371 LINK (5465)

*July 2003 P. 3*

**No surprises at June 11, 2003 meeting**

On the front page of last month's issue the article entitled "Metrolink Service to Highgrove Doubtful" we stated that the consultants and R. C. T. C. staff were going to recommend to the Riverside County Transportation Commissioners that the Commissioners authorize the purchase of the old S. P. line between Marlborough Ave. and Riverside for future commuter line between Perris and Riverside. This is exactly what was approved. There were no surprises at the June 11<sup>th</sup> meeting in spite of past resolutions from Highgrove, Grand Terrace and Loma Linda for a Metrolink station in Highgrove.

This option was the most expensive at over 102 million dollars which moves the project closer to qualifying for federal assistance. If plans proceed as anticipated, commuter rail service would not begin until 2008 and the closest stop to Highgrove would be near Spruce Street and Rustin Avenue.

Supervisor Marion Ashley proposed a second recommendation that was approved that reads: "Direct staff to explore acquisition of additional right-of-way for a future Highgrove Station to serve the Inland Empire-Orange County Line".

As a result, on June 19, 2003 I met with their consultant, Carl Schiermeyer from Long Beach and showed him the area where a future Metrolink stop could be located in Highgrove. I also took him to some places that I know he had never been before and showed him where the new homes are planned in the Pigeon Pass area and our potential for growth. Those of us who now enjoy the present rural lifestyle around Highgrove can be assured that this area with all of its vacant land will not remain the same. With San Bernardino and Riverside Counties adding over 500 new residents per day and our availability of vacant land, how long will it be until the actual building boom will explode? If more growth is inevitable will the consultants and those who make the decisions and/or recommendations have a plan for it? I hope so, but only time will tell.

The invention of the automobile was and has been a wonderful contribution to transportation but is also has created some of our biggest problems. Will anyone or anything be able to pull us from our automobiles even if we all someday experience gridlock to such a degree that nobody can even move? Probably not! Will Metrolink ever replace the automobile? Definitely not! Will it help relieve traffic on the roads? I think it already has since most of these commuters would normally be sitting next to you on the freeway.

Maybe the solution is not to build more roads but just quit building automobiles altogether until we catch up with the availability of the roads they drive on. (Think about this the next time you are stuck in traffic).

The old advertisement that said "Next time take the train" may make more sense in the not so distant future!





**Letter 1 (cont'd)**  
**R.A. Barney Barnett**  
**May 24, 2010**

*September 2004 P. 5*

**Highgrove Metrolink stop submitted to RCTC Commissioners**

A new plan using existing tracks and existing commuter trains for a Metrolink stop in Highgrove on the BNSF main line has been mailed to each of the Riverside County Transportation Commissioners. This change was made after attending meetings at UCR and Perris which indicated that RCTC staff is recommending that the commission buy the old S. P. Line where the two tracks intersect at Marlborough Avenue. I asked the commission to abolish the Rustin Ave./ Spruce St. Station and use the money instead to purchase land to give Highgrove and the surrounding areas a more convenient location for local commuters. Previous supporting resolutions were included in the packets from Highgrove, Grand Terrace and Loma Linda.

*August 2005 P. 3 & 11*

**Metrolink Meeting attended by Denis Kidd**

CSA 126 Advisory Board member Denis Kidd attended a meeting of the Hunter Park PAC that was held in the Riverside City Council Chambers on Thursday July 21, 2005.

The residents of the University Area south of Highgrove along the San Jacinto Branch rail line have been quite active in expressing their concerns to RCTC (Riverside County Transportation Commission) that 2 stops in their neighborhood, one near UCR and the other near the intersections of Spruce and Rustin Streets, would result in too great of an impact on their area. The two stops would be very close together. On previous occasions I attended their meetings to hear their comments so that a better location could be found to satisfy and also meet the needs of present Highgrove residents and future home owners of the new housing developments currently planned and under construction.

Darell Salmon and Wendy Ends from the University area along with other residents from their area have indicated that a better location for a station stop would be one that is closer to Highgrove. Our CSA 126 Advisory Board has requested a Metrolink station stop in Highgrove for the past several years and resolutions of support have been received from Grand Terrace and Lima Linda. One item of concern expressed by RCTC however is that by building a station in Highgrove would enable more use by San Bernardino County residents in Grand Terrace and Loma Linda which would be beyond the boundaries of the Riverside County Transportation Commission.

One of the choices available for consideration by RCTC for a station stop in the area was the establishment of a new track leaving the Perris line with a westward curve near Citrus Avenue, across the vacant field just north of the old Lily Cup on Citrus, and then run parallel to the existing BNSF tracks near Iowa Avenue into the Riverside station. This would require approximately 3 miles of new track from Iowa Ave. plus new track on the curve between the San Jacinto Branch and the BNSF main lines.

Some benefits of a station in this area is there are already grade crossings at Citrus Ave. and Iowa Ave.. With the addition of a new track the crossing gates on the south side of Iowa Ave. would have to be moved back to allow enough room for the addition of another main line but there is enough railroad right of way for another track into Riverside.

Also, the land where the curve would be located is now vacant land with no houses. In addition it would be closer and more accessible to existing Highgrove and Grand Terrace residents and much closer for the future commuter residents of the 2500 new homes planned in the Spring Mountain Ranch and Springbrook Estates projects than the Spruce and Rustin location. The Citrus Avenue Station would hopefully relieve some of the future congestion on Main and Center Streets by using either Spring Street or Palmyrita. The majority of the commuters would not sit in their cars and be blocked by trains at the Center or Main Street crossings because most of the riders are already (and will be) east of the railroad tracks. Access to the Citrus Station could be made without having to cross the busy BNSF tracks.

What really needs to happen is that RCTC and SANBAG need to work together and realize that trains or automobiles do not stop where e their jurisdiction does and both agencies from the two counties need to address the needs of the people in the area no mater what side of the county line they are on. A joint effort between Riverside and San Bernardino Counties is needed to obtain a Metrolink station stop closer to Highgrove just like a joint effort is also needed for an under pass on Main Street under the BNSF main lines where both counties could contribute financially since Main Street is also the Riverside/San Bernardino County line.

*December 2005 P. 1 & 4*

**Transportation plan proposed**

As we go to print, the grading continues in the Pigeon Pass area for the new homes. Needless to say, the Highgrove area is undergoing some of the most dramatic changes ever in its long history. New traffic lights are going to be installed to help alleviate some of the additional traffic but in order to further prepare for the impact on our area, I have devised a transportation plan that hopefully will address the needs of our present and future residents. Naturally many long time residents would prefer Highgrove remain a quiet little rural community but realistically speaking, the changes are now under way and we need to prepare for them as soon as possible.

Before going any further, I must explain that none of these requests have been granted. They are being presented to the various agencies for their review and consideration before the vacant land mentioned is developed for other uses. The plan includes:

**New North to South Road:**

The transportation plan involves requesting the building of a new road from Center St. southward across the vacant 40 acres, across Spring St., and across the vacant 28 acres on the south side of Spring St., and over to the south side of the arroyo for access to Palmyrita Avenue.

On Sept. 19, 2005 I met with the V-President and senior V-President of the development company that owns these vacant 68 acres from Center St. southward to the Arroyo, to advise them that a new connection road between Center St. and Palmyrita Ave. is needed. This new road is in direct line with Northgate that continues southward from Palmyrita to Columbia Avenue for access to the I-215 Freeway. The Columbia Avenue railroad grade crossing is on the top of Riverside's list of priorities for construction of a new railroad grade separation. I also have a letter from the Riverside Land Conservancy stating that they have no objection to crossing the arroyo but it should provide reasonable protection of the natural habitat and an under-crossing for the Regional Trail as well as habitat usage. Additionally, the City of Riverside's Senior Planning Engineer, Mayor Loveridge and Councilman Betro have been given packets containing this proposal since it would extend from County land across the arroyo onto property that is within the Riverside City Limits on the south side of the Springbrook wash.

**New East to West Road:**

Another new road is needed from the intersection of Transit Ave. and Spring St. by extending Spring St. westward into the vacant 19.27 acres of vacant land and proceeding southward parallel to the BNSF railroad tracks, across the arroyo and connecting to Citrus Street. Closing Villa St. and using Spring St. instead, is also an option to be considered. Having Spring St. extended westward will enable residents on the east side of the tracks access to and from the I-215 without having to cross the tracks or wait on trains when they block Main St., Center St. or Iowa Avenue. Residents would have access to Columbia Ave. by traveling south on Iowa Avenue near Citrus Street instead of sitting at the crossings waiting on trains.

**Metrolink Station.**

On Oct. 25, 2005, the Grand Terrace City Manager, Tom Schwab, Assistant City Manager, Steve Berry and I met with Riverside County Transportation

Continued on page 4



**Letter 1 (cont'd)**  
**R.A. Barney Barnett**  
**May 24, 2010**

*December 2005 P. 1 & 4*

## Transportation plan proposed

Continued from page 3

Commission staff to discuss the possibility of a Metrolink station in Highgrove. RCTC staff included Stephanie Wiggins, Bill Hughes and Hideo Sugita. The staff indicated that a pedestrian overpass over the BNSF main lines would be needed to allow commuters access to both sides of the multiple tracks for more effective train dispatching if the existing 8 commuter trains stopped in Highgrove. Then, at the Riverside County Transportation Commission meeting on Nov. 9, 2005 I spoke under public comments regarding a Metrolink station in Highgrove and gave the clerk of the board 34 copies of my 8 page requests, for distribution to the 5 County Supervisors, Commissioners from the 24 cities represented by RCTC, and the RCTC staff.

Other packets were also given to the City of Grand Terrace, BNSF Railroad, SANBAG, Riverside County Transportation Director, County Economic Development Agency, Riverside Transit Agency, University Neighborhood Assn., Springbrook Estates, Spring Mt. Ranch, Victoria Homes, & Bixby Land Development. This proposal was also discussed at our Highgrove community meetings on Oct. 25<sup>th</sup> and Nov. 22, 2005.

The map below shows where the new roads would be located and the proposed location of the Metrolink Station. The Metrolink location presently has 8 commuter trains that pass through Highgrove but do not stop. Currently there are 4 trains each way between Riverside and San Bernardino on the BNSF main lines but we need these 8 trains to stop to pick up or disperse passengers. This entire 35+ acres is now vacant land and the goal of this plan is to use it as a transportation center for Metrolink, Park and Ride, and Bus Service, with a new road between Spring St. and Palmyrita/Iowa Ave. to allow freeway access to and from Highgrove without having to cross the BNSF main line when trains pass through our area.

RCTC has the authority to purchase this large pie shaped vacant land between the BNSF main lines and the Perris Valley Line. Hopefully, this location will not be overlooked since both sides of the property are right next to the railroad tracks. The BNSF side now has commuter service and the San Jacinto Branch (Perris Valley Line) is already owned by the Riverside County Transportation Commission. RCTC needs to purchase this property before it is sold or developed for other purposes. Funding could be applied for through Federal Grants, combination of RCTC and SANBAG funds, TUMP fees, or bonds. Cooperation is needed between Riverside County and San Bernardino County since it is so close to the County line because residents from both Counties would benefit from these improvements. Spring St could be connected to Palmyrita & Iowa Ave similar to the 5 point intersection at Mill St. and "E" St. in San Bernardino and would not interfere with the proposed future railroad overpass at Iowa Avenue.

Your comments are needed: (951) 683 4994 Fax (951) 683 7258 or  
[highgrovenews@adelphia.net](mailto:highgrovenews@adelphia.net)

*January 2006 P. 1, 4 & 5*

## Transportation plan update

In our December, 2005 issue I presented a plan to address the upcoming increased traffic that will be created by the addition of over 2,000 new homes in the Highgrove area. Also listed were the various agencies that have been notified of the proposal which includes 2 new roads and a Metrolink stop.

On Dec. 8, 2005 I attended the Riverside City Planning Commission meeting and gave the commissioners copies of the December issue for their review and spoke briefly about the plan since a major portion of it is within the Hunter Park boundaries of the City and would involve cooperation between both City and County agencies. Copies were also left for Diane Jenkins, the principal planner for the City of Riverside Community Development Department Planning Division.

Then on Dec. 12, 2005 I met with Mark Bixby of Bixby Land Company to discuss the new north/south proposed road between Center Street and Palmyrita Avenue that would dissect 65 acres of their vacant land between Center St. and the arroyo to the south, and Garfield Ave. and the UP RR tracks to the west. These are the large empty fields near the elementary school on both sides of Spring Street.

Since our meeting, I have received his letter that supports the east-west road connecting Spring Street to the proposed location of the Metrolink Stop, but he does not support a new street alignment through their 65 acres.

Instead, he would support an alignment along the California Street right-of-way which is the dirt area that runs parallel with and along the east side of the UP RR tracks between Center St. and Palmyrita Avenue. California Street is a dedicated street that is shown on several maps but is not presently used as a north/south street.

There are several reasons that my original plan shows a new roadway between Center St. and Palmyrita Ave. through the 65 acres of the vacant Bixby property.

First of all, you may recall when Northgate ran between Palmyrita and Columbia parallel with, and along the east side of the UP RR tracks. Several years ago, Northgate was moved eastward one block at this location because the City of Riverside said they did not like a road running right next to the RR tracks at an intersection. The street was moved eastward one block and a large commercial building was built by the RR tracks where Northgate used to be located.

The California Street right-of-way also runs parallel with, and along the east side of the UP RR tracks just like Northgate used to run. Also, many new large commercial buildings have been built along the southern boundary of the arroyo and there are very few places left that have enough space between the large buildings for a road across the arroyo.

For example, if you look directly southward from the intersection of Michigan Ave. and Spring St. you will see an empty space between the buildings on the south side of the arroyo. However, the Springbrook Estates project has already been approved between this intersection and the arroyo making it impossible for Michigan Ave. to be extended southward across the arroyo for access to Palmyrita Avenue.

The only other feasible location across the arroyo that has space between the buildings is between the Bixby property on the north side of the arroyo and Palmyrita Ct. on the south side. Palmyrita Ct. becomes Northgate at Palmyrita Avenue then continues southward 1 block to Columbia Avenue. Last month the Riverside City Council hired DMJM Harris, an Ontario company that was awarded over \$783,000 to help design an overpass over the BNSF RR tracks on Columbia Avenue. This overpass has been the City of Riverside's number one priority which will become a reality in the near future.

The 2 new roads in my proposal will allow traffic to move between Highgrove (east of the BNSF RR tracks), and the I-215 freeway via the Columbia overpass without having to wait on trains. Naturally, residents on the west side of the tracks in Highgrove already have unrestricted freeway access and are not blocked by trains. It is understandable that the developers of the 65 acres would not want to be restricted by a road through the middle of their property to connect Center St. and Palmyrita Avenue and consideration should be given to them to develop their land as they so desire.

California St. is already a dedicated right-of-way and if Bixby Land Co. feels approval can be obtained from Riverside County and the City of Riverside for traffic to operate parallel to and along the east side of the UP RR tracks between Center St. and Palmyrita Ave. then they should pursue that goal. I think they will find that the significant question that arises is how to safely design an intersection next to the railroad track where California Ave. intersects with Palmyrita, Spring St. and Center Street. California Ave. would intersect all 3 locations which are right next to the UP railroad track.

We are then back to square one, why Northgate was moved 1 block eastward in the first place: to get away from the railroad track!  
If the design problems with these 3 intersections next to the railroad track could be overcome, residents could use Palmyrita to get to Iowa Ave. and the Columbia overpass for freeway access. Another possibility would be to cross the arroyo at Northgate (Palmyrita Ct.) then curve westward toward the UP RR tracks and run parallel to and along the east side of the tracks between Spring St. and Center Street. This would enable the road to be on the western boundary of the 40 acre parcel between Spring St. and Center St. to meet the developer's needs instead of near the center of their property. The problem with this plan is it would still create the same type of undesirable intersections at Spring St. and Center St. which would be right next to the railroad track.

Back to square one again! My original proposal has taken many of these problems into consideration.

Continued on page 5



## Letter 1 (cont'd) R.A. Barney Barnett May 24, 2010

January 2006 P. 1, 4 & 5

### Transportation plan update

Continued from page 4

I still believe a straight north/south road from Center St., straight across the fields and arroyo to Northgate, is in the best interest of the community and would provide for better north/south traffic flow. This could be accomplished by moving the north/south California St. right-of-way eastward to line up with Northgate instead of being next to the railroad track. Although all parties may not be completely satisfied, when the time for a decision is upon us, hopefully these important decisions will be made by County, City and other agencies based on what is best for our community and not what is best for the developers.

The Spring Street extension westward is also necessary for the east/west traffic flow to keep residents from being cut off by the trains. One of the most important features of this plan is that both the north/south and east/west roads I have proposed are through land that is currently vacant. Now is the time to plan for roads to go through it before other buildings or houses are built on it and occupy the very space that is needed for vehicular movement. Eastward access through Pigeon Pass is almost impossible.

I have presented my proposal to you and many agencies but I have no power to implement any portion of this plan. My only hope is, by bring it to the attention of City and County agencies, Commissioners, Supervisors and Planners that they will thoroughly examine it and if it does have merit, they will communicate with each other.

*"Examination and Communication"* by those who have the power to make it happen. Those are my goals!

The easy part of human nature is to complain about a situation after the fact. The hard part is looking into the future and trying to offer viable solutions. I hope this traffic plan will be taken seriously before a final decision is made.

April 2006 P. 12

### Highgrove Metrolink gets neighborly support

The University Neighborhood Association has written a letter of support for a Metrolink stop in Highgrove. It was addressed to the Riverside County Transportation Commission, Riverside County Supervisors, Riverside City Council, City Manager, and Planning Director.

Plans are being considered for a Metrolink stop at UCR and another one about 1 mile away at Spruce St. near Watkins Drive and the residents near UCR do not want any stops much less- two of them so close together. They have instead recommended the 35 acre of vacant land within the City limits of Riverside in the Hunter Business Park area.

At the Riverside City Council meeting on March 21, 2006 I spoke under the public comments portion and Melanie Zimmermann from Highgrove also spoke in favor of a Highgrove Metrolink stop using the existing 8 commuter trains that now pass through Highgrove. Wendy Eads and Kevin Dawson from the University Neighborhood Association also spoke to the city council and asked them to consider using this property near Highgrove for a future transportation terminal. Even though we have past

Highgrove CSA 126 (Nov. 27, 2001, Highgrove Project Area Committee, City of Grand Terrace (Dec. 13, 2001) and the City of Loma Linda (Jan. 24, 2002), and letters from the University Neighborhood Association (Oct 21, 2005 and March 15, 2006) and the Bixby Land Company (Dec. 12, 2005), and other numerous contacts, we have not been able to convince the Riverside County Transportation Commission to purchase this property for a Highgrove Metrolink Station.

In the past 4 1/2 years I have never been told that this plan is not a good idea or it is impossible. It has been a long hard fight to try and get any action for this proposal that is needed for the near future and wanted by so many. But the solution to this problem involves co-operation between the City of Riverside, County of Riverside and especially the Riverside County Transportation Commission. My fear is that with all the new homes being built where our former orange groves were once located, that the City of Riverside will issue building permits for this land that is now vacant. If new large industrial warehouses are allowed to build on this location, someone may eventually wake up and realize that they should have made a better plan for this land. When that happens, I am also sure that no one will be there to step up to the plate and accept responsibility for not having a vision for the future to accommodate the community's needs.

Riverside is set to adopt their General Plan for the year 2025. **If this land is used for any purposes other than Metrolink and transportation purposes that include a new road between Spring St. and Citrus St., then someone is not planning very well for the future!**

May 2006 P. 7 & 11

### Highgrove wake up call!

#### Growth, Transportation, change

When we are young the three most important words in our life are: "DON'T DO THAT!"

Then as we grow into adulthood the 3 most important words in our life change and become: "I LOVE YOU!" If you live in Highgrove and are a property owner, the most important three words in your life should be "GROWTH, TRANSPORTATION, and CHANGE".

Next year will be my 60<sup>th</sup> year in Highgrove. Many of you have lived here longer than that. Many were born and raised here and have seen more changes than I have. The good ole days are gone in the eyes of many of the old timers and many long time residents have sold their property and moved out of state for the cheaper land and quieter life-style like we used to have here in Highgrove. Yes, many have taken the path of relocating while a few of us remain to face the challenges of drastic changes happening all around us. And the changes are not over yet! It is just the beginning because the groundwork has already been laid that will change Highgrove forever. We face the biggest change in our historic past as our orange and citrus groves are about to become homes for people we do not even know.

To put it into another perspective, the present residents are the "WE" of Highgrove and the future residents are the "THEY". To explain what I mean, in reference to the question: What do "WE" (the present residents) want to happen to Highgrove and what will "THEY" the new residents want? Right now the "THEY" side does not even exist but they are coming. And when they come "WE" will be outnumbered which means out voted to put it bluntly. So what do "WE" do? What do "WE" want? And how do "WE" make our community a better place to live and raise our children and grandchildren?

A long time ago I decided if I wanted to still call Highgrove my home, I would get involved and be aware of what is going on in my neighborhood. That is why I volunteer my time at the community meetings on our Advisory Board. Our volunteer Advisory Board members attended our local meetings to hear from our neighbors so we will be able to tell our County Supervisor what we need in Highgrove. That's the way it works. Local meetings are held each month to discuss our problems, needs and solutions and relay them to our Supervisor. I have had the privilege of having a good working relationship with Supervisors Norton Younglove, Tom Mullen and Marion Ashley and they as Supervisors have the authority to make changes. We as volunteers or community members are powerless except for the fact "WE" are the voice of the people at the local level.

Recently I have had the opportunity to attend a lot of meetings in and around the surrounding area, from small meetings to very large ones. One of the things that I find common among these organizations is the fact that many people are willing to participate to make change happen. Some of the people become very passionate and verbal in trying to get the attention of a panel, board, commissioner, council member or other person of authority to listen to their pleas for change or in many instances just to leave everything alone and don't change anything.

On May 12th, I attended a meeting at the Riverside County Transportation Commission in front of 30 representatives of cities throughout Riverside County and shared my views during my 3 minute presentation under public comments. Finally, after 4 1/2 years of trying, I think someone is finally seeing that the transportation

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Highgrove wake up call!

Growth, Transportation, change

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plan I have proposed may have some merit. The RCTC Staff was directed to take another look at this plan and report back to the Commission. This plan is a reaction to address the issues of moving people in, around and through Highgrove due to the drastic changes that soon will be evident as we sit in our cars and are blocked by trains and traffic. It involves 2 new roads and a Metrolink station that is supported by many surrounding communities.

Another meeting I attended was about the watershed and arroyos that lasted 3 hours but the University Neighborhood Association meetings and train sub-committee meetings were not as long as the arroyo meeting. Each one of these organizations has its purpose and goals. At the University Neighborhood Plan meeting near UCR on April 19<sup>th</sup> the City of Riverside held its 4<sup>th</sup> and final meeting to address their local issues to submit when the General Plan is adopted. This was the completion of the 1<sup>st</sup> plan out of 26 more plans the city will be holding to address concerns of each community.

On April 18<sup>th</sup>, I went from a Colton City Council meeting where I waited 50 minutes for my 3 minute time period then went directly to the Loma Linda City Council meeting and walked in just in time for them to ask if anyone wishes to speak under public comments on items that were not on the agenda. I had to fill out a speaking form later because I was called up just as I walked in. What I thought was interesting was that one of the people who spoke at the Colton meeting walked into the Loma Linda meeting the same time I did so I know he had to hurry to get there too. He was a developer looking out for his own interest for a project he wants to build in Reche Canyon.

If you ask why I attend all these meetings I guess the answer lies somewhere in the 3 most important words that face our neighborhood which brings me back to Growth, Transportation and Change. It's true that I have more time since I retired but you don't have to be retired to get involved or participate. The American process allows us, the little guys, to have time to say what we think and give our opinions even if we only get 3 minutes at the microphone. At the Riverside City Council meeting I attended, when the time came for public comments the whole wall was occupied with people who wanted to speak. Also at the Grand Terrace City Council meeting on May 13<sup>th</sup> there was standing room only because people were concerned about changes that are being planned for a Lowes, new Stater Bros. Market and other changes that affect their local daily lives in Grand Terrace. Jack Brown, CEO of Stater Bros., squashed a lot of rumors when he stated that all the rumors that have circulated about Stater Bros. building a new market are not true because he has not signed anything yet. "If you want to know what Jack Brown thinks: "Ask Jack Brown", he said.

Sometimes I compare our local community meetings to the former union meetings I used to attend where many of the railroad workers didn't come unless the company was going to take something away, make a drastic change in their working conditions or reduce their wages. When any of these 3 things happened the union hall would be packed. The same principal applies at the community level.

**Highgrove- This is our wake up call!** How many of you have never been inside the Norton Younglove Community Center in Highgrove? How many new faces walk through the doors and get involved in what is happening in and to our neighborhood?

Do you fall into any of these 3 categories? 1. I don't have time 2. I'm too busy 3. I trust others to look out for me.

If you fall into any of these categories then maybe you should consider taking the time, caring enough to get involved locally or it may be too late if something happens to our neighborhood that you don't like. We are all busy with our own lives and families and that is our first priority but what happens to our neighborhood is important too.

Take another look at the motto along the top of the front page. Have you ever noticed? It says: "**Dedicated to the improvement of our community through awareness and involvement in local issues**" That is the purpose of the "Highgrove Happenings" newspaper. Our community meetings are based on that very same principal.

Wake up-Highgrove the changes are a commin' and "WE" have to be ready for them!

Our next community meeting will be at 7:00 pm at the Norton Younglove Community Center at 459 Center St. in Highgrove on May 23, 2006. Come and bring a friend or neighbor! Our guest speaker will speak about illegal dumping.

June 2006 P. 6

Metrolink station needed in Highgrove

This Metrolink train currently operates between Riverside and San Bernardino. It is shown on the BNSF/UP main line passing by 35 vacant acres in the Highgrove area. A Metrolink Station is needed between the arroyo and Villa St. so these 4 trains (2 each way) could stop for passengers. Parking would be on the east side of these tracks with a pedestrian overpass for access to the west side. To accomplish this requires co-operation between the Riverside County Transportation Commission (RCTC), San Bernardino Associated Governments (SANBAG), and the City of Riverside. Also, by extending Spring St. westward to Iowa Ave. would give direct vehicle access to the freeway for everyone east of the RR tracks including the new Springbrook Estates, and Spring Mt. Ranch projects without being blocked by freight trains. 4 1/2 years ago Highgrove, Grand Terrace and Loma Linda passed resolutions for a Metrolink stop in Highgrove and we are seeking co-operation between the various agencies that can actually make it happen.

July 2006 P. 1 & 13

Metrolink trains to pass through Highgrove on weekends

48 Commuter Trains per week pass thru Highgrove and do not stop!

In addition to the 8 commuter trains that pass through Highgrove each day that do not stop during the work week, there are plans for 8 more new trains that will pass through Highgrove on the week ends. The plan is for 8 new trains on Saturday and Sunday between San Bernardino and Riverside starting on July 15, 2006. This brings a total of **48 Metrolink trains per week** that pass by the 35 acres of vacant land in the Highgrove area where we are trying to get a station platform so these trains can stop and pick up passengers from Highgrove, Grand Terrace and the surrounding area.

On June 12, 2006 I spoke during public comments at the meeting of the Western Region Council of Governments and furnished the executive members with copies of past resolutions of support, letters, and information relating to the need for a Highgrove metrolink stop. Hopefully some of these agencies will start working together while the land is still vacant and available.

For schedules and ticket information please visit: [www.rctc.org](http://www.rctc.org). News & Events, 7-15-06 Metrolink weekends IEOC Line service begins





## Letter 1 (cont'd) R.A. Barney Barnett May 24, 2010

### November 2006 P. 1 & 13

#### Highgrove Metrolink not derailed yet!

For 5 years there have been many efforts made to get a Metrolink stop in Highgrove. Most of you know that written resolutions of support have been passed by Highgrove, Grand Terrace, and Loma Linda. Colton has also supported the Highgrove Metrolink location.

But did you know what happened to our written documents that were given to the staff of the Riverside County Transportation Commission for distribution to the RCTC Commissioners?

This is a very touchy subject but I feel the members of Highgrove and the surrounding communities who support our location should know what has happened, and what is happening in regard to the Highgrove location.

In August of 2004 I prepared 30 packets for distribution to the RCTC Commissioners. The yellow packets had a 2 page map inside (of the Highgrove location), and was entitled "Highgrove Metrolink Station Proposal". It also contained the following information:

Copy of resolution of support for a Highgrove station from CSA 126 (11-27-01)

Copy of resolution of support from City of Grand Terrace (12-13-01)

Copy of petition from Highgrove PAC (1-8-02)

Copy of resolution of support from City of Loma Linda (1-24-02)

On August 16, 2004, I took the packets to the County Administration Building in Riverside and gave them to a RCTC staff member (who will remain anonymous at this time) for distribution to the RCTC Commissioners.

About 2 months later (in Oct. of 2004), when I found out that the packets hadn't been given to the Commissioners - I asked: "Why not?"

I received a letter of explanation dated Nov. 4, 2004 stating that RCTC was in the process of developing responses on behalf of the Federal Transit Administration (FTA) to all of the comments, and all comments submitted must be treated equally. The letter also stated that the packets I submitted to the RCTC Commissioners became an FTA document and was not an RCTC document even though it was addressed to the RCTC commissioners.

**Much later, I later found out that these yellow packets had not been given to the Commissioners until 14 months after I gave them to the staff.**

During my 3 minutes at the podium on Oct. 11, 2006, I told the commissioners that I thought it was unfair to the public, surrounding communities, and their leaders, that this important information was not given to the commissioners in a timely manner. I stated that during that 14 month period, I was sure that the RCTC staff had contact with the Commissioners as well as their consultants but in this particular case the information and resolutions in the packets that were submitted on behalf of the public, had been delayed for well over 1 year.

Another misconception that is being presented by RCTC staff is that by establishing a Metrolink Station in Highgrove would trigger the need for a \$100 million dollar flyover in Colton where the Union Pacific line crosses the BNSF line. (One RR line would go over and the other RR line would go under).

This statement is simply not true!

We are not asking for any new additional commuter trains that would change the Feb. 14, 1996 agreement that governs the amount of commuter train moves between San Bernardino and Riverside. All we are asking for is to have the EXISTING 48 COMMUTER TRAINS STOP IN HIGHGROVE! These commuter trains currently go by the proposed Highgrove Metrolink location 7 days a week but do not stop because there is no platform!

RCTC's Executive Director claims that 75% of the Highgrove riders would be from San Bernardino County but this is short sighted because there soon will be over 2,100 new homes built within one mile of this site that will be added to the existing homes in Highgrove and all of them are in Riverside County.

At the Oct. 11, 2006 meeting, the Commissioners told their staff to make arrangements for a tour of the Perris Valley Line either by bus or rail and to start in Highgrove where I could show the Commissioners the actual physical location of the proposed site.

Also, last week I gave a personal tour of the site to the Mayor of Grand Terrace, Maryetta Ferre and Colton City Council member, Issic Suchil who represents the Colton area ¼ mile north of the Metrolink site along Colton's southern boundary. Two days later, I gave another personal tour to the Mayor of Loma Linda, Bob Christman, to show him where the site is located.

The Commissioners need to know that many potential riders will use this site but a joint effort must be made between RCTC and SANBAG (on the San Bernardino side of the county line) so that this station will benefit the entire region!

For the last 5 years I feel that our efforts on behalf of the people in our surrounding neighborhoods have basically been ignored by the RCTC staff and their Executive Director. I have no hard feelings toward any of the 30 or so Commissioners because in this case they did not receive information from the public in a timely matter (14 months). But during that time, they received input from their staff and their consultants and that is simply not fair!

### December 2006 P. 1, 8, 9, & 13

#### Public outcry expressed at RCTC meeting!

For 2 months in a row, community members and leaders from the surrounding area expressed their concern for the lack of action by the Riverside County Transportation Commission's Executive Director and Staff to acquire the land for a Metrolink Station in Highgrove.

At the last Riverside County Transportation Commission meeting on Nov. 8, 2006 there were 9 speakers who voiced their opinions during the public comments. The speakers addressed different issues such as traffic congestion, parking issues at the Riverside and San Bernardino Metrolink stations, the 35 vacant acres of land in Highgrove, the 2,100 new homes soon to be built near the proposed Highgrove location, bus route # 25 that currently goes through Highgrove between Riverside and Loma Linda, and many other transportation related items supporting this location.

The speakers in order were yours truly R. A. "Barney" Barnett, Don Earp from Colton, Jim Miller current Grand Terrace City Councilman, Maggie Sanders Grand Terrace resident, Melanie Zimmermann Highgrove Municipal Advisory council, Ed Demuth Grand Terrace resident, Denis Kidd Highgrove CSA 126E, Byron Matteson former Grand Terrace Mayor for 14 years, and Latitia Pepper from the University Neighborhood Association near UCR.

During Jim Miller's presentation there were some intense discussions between Commissioner, Bob Buster and Executive Director Eric Haley. Legal council intervened by suggesting that this item should be put on a future agenda and not discussed in depth by the Commissioners during the public comments.

Everyone is concerned that no action has been taken for the last 5 years to establish a Metrolink stop in Highgrove.

On Nov. 8, 2006 I read the following RCTC document to the Commissioners and then gave 30 copies to the clerk of the board for distribution to each Commissioner. This is what the Commissioners directed their staff to do almost 3 ½ years ago:

#### HIGHGROVE SITE ALTERNATIVES ANALYSIS

##### Executive Summary

*"Residents of the community of Highgrove, as well as the city councils of Grand Terrace, Colton, and Loma Linda, have expressed an interest in a future Metrolink station in Highgrove. At its June 2003 meeting, the Riverside County Transportation Commission (RCTC) directed staff to determine the feasibility of acquiring additional right-of-way for a future Highgrove Station to serve the Inland Empire-Orange County Line."*

The Inland Empire-Orange County Line mentioned above is the BNSF main line tracks that go through Highgrove right next to the 35 acre parcel of vacant land where we want the station located.

For the last several years we have been trying to get RCTC to purchase this vacant land for a Metrolink station in Highgrove. A curve through this property was initially considered years ago by RCTC when the route from Perris to Riverside was first being planned. Over the last 5 years I have worked with and talked to many members of the RCTC Staff and I know they have spent many hours with their consultants trying to devise a workable plan for the Perris Valley Line in order to establish Metrolink service between Perris and Riverside. The location of the stations on the Perris Valley Line may not seem to affect the Highgrove location since they involve 2 different sets of railroad tracks, but if 2 stations are built close together on the Perris Valley Line such as the proposed UCR and Spruce and

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Letter 1 (cont'd)  
R.A. Barney Barnett  
May 24, 2010

December 2006 P. 1,8,9, & 13

Public outcry

Continued from page 7

Rustin locations, then it would be almost impossible to build a 3rd station in Highgrove. We have asked that the Spruce and Rustin location on the Perris Valley Line be abandoned since it is only about 1 mile from the UCR station and use that money to help purchase the land for the Highgrove station. The University Neighborhood Association near UCR agrees that the Highgrove location is a better place for a station.

The Perris Valley Line has been the RCTC staff's main concern for the last several years. But what about the Highgrove Metrolink Station? Should the public comments and written resolutions from the past be disregarded? Since June of 2003 has the Executive Director instructed his staff to try to acquire this property for transportation purposes like they were directed to do? We are not criticizing the RCTC Commissioners since they receive information from their RCTC Staff.

At the RCTC meeting on Oct. 11th I told the Commissioners that I gave 30 packets to the RCTC Staff on August 16 2004 for distribution to the Commissioners but the packets were not given to the Commissioners for 14 months. These packets included a map of the Highgrove location and copies of the resolutions of support from Highgrove and the surrounding communities of Grand Terrace and Loma Linda that date back to Nov. of 2001. Mr. Haley's reply was "I don't recollect a briefing in the summer of 2004, if it was not distributed, my apologies". Also if the Staff was directed to find a location in Highgrove 3 1-2 years ago, why hasn't the property been purchased if this is such an ideal site Who is responsible for this oversight Someone has to be held responsible for not pursuing the acquisition of this land for a Metrolink Station regardless of what happens on the Perris Valley Line. Eric Haley has been the Executive Director of the Riverside County Transportation Commission since 1998. He formerly worked for SANBAG the county agency in San Bernardino County that oversees the Metrolink Commuter trains on their side of the county line. On several occasions, Mr. Haley has stated that by purchasing the Highgrove property would be "Land banking". He has been challenged for using this term many times due to the fact that the land would not be purchased for speculation or future sale for profit, but if the land was purchased and a platform built the existing commuter trains could stop for passengers on the day of completion. The existing Metrolink commuter trains currently pass right by this location 7 days a week but do not stop because there is no platform. Another misconception attributed to Mr. Haley is that if a Highgrove station was built, it would trigger the need for an \$85 million railroad over and under where the Union Pacific RR tracks cross the BNSF RR tracks in Colton. The last several times he used these figures it had gone up to \$100 million and even \$150 million.

That is enough to scare anyone but this scare tactic simply does not apply to our situation!

We are not asking for any additional commuter trains between San Bernardino and Riverside that would change the Feb. 14, 1996 agreement concerning the amount of commuter train moves that can be made between Riverside and San Bernardino. We just want the existing trains to stop! That does not change the agreement.

In the past, we have had tremendous support from Supervisor Bob Buster. Commissioner Buster stated: "Lets not loose this opportunity based on staff policy making. A defacto decision has been made here apparently that has not been discussed by the Commission and we are the policy body!"

Commissioners John Tavaglione and Marion Ashley agree that is a good location but they want SANBAG involved. Also, Assemblyman Bill Emerson has written a letter supporting the Highgrove location.

So why has nothing been done? Mr. Haley was the Executive Director when all of the surrounding resolutions were passed 5 years ago. In 2003 he was also the Executive Director when his Staff was directed to find a location in Highgrove. We pointed to the 35 acres of vacant land over and over again.

I have also listened to his statements that were made during public meetings that I feel are incorrect such as reference to the 100 million dollar requirement for the Colton crossing if the trains stop in Highgrove.

We were also told that by adding another commuter train to the BNSF tracks would change the Feb. 14, 1996 agreement for the amount of commuter trains that could operate between San Bernardino and Riverside. Then on July 15, 2006 permanent weekend trains were added to include Saturday and Sunday commuter service over these very same tracks.

Highgrove is now watching the commuter trains go by 7 day per week instead of 5. Five Supervisors are also RCTC Commissioners but could not attend. Note: There are no freight trains on the Perris Valley Line tracks on Saturday and most of Sunday.

At the RCTC meeting on Nov. 8, 2006, RCTC Chairman, Marion Ashley referred this to the Executive Director with instructions to talk to SANBAG and at some point agenzize this before the appropriate committee so it can be pursued and settle it once and for all.

This has caused concern for many of our local constituents. As members of the public we are apprehensive about telling the Executive Director of RCTC to meet with SANBAG about something that he does not believe in or want. When his multi-million dollar figures are presented to SANBAG what do you think their reaction will be? (Remember, these figures do not apply if the existing trains just "stop" in Highgrove).

On Nov. 9, 2006, I received a copy of a letter addressed to RCTC and SANBAG from Melanie Zimmermann who is a member of the Highgrove Municipal Advisory Council, requesting that I be present during the talks between RCTC and SANBAG. Copies were also sent to RCTC Executive Director, Eric Haley, SANBAG Executive Director Tony Grasso, and SANBAG representatives Bea Cortes from Grand Terrace, Robert Christman from Loma Linda, and Deirdre Bennett from Colton.

The public wants their voice to be heard loud and clear when RCTC and SANBAG sit down to talk. The Highgrove station location will benefit the entire region and is a plan for the present and the future but the people have been ignored because the RCTC Executive Director thinks it's too close to the county line and people from San Bernardino County will be riding the trains at RCTC's expense. Mr. Haley seems to have only one thing in mind and that is the Perris Valley Line. He has ignored what the people want and need because he says: "75 or 80% of the riders (his figures) will be from San Bernardino County," but the 2,100 new homes that will soon be built, and the existing homes in Highgrove are all in Riverside County. He fails to recognize that there will soon be long term regional consequences due to the failure to acquire this property. Our freeways are congested with vehicles from both counties and commuters from other areas. Isn't the idea of using Metrolink based on transporting people and taking their vehicles off the freeways and roads? And aren't the riders buying tickets to ride the Metrolink trains? As members of the public we must continue to express our concerns during the public comments at both RCTC and SANBAG meetings and at the joint meetings between the two agencies. The best way our public comments to be heard is for us to stand up for our rights and speak our minds so that these public agencies will listen to the will of the people. At the last RCTC meeting during my public comments, I suggested a simple 3 step solution for Highgrove:

1. BUY THE PROPERTY, 2. INSTALL A PLATFORM, 3. STOP THE TRAINS! Also at the Nov. 8, 2006 RCTC meeting Melanie Zimmermann from Highgrove asked the Commissioners to "take a small bus to see where the new homes will be, meet with Barney and look with an open mind". Denis Kidd from Grand Terrace also stated: "Invite Barney to meet you at the Highgrove site so he could represent us because the opposition will be amply represented by RCTC Staff" That did not happen!

Eric Haley arranged for the Commissioners to tour the Perris Valley Line via rail on Nov. 28, 2006 but they did not stop at the Highgrove site. Viewing the vacant 35 acres from the rail is not possible since the track is lower than the property and there is a dirt bank in the way. (That is why Mrs. Zimmermann suggested using a small bus). So the Commissioners did not see the site for the platform next to the BNSF main lines. Why did Mr. Haley schedule a tour on a Tuesday when all 5 of the Board of Supervisors were at their weekly meeting? These 5 Supervisors are also RCTC Commissioners but could not attend. Note: There are no freight trains on the Perris Valley Line track on Saturday and most of Sunday. "Thank you" to all of you who spoke up at the public comments. We are the voice of the people and our voices should be heard!



Letter 1 (cont'd)  
R.A. Barney Barnett  
May 24, 2010

February 2007 P. 1 & 5

## Highgrove Metrolink Denial

### WHAT'S WRONG WITH THIS DECISION?

by R.A. "Barney" Barnett (Highgrove Happenings Newspaper)

After many years of RCTC using the excuse that San Bernardino County needs to participate in the Highgrove Metrolink station because it is so close to the county line; on Nov. 8, 2006, the RCTC Commissioners instructed, their Executive Director, Eric Haley to contact SANBAG in San Bernardino County. On Dec. 7, 2006 RCTC's, Eric Haley wrote a letter to SANBAG Executive Director, Tony Grasso which stated in part: "a station in this vicinity will require cooperative action between RCTC and SANBAG".

The following month on Jan. 1, 2007, Dennis Hansberger, SANBAG Chairman (and also a San Bernardino County Supervisor), made this statement in the San Bernardino Sun:

"It's a very worthwhile objective. Unfortunately, the people in Riverside County who have jurisdiction have not shown a lot of interest. But we are willing to try to get that discussion going".

Then on Jan. 10, 2007 at the RCTC meeting, a pink colored hand-out entitled: ADDITIONAL INFORMATION AGENDA ITEM 8 -was given to the RCTC Commissioners just minutes before the meeting entitled *Minute Action* but was dated Jan. 18, 2007-eight days into the future-(which happened to be on the same day as the next SANBAG Commuter Rail meeting). So how could any "Action" be taken from the minutes of a meeting that had not occurred yet? The date was not a misprint and the hand-out was used as a pre-judged conclusion of how SANBAG would be voting 8 days before their meeting.

Also on Jan. 10, 2007, (nine days after Chairman Hansberger's statement that they were willing to get the discussions going),- the RCTC staff inflated the Highgrove location costs by improperly attaching the multi-million dollar Colton flyover costs to the Highgrove site and deflated the ridership projections thru inaccurate estimates. They said the Highgrove Station would cost \$157 Million dollars for only 117 riders per day. (Those figures would scare any Commissioner!) These figures were used to influence the Commissioners vote and are based on estimated predictions with no consideration given to the 2,400 new homes to soon be constructed in our area.

SANBAG was scheduled to meet only 8 days later on Jan. 18, 2007 but why (after 5 years of nothing happening), was RCTC staff so anxious to get their Commissioners to decline it just before the SANBAG meeting? This was a very discouraging blow to the public since surrounding cities and communities passed resolutions of support over 5 years ago and nothing has been done to purchase the vacant land next to the tracks.

The hurry up and decline it before San Bernardino gets a chance to vote mentality is short sighted, and biased against commuters from both counties. I feel that the RCTC Commissioners were misled by their own staff when they indicated that SANBAG would also have to decline it 8 days before the SANBAG meeting.

Then at the Jan. 18, 2007 SANBAG Commuter Rail Committee meeting, the SANBAG staff report was the same wording that was used in Riverside by the RCTC staff 8 days earlier. Though SANBAG staff, RCTC staff tried to convince the SANBAG Commuter Rail Committee to recommend that SANBAG take the same action as RCTC but it didn't work!

During the public comments at the SANBAG meeting on Jan. 18<sup>th</sup>, six local residents and community leaders spoke out against SANBAG going along with RCTC's recommendation. The SANBAG rail committee tabled their decision and no vote was taken.

Was Eric Haley's letter of Dec. 7<sup>th</sup> a mere formality or does he and his staff really not want to work with SANBAG for the benefit of the region? Is his only focus the Perris Valley Line? Was it RCTC staff's strategy to stop it in Riverside 8 days before it reached San Bernardino for consideration so they could say that the Riverside County Transportation Commission doesn't want it, so why should San Bernardino want it?

DESTINATION 2030 from the Southern California Association of Governments summed it up best-when they stated:

"Destination 2030 lays out a vision for Southern California without boundaries, one in which cities and counties work together to plan our future and consider how growth patterns can be accommodated in a manner that preserves our quality of life"

The Highgrove station could be used immediately by the whole region since 56 commuter trains per week already go right by this location next to the BNSF main line tracks. San Bernardino station is 7 miles to the north and the Riverside station 3.5 miles to the south. The track speed limit is 60 MPH and needs no upgrading!

The Perris Valley Line on the other hand, is 38 miles of old track that needs new rail and RR ties and needs a complete new signal system, since there is none, and the track dead-ends at San Jacinto where there are no connections. Also, a large warehouse would have to be torn down and a new curved track added to connect onto the UP tracks at Marlborough Avenue.

RCTC said the cost of the Perris Valley Line is only \$112 Million dollars but they are forgetting to add in the \$500 Million dollars they paid in 1993 for the rights to run commuter trains over the Perris Valley Line, the line from San Bernardino to Redlands and the line from San Bernardino to Los Angeles. The original costs to purchase track rights has somehow disappeared from their sales program and a large portion of the \$500 Million dollars was left out of the Perris Valley Line expenditures.

So does it really make sense to buy the track rights in 1993, rebuild it, install 18 to 38 miles of new signals, build seven new stations and purchase new engines and coaches ...when all they had to do is buy the 19.27 acres in Highgrove, build one platform and use the existing 56 commuter trains that have connections on both ends?

RCTC should have purchased this vacant land or at least the northern 19.27 acres long ago to keep both options open. The only other route is over the Union Pacific tracks with a new curve near Marlborough Avenue.

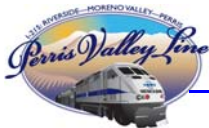
Since RCTC has failed to obtain control of the Highgrove location NOW, the UP can now hold them hostage (financially) whenever RCTC wants to purchase the commuter rights to run over the UP tracks because it is the only route left. The entire region, on both sides of the county line, could still benefit from this location and the Highgrove location should be re-considered to help relieve freeway congestion between the two counties.

The benefits of the Highgrove location are overwhelming! It is a common sense solution to deal with current transportation issues now, and in the future!  
These recent local decisions will have long term effects on our entire region. The land is still vacant, and 56 commuter trains go by this location each week. We just want the existing commuter trains to stop. Buying the property, building a platform and stopping the trains-does not have anything to do with the \$150 Million dollar flyover in Colton!

Continued efforts are being made to make everyone aware of the actual facts behind this denial in order to help overcome the temporary successful manipulation by the RCTC staff to influence their Commissioners, SANBAG staff, and the SANBAG Commuter Rail Committee while at the same time ignoring the public's interest.

For photos with text visit our web site: [www.highgrovehappenings.net](http://www.highgrovehappenings.net)  
[highgroveevents@adelphia.net](mailto:highgroveevents@adelphia.net)

R. A. "Barney" Barnett (951) 683 4994 E-mail:



Letter 1 (cont'd)
R.A. Barney Barnett
May 24, 2010

Oct. 1, 2007

What happened to the Highgrove Metrolink Station?

WHY THIS LOCATION SO IMPORTANT:

Location, location, location

- (a) The Highgrove location for the requested platform is 7 rail miles south of San Bernardino and 3.5 rail miles north of Riverside on the BNSF tracks.
(b) There is 35 acres of vacant land right next to the 3 BNSF railroad tracks on the west end of the property where 56 commuter trains per week (7 days a week) pass by this property between Riverside and San Bernardino but do not stop for passengers due to no station platform at Highgrove.
(c) The Perris Valley Line railroad track is right next to the east end of the vacant 35 acres and the 38 mile Perris Valley Line track is already owned by RCTC.
(d) The Perris Valley Line RR is already connected in Highgrove by rail, and signaled for train movements to and from the BNSF RR.
(e) Stopping the 56 existing commuter trains in Highgrove for passengers does not require the addition of any new tracks, train signal system, track up-grades, underpasses or overpasses, engines, coaches or additional crew members.
(f) Stopping the 56 existing commuter trains in Highgrove does not violate the train movement agreement dated Feb. 14, 1996.
(g) Stopping the existing commuter trains in Highgrove does not require building the Colton Flyover. That is a separate and un-connected issue!
(h) 2,400 new homes have been approved by Riverside County in the Spring Mountain Ranch and Springbrook Estates projects. Spring Mountain Ranch is within a few months of starting home construction now that the flood control issues have been resolved and both projects are only about 1 mile east of the requested Highgrove Metrolink site. These new homes are in addition to those already built or planned by Victoria homes and the existing homes.

OTHER SUPPORTING INFORMATION

- (a) The 35 acres is located in a redevelopment area.
(b) The proposed Metrolink site is not zoned for residential but is only 1 mile from the new homes to be built.
(c) It is located within the city limits of Riverside but is bordered on 3 sides by Highgrove boundaries. Highgrove is an un-incorporated part of Riverside County.
(d) The west end of Spring St. stops at the Perris Valley Line railroad tracks but could be extended 1/2 mile westward through the vacant 35 acres and connect to Citrus Street.
(e) The westward extension of Spring St. would enable all residents east of the BNSF railroad tracks to have access to the I-215 when freight trains block Main St., Center St. or Iowa Avenue, delaying the need for an underpass.

WHO SUPPORTS THE HIGHGROVE METROLINK LOCATION?

Here is a re-cap of information and requests dating back almost 6 years supporting the Highgrove Metrolink Station.

All of the following information can be verified in writing.

Table listing supporters and dates: Riverside County Service Area 126 (Highgrove) by resolution 11-27-2001, Grand Terrace City Council by resolution 12-13-2001, Highgrove Project Area Committee (PAC) by resolution 1-08-2002, City of Loma Linda, Ca. by resolution 1-24-2002, Letter from Calif. State Assemblyman- Bill Emmerson: 8-14-2006, Letter from Riverside County Supervisor, Bob Buster 7-17-2006

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Continued from P. 9

San Bernardino County Supervisor and SANBAG, Chairman, Dennis Hasnberger (statement in San Bernardino "SUN"): 1-01-2007

Table listing supporters and dates: Riverside Land Conservancy: Joint letter from Robert Nelson and Jane Block 10-18-2005, Highgrove resident and current Highgrove Municipal Advisory Council member, Melanie Zimmermann: Letter to RCTC 11-09-2006, University Neighborhood Association (near UCR) by vote 10-13-2005, Letter of support from Gurumantra Khalsa 10-21-2005, Letter of support from Wendy Eads 3-15-2006, Letter of support from Kevin Dawson 4-13-2006, Letter of support from Latitia Pepper 7-21-2007, City of Grand Terrace letters of support: First Mayor, Tony Petta (1978) 6-23-2006, Former 14 year Mayor, Byron Matteson (1982 to 1996) 6-23-2006, Present Mayor, Maryetta Ferre (2007) 6-23-2006, Hugh Grant, Former SANBAG, OMNITRANS, I.AFCO 6-21-2006, Steve Berry, Assistant GT City Manager 5-15-2003, Craig Neustadter, GT City Traffic Engineer 1-22-2007, Franklin Carpenter, GT commuter/resident 5-28-2001, Jo Ann Johnson, GT resident 11-04-2006, Bixby Land Company 12-13-2005, Victoria homes continued support, Spring Mountain Ranch/ RWR homes continued support

JUNE 2003 DIRECTIVE TO RIVERSIDE COUNTY TRANSPORTATION COMMISSION: From Schiermeyer Consulting Services to RCTC:

HIGHGROVE SITE ALTERNATIVES ANALYSIS

Executive Summary

Residents of the community of Highgrove, as well as the city councils of Grand Terrace, Colton, and Loma Linda, have expressed an interest in a future Metrolink Station in Highgrove. At it's June 2003 meeting, the Riverside County Transportation Commission (RCTC) directed staff to determine the feasibility of acquiring additional right-of-way for a future Highgrove Station to serve the Inland Empire-Orange County Line.

The many of the above listed people and organizations have been pointing to the 35 acres for almost 6 years so why has nothing been done to purchase this ideal location?

First of all, I want everyone to know that I do not represent any investor, real estate group railroad, or any other organization where I will benefit financially or

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Letter 1 (cont'd)  
R.A. Barney Barnett  
May 24, 2010

### What happened to the Highgrove Metrolink Station?

Continued from page 10  
otherwise from the Highgrove Metrolink site.

#### WHO IS RESPONSIBLE?

My concern is that the current Executive Director of RCTC, Mr. Eric Haley has continued to ignore the wishes of the people and instead has influenced his staff and RCTC Commissioners to decline the Highgrove Station and tried to influence SANBAG to do the same in San Bernardino County. Mr. Haley wants to rebuild the Perris Valley Line with 2 stops one mile apart in a residential neighborhood that does not want them.

The University Neighborhood Association, which is near UCR, has repeatedly supported the Highgrove site and opposes having one stop at UCR and another one near Spruce St. and Rustin Avenue in their neighborhood and they have been very vocal at the RCTC meetings in Riverside. Here are some important things that occurred while RCTC staff was under Mr. Haley's leadership:

(a) On Sept. 15, 2006, RCTC held a "Workshop" for the Perris Valley Line in La Quinta, California which is one hour and 30 minutes from Riverside. The distance to the "workshop" (77 miles), made it very difficult for people who live near UCR to attend and speak under public comments. Only one speaker drove to La Quinta from the UCR area.

(b) On Aug. 16, 2004, I (R.A. "Barney" Barnett), hand delivered 40 packets to RCTC for distribution to the Commissioners. That information was withheld for 14 months before it was given to the Commissioners. These packets included copies of the resolutions, a map and other important information. Naturally I thought the packets had been given to the Commissioners as requested. Later, at the RCTC meeting on Oct. 11, 2006, I told the Commissioners about the 14 month delay.

Here is Mr. Haley's reply at the meeting on Oct. 11, 2006- almost 2 years afterwards:

*"I don't recollect a briefing in the summer of 2004-if it was not distributed-my apologies"*

(c) Under Mr. Haley's leadership, RCTC has completely ignored all of the resolutions for almost 6 years from the surrounding cities and organizations and the 35 acre location along the Inland Empire-Orange County Line through Highgrove still remains vacant.

(d) Instead of buying the property which could be used immediately upon completion of a platform by using the existing trains, Mr. Haley referred to the Highgrove purchase as "Land Banking" and stated that it was *"too close to the County Line and residents from San Bernardino County would be using the station"*.

(e) At the RCTC meeting on Nov. 8, 2006, Melanie Zimmermann requested that a bus be used so the Commissioners could actually see the Highgrove location. She was among 9 speakers who spoke in favor of the location during the public comments portion of the meeting. Denis Kidd said that I ("Barney" Barnett) should be present to meet the bus and show the Commissioners the Highgrove site.

Then on Nov. 28, 2006, Mr. Haley scheduled a visit to the site on the same day as the Riverside County Board of Supervisors meeting (11-28-2006), which meant that none of the Supervisors, who are also Commissioners, were able to attend. And instead of using a bus, there were 2 hi-rail (on track) vehicles with just a few of the Commissioners.

There is a dirt bank that is higher than the track elevation at this location, so it prevented anyone in the hi-rail cars from seeing the vacant 35 acres. (That is why a bus was requested). And the hi-rail vehicles did not even stop at Villa St. in Highgrove so the Commissioners could step out and see where the platform would be located on the west side as requested 20 days earlier.

I know they did not stop because I was at Villa Street when they went by!

(f) Supervisor/Commissioner Bob Buster has been the strongest advocate for the Highgrove station and has criticized Mr. Haley's intentional neglect and handling of the Highgrove site by making decisions that should be made by the Commission.

Commissioner Buster followed up with this statement: *"Lets not loose this opportunity based on staff policy making. A de facto decision has been made here apparently that has not been discussed by the Commission and we are the policy body"*

Was this just a coincidence that the "tour" was scheduled by Eric Haley when all of the Riverside County Supervisor/Commissioners were in another meeting?

By Mr. Haley providing 2 hi-rail cars actually prevented anyone from seeing the advantages of this site due to the difference in elevation. A bus would have let more of them see why the public supports this location. It is very evident that the public's requests were ignored again especially when they didn't even stop at the Highgrove location as requested by the public.

(g) Also, just prior to the meeting on Jan 10, 2007, RCTC staff distributed information to the Commissioners entitled: ADDITIONAL INFORMATION AGENDA ITEM 8.

It contained information under *Minute Action* but was dated Jan. 18, 2007- **eight days into the future**-(which happened to be on the same day as the SANBAG commuter rail committee meeting in San Bernardino). The date was not a misprint and the hand out was used as a prejudged conclusion of how SANBAG would be voting 8 days before their meeting! How could any "Action" be taken from the minutes of a meeting that had not yet occurred? Also on Jan. 10, 2007, RCTC Staff presented their estimates to the RCTC Commissioners that showed the cost of the Highgrove station to be \$157 Million dollars and only service 117 riders per day. These inaccurate estimated figures were designed to influence the RCTC Commissioners to vote it down just 8 days before SANBAG was set to vote. The public speakers requests for a postponement of a decision were rejected and the RCTC Executive Director and his staff convinced the RCTC Commissioners to vote the Highgrove location down.

(h) RCTC's staff recommendation on Jan 10, 2007 was then relayed to SANBAG and the SANBAG Staff Report on Jan. 18th was the exact same wording as RCTC's on Jan. 10th.

RCTC wanted SANBAG to go along with them by also turning down the Highgrove site but due to public comments at the SANBAG meeting, SANBAG tabled their decision.

(i) Then on March 8, 2007 the Southern California Association of Governments requested that SANBAG take no formal action on the proposed Metrolink Station in Highgrove until a feasibility study is completed. The letter states: *"SCAG is initiating a feasibility analysis of a Metrolink Station in Highgrove as it relates to SCAG's Regional Transportation Plan and Growth Forecast"*.

At the SANBAG meeting on April 4, 2007, SANBAG voted to:

*"Reconsider the matter based upon the results of the SCAG Feasibility Study"*.

(j) The following day, April 5, 2007 Eric Haley went to the SCAG meeting in Los Angeles to get the independent study stopped. Grand Terrace councilwoman and SCAG representative LeAnn Garcia, who helped initiate the SCAG Feasibility Study previously requested a continuance because she could not attend the April meeting. In her absence, Eric Haley convinced SCAG not to do the Highgrove Feasibility Study. (Tape recording of the SCAG meeting available).

Why would any Executive Director of any transportation agency want to stop an independent study that would help relieve some of our transportation problems? The above listed resolutions, letters, and requests are still being ignored. Perhaps Mr. Haley is afraid that a new "independent" study may recommend what the public already knows, wants, and needs in Highgrove!

The cost of building one station in Highgrove would be minimal compared to the cost of rebuilding 20 to 38 miles of railroad track on the Perris Valley Line, building 6 new stations, buying new engines and coaches, and installing a completely new train signal system on the Perris Valley Line that now has none! Metrolink trains on the BNSF tracks do not stop at the county line when they go by Main St. in Highgrove and neither do freeway commuters. The I-215 freeway is less than 1 mile from the proposed station. Commuters could have already been using this station for several years if the present RCTC Executive Director had a proper vision for the future transportation needs of the region by using existing trains instead of concentrating on totally re-building a railroad that dead-ends in San Jacinto, 38 miles from Highgrove.

CHANGES IN LEADERSHIP:

Continued on page 12

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**Letter 1 (cont'd)**  
**R.A. Barney Barnett**  
**May 24, 2010**

### What happened to the Highgrove Metrolink Station?

Continued from page 11

RCTC's Executive Director, Eric Haley announced his retirement effective at the end of this year (but he will become a consultant). SANBAG's Executive Director Tony Grasso resigned on Aug. 2, 2007. Now is the time for RCTC and SANBAG to again start working together under new leadership for the benefit of the entire region!

#### COOPERATION:

Three agencies already understand how to properly meet our future transportation needs:

(1) Riverside Environmental Evaluation: "The City of Riverside General Plan states that transportation corridors within the city should link neighborhoods and centers within Riverside with the region surrounding it".

(2) SANBAG's mission statement reads in part: "Improve cooperative regional planning"

(3) Southern California Association of Governments states: "Destination 2030 lays out a vision for Southern California without boundaries, one in which cities and counties work together to plan our future and consider how growth patterns can be accommodated in a manner that preserves our quality of life"

**SOLUTION:** The simple solution is to build a station at UCR and use the money that was allocated for the Spruce and Rustin station on the Perris Valley Line, to help purchase the Highgrove site that already has 56 commuter trains per week with connections at both ends-Riverside and San Bernardino. All 35 acres are still vacant but if the entire portion is not needed, then just buy the 19.2 acres on the north end.

We have lost almost 6 years of precious time but now the 2 new county transportation leaders and their staffs need to work together for all of the above listed reasons!

### November 2007 P. 1

#### PUBLIC COMMENTS NEEDED NOV. 8, 2007

STOP AT  
HIGHGROVE!



ALL  
ABOARD!

A public hearing will begin at 9:00 am Thursday November 8, 2007 at the Riverside City Hall located at 3900 Main St. (10<sup>th</sup> and Main) in Riverside.

This meeting will be a City of Riverside Planning Commission meeting. The public is encouraged to attend and ask the Commission to decline plans for building 4 warehouses on property best suited for a Metrolink Stop in Highgrove.

#### Why is this meeting so important?

For the last six years the public's requests for a Metrolink Stop have been blocked by the former Riverside County Transportation Commission's Executive Director - who is retiring.

Highgrove, Grand Terrace, Loma Linda and other grass roots organizations have requested a Metrolink Station with resolutions dating back to Nov. 27, 2001.

The 35 acre property is still vacant but public input is needed to stop warehouses from being built where 56 commuter trains per week (7 days a week) currently pass thru Highgrove but do not stop. Highgrove surrounds this property on 3 sides, but the property is in the Riverside City Limits.

#### Two New Executive Directors:

Both Riverside County and San Bernardino County now have new transportation leaders:

On Oct. 25, 2007, Anne Mayer started her new job as the new Executive Director of the Riverside County Transportation Commission due to former RCTC Executive Director, Eric Haley retiring.

On Aug. 2, 2007, Tony Grasso resigned as Executive Director of SANBAG and Deborah Robinson Barmack became SANBAG's new Executive Director.

#### 3 THINGS YOU CAN DO!

1. If you have a commuter, please take time to look at the web site: [www.highgrovehappenings.net](http://www.highgrovehappenings.net)

Click on: Metrolink and watch the video, scroll down, then click on Supporting Documentation, and Warehouse Photos.

If you do not have a computer, please call (951) 683 4994

2. Please attend the Public Hearing on Nov. 8, 2007 and ask the Planning Commission to decline construction on this property until a complete review has been made with the new transportation leaders or:

3. Send your written comments to: [ggonzalez@riversideca.gov](mailto:ggonzalez@riversideca.gov)

### December 2007 P. 8 & 9

#### Metrolink Changes

November was a busy month trying to bring attention to various transportation agencies and others who can turn 19 acres of vacant land into a Highgrove Metrolink Stop instead of warehouses.

On Nov. 8<sup>th</sup> we attended the public hearing on the City of Riverside's General Plan and I thank Grand Terrace's first Mayor (1978), Tony Petta, Colton resident John Stahley and Wayne Young from Grand Terrace for going with me to speak in favor of the Highgrove location becoming a Metrolink Stop. After 2 1/2 hours the Planning Commission voted 5 to 2 to continue with the warehouse plans due to the current zoning. We considered appealing this decision after the meeting, but there is an explanation at the end of this article stating why this was not done.

That same evening (11/8/07), I attended a meeting of the University Neighborhood Association which is a community group near UCR that does not want 2 station stops in their neighborhood and has supported the Highgrove Metrolink location for several years. They too were interested in what happened at the planning meeting. The following Monday (11/12/07), I attended a meeting of the North Side Improvement Association which is a group on the west side of the I-215 freeway that meets at the Springbrook golf course clubhouse on N. Orange Street. Everyone seems to be concerned why the Highgrove site has been overlooked!

Then on Nov. 13, 2007 I met the new Executive Director of the Riverside County Transportation Commission, Ann Mayer at 10:00 am in her office. Stephanie Wiggins, RCTC Regional Program Director, was there also.

I would like to thank Don Earp of the Highgrove CSA 126E and Municipal Advisory Council, and Gene Carlstrom (former SANBAG, Omnitrans and Grand Terrace City Councilman), for attending this meeting with me to meet Ann Mayer.

Continued on page 13



## Letter 1 (cont'd) R.A. Barney Barnett May 24, 2010

### Metrolink Changes

Continued from page 12

At 1:30 pm that same day I attended another meeting at Riverside City Hall about the City 2025 General Plan. At that meeting I was met there by current Grand Terrace City Councilman, Jim Miller and former Wash. D. C. lobbyist Jerry Loving and I thank them for their input that was given to the city council. After that meeting I met with the owner of the property at his office in Riverside and he agreed that he does not need railroad tracks on 2 sides of the property to build warehouses. His plans are for 4 warehouses that do not include any railroad spurs. He is willing to sell the northern 19.27 acres if there is a buyer or he may consider a land swap but at our last discussion he said he would prefer to sell rather than swap for other property.

Since this is more of a regional issue rather than a local issue, we need to try and get other agencies and/or politicians aware of this location.

On Nov. 16<sup>th</sup> I drove to Los Angeles to attend the Metrolink Board of Directors meeting. By the time I found the building (and parking) in downtown Los Angeles, I was close to the 10:00 am meeting time. I ended up in the wrong building that had a committee meeting instead of the Board of Directors meeting and then had to go down from the 26<sup>th</sup> floor and walk to another building and go up to the 12<sup>th</sup> floor. I arrived at 10:10 am just a few seconds too late for the public comments portion. But as 3 people were leaving, after their portion of a presentation, I asked them in the hallway, how I would get my speaking form to the podium without disrupting the meeting. One of them said they would deliver it. I thought I had missed my 3 minutes by a few seconds but luckily I was called upon and given the time to explain why Highgrove is an ideal location for a Metrolink station stop. I handed out 12 two page sheets showing a brief summary of the benefits and a map of the site showing where the 2 station stop platforms could be located.

Then on Nov. 20, 2007, the City of Riverside held the final discussions on the 2025 plan and I was assured that if an agreement was reached to purchase the 19.27 acres for transportation purposes, even after the 2025 plan was approved, there still could be a General Plan Amendment submitted later. That is why it was decided to abolish the appeal process to the City Planning Commission decision. Later that afternoon the 2025 Gen. Plan was approved by the Riverside City Council. We are now waiting on a figure from the owner to put a price on the property. Meanwhile, we will continue to inform all interested parties about how important this location is to the movement of people by using Metrolink instead of automobiles. The homes are coming, the freeways are overcrowded and this opportunity should not be missed to let the existing commuter trains just stop at this natural railroad junction!

All of these meetings do not mean anything unless we can capture the attention of someone or some agency that will take another objective look at this location before it is too late!

### January 2008 P. 8, 9, & 11



### It's Your Call Metrolink, An Answer

On Nov. 28, 2007, the Riverside County Transportation Commission presented a live television show on KVCR to provide information to the public about Metrolink and to take phone calls about the Metrolink Commuter train service in the area.

The program was hosted by Pat Haslam and was very informative.

The 3 member panel consisted of: Stephanie Wiggins- RCTC Regional Program Director Commuter Rail Programs, John Standiford -RCTC Public Relations and Frank West Moreno Valley Mayor and Southern California Regional Rail Authority member.

The intent of this article is to show that we have similar transportation goals but there is a difference of opinion on how to achieve those goals. It is not intended to challenge the integrity of anyone in the transportation field nor to criticize their statements but is being used to point out what they actually stated on television and my reply to those statements.

The following statements were made during that TV show and are shown in *italic print*.

My reply to those statements, are shown in regular print.

*Stephanie Wiggins: "So that's why what we've seen over the last 15 years in the Southern California basin-the first priority is to try to add service where tracks already exist. That's really what we found to be most cost effective and actually minimizes the impact to the public"*

Reply: If "the first priority is to try to add service where tracks already exist", why has the Highgrove site been ignored? Both the east and west sides of this property have existing railroad tracks. The west side already has 56 commuter trains per week-7 days a week that pass right next to the proposed Highgrove Station location.

*Stephanie Wiggins: "It is a challenge especially in a growing area like Riverside County where we're having a growing population, so there is fewer undeveloped land available". "We don't want to necessarily take people's homes or businesses-those are the challenges that actually increase the cost of a project and can sometimes make them really unfeasible".*

Reply: For the last 6 years we have pointed to the vacant land in Highgrove. The 19 acre Highgrove location for a Metrolink station is still vacant land, in fact the entire 35 acres are still vacant. No "peoples homes or businesses" will need to be taken!

*Stephanie Wiggins: "Commuter rail doesn't stop at our county borders"*

Reply: Why then has RCTC staff refused to acknowledge the Highgrove Station as the key location in helping relieve traffic congestion between Riverside and San Bernardino counties?

*Stephanie Wiggins: "Cost of upgrading 20 miles of Perris Valley Line is \$193 million dollars"*

Reply: That is a lot more expensive than buying 19 acres of vacant land where eminent domain is not needed!

*Stephanie Wiggins: "Not enough train equipment"- "Delivery of new equipment not until 2010 or 2011" "Cars have been borrowed from Seattle". "Every bit of equipment is being maximized and used as much as possible" "PVL service should be ready for year 2011"*

Reply: There is no current need for additional equipment! Just stop the existing commuter trains that pass right through Highgrove every day of the week!

*John Standiford: "5,000 people per day ride the Inland Empire Orange County Line"*

*"The fact that we have parking issues show that we are victims of our own success!"*

Reply: The Inland Empire Orange County Line is the same line that presently goes through Highgrove but the trains do not stop where there is plenty of room for parking!

*John Standiford: "Downtown Corona is full", "You can barely find a parking spot", "Unfortunately you've got to build the structure on spots that are already scarce and precious as they are, so that's why*

*we're going to open up a satellite parking lot. There's a former Edwards Cinema not far away that recently closed that has some parking there that we are leasing. We will start construction in mid-January for satellite parking at the former Edwards Cinema with shuttle service to downtown Corona Station".*

*Pat Haslam: "The Corona parking lot is full by 6 or 6:15 am"*

Reply: 35 acres of vacant land in Highgrove was pointed out to RCTC staff over 6 years ago that has plenty of room for parking without building a parking structure.

*John Standiford "Highgrove would cause us to go somewhat north as we come back" (to Riverside)*

Reply: Mr. Standiford's statement indicates that the only destination from Perris- is Riverside and points west- such as Orange County. What about the other direction toward San Bernardino?

Continued on page 14



Letter 1 (cont'd)  
R.A. Barney Barnett  
May 24, 2010

**It's Your Call  
Metrolink, An Answer**



Continued from page 13

By eliminating one station that is planned on the Perris Valley Line (at Spruce and Rustin) and going onto the Union Pacific tracks at Marlborough Ave., which is the route preferred by RCTC, commuters could go between Perris and Riverside in the year 2010/2011 or whenever that service is established. Meanwhile, commuters between San Bernardino and Riverside could immediately be riding the existing trains for the next 3 or 4 years, by just building a platform on the west side of the Highgrove property while waiting for the Perris Valley Line service to be established.

After the Perris Valley Line is established, another platform could be added to the east side of this very same 19 acre property, for commuter trains between Perris and San Bernardino without having to go into Riverside first, then change trains to go to San Bernardino. One piece of property in Highgrove could serve commuters between Riverside and San Bernardino now, and between Perris and San Bernardino or Riverside in the future.

*John Staudford: "\$200 million dollars to get to Perris" (from Riverside). "Locomotives and cars are on order.*

*"Riverside County (RCTC) owns and operates our own stations- including security".*

**Reply:** There is a need for developing the Perris Valley Line but the Highgrove station should be the first priority due to the lower cost and existing commuter train service.

*Frank West: "Citizens need to be active and speak up"*

*"But you know, that's why I advocate for the Metrolink so much because I know that the people when they really will something and they really want something, they can put together Political Interest Group and they can make it happen. And the more people that ride are going to see what a great program it is and how much it saves them in money and in time. And I'm convinced that as people get to know the Metrolink System, it's going to grow and it's going to service all of the areas you've mentioned"*

**Reply:** For the last 6 years, the people have been very active but the voice of the people has not been heard in spite of the many letters, comments from the public at many meetings, and resolutions from surrounding cities.

**Other call in comments during show:**

*"More Parking needed, more cars should be added" "More trains wanted: Not enough mid-day service"*

*Barney" Barnett comments via call in-during program "Please take another look at the Highgrove Station. Natural RR junction point, immediately convenient, cheapest plan, 56 commuter trains, room for future platform-Perris to San Bernardino, new road would delay need for underpass, room for parking etc., location is ideal"*

Please take a look at the web site: [www.highgrovehappenings.net](http://www.highgrovehappenings.net) and click on **Supporting Docs** and look at the dates of the resolutions, letters and documents. All of this, and other information is verified in writing, photographs, or recordings.

I purchased the tape recording of the April 5, 2007 SCAG meeting in Los Angeles to verify what was actually said by Mr. Haley to stop the "Independent Feasibility Study".

**February 2008 P. 1 & 6**

**Ideal location for transportation center!**

**1. BUY THE LAND 2. STOP THE EXISTING COMMUTER TRAINS 3. BUILD A NEW ROAD**

**1. BUY THE LAND:** Vacant land is "For Sale" that would be an ideal location for a Transportation Center in Highgrove. Highgrove is located where the BNSF RR tracks meet the Perris Valley Line RR track between Riverside and San Bernardino.

**2. STOP THE EXISTING COMMUTER TRAINS:** Sixty-two (62) commuter trains per week go through Highgrove right next to this property 7 DAYS A WEEK but do not stop for passengers! A metrolink platform is needed for boarding at (A) next to the BNSF RR tracks (purple line).

**3. BUILD A NEW ROAD:** A new 1/2 mile road would go between the west end of Spring St. and Palmyrita Ave. through the vacant land and between the buildings (green line). This new road would allow access to the I-215 freeway when Main St., Center St. or Iowa Ave. are blocked by freight trains and would delay the need for an expensive overpass. Under this plan, no structures would have to be demolished for the Metrolink station or for the new road. 35 acres of vacant land, are bordered by the BNSF RR tracks on the west side (purple line), Villa St. on the north, The Perris Valley Line RR track on the east side (red line), and Citrus St. on the south end. Only 19 acres on the north end are needed for a Metrolink station but the new road (green line) would extend to Palmyrita Avenue.

There is also room for another platform for future commuter trains between Perris and San Bernardino, without having to go into Riverside first (B). Purchasing this 19 acres would provide ample parking for both Metrolink platforms with their different destinations. RCTC currently has a plan for the Perris Valley track to curve onto the Union Pacific track at Marlborough Ave. and we agree this is the best route between Perris and Riverside.

But residents in the UCR area do not want 2 stations in their neighborhood, especially since they are only one mile apart. And since RCTC does not own the property for their proposed station at the corner of Spruce St. and Rustin Ave., that money should be used to purchase the property in Highgrove. The Highgrove location is only 1 mile north of their proposed station at Spruce and Rustin. There are no commuter trains on the Perris Valley Line now, and there will not be until 2010 or 2011 after the track is up-graded, a new train signal system installed, and equipment purchased. The cost of rebuilding 20 miles of track on the Perris Valley Line between Riverside and Perris is initially estimated at \$193 Million dollars. Meanwhile, every day of the week existing commuter trains pass through Highgrove. There is no need to wait on the Perris Valley Line to be developed. We need a platform in Highgrove NOW, so the existing trains can take traffic off the freeways!

Please visit the web site: [www.highgrovehappenings.net](http://www.highgrovehappenings.net) and click on Metrolink, Supporting Docs, Warehouse Photos and "It's your call"

**"Public Comments"-Keep on trying until someone listens!**

For the last 6 years we have been trying to get the attention of several transportation agencies to **hear the voice of the people** during public comments. Leaders from surrounding cities, local citizens and many other people from organizations in the area have spent 3 minutes at a time speaking at these meetings. Many citizens feel it is useless and have stopped going to the meetings. Some of the resolutions were passed over 6 years ago requesting a Metrolink stop in Highgrove. My comments at these meetings may be considered one person's opinion but I am also speaking up on behalf of those who are tired of coming to these meetings.

When I say "we", it is supported by many written documents that you can actually see on our website: [www.highgrovehappenings.net](http://www.highgrovehappenings.net)

Just click on: "WRITTEN DOCS" for verification.

If you have not seen these letters of support, I encourage you to look at them and look at the dates on these numerous letters and resolutions.

The property for the Metrolink station will cost a lot more today than it would have 6 years ago but it is still vacant and it is "For Sale"!

The Highgrove Metrolink station can still be done. But just listening to the words during public comments is entirely different than actually **HEARING** what those words say and mean, and then taking action! The public has been speaking up but the "voice of the people" has not been heard!



Letter 1 (cont'd)  
R.A. Barney Barnett  
May 24, 2010

May 2008 P. 1 & 8

Metrolink route headed to Highgrove!

After 6 1/2 years of trying to convince someone to purchase the vacant 35 acres near Highgrove so this location can be used for transportation uses, on April 9, 2008 the Riverside County Transportation Commission reversed its decision and voted 24 to 0 to revise their previous preferred route over the Union Pacific RR track at Marlborough Ave. and instead, study using the same vacant 35 acres we have been recommending for many years. This location is bordered by Citrus St. on the south, Villa St. on the north, the Perris Valley Line RR track on the east and the BNSF RR tracks on the west and surrounded by Highgrove on 3 sides. This route would include a curved track between the Perris Valley Line track and a possible new 4<sup>th</sup> main track parallel to the present BNSF tracks or connecting to the # 3 main line near Citrus St. that would handle trains between Perris and Riverside.

On Monday April 7, 2008, Denis Kidd and I met with RCTC's Stephanie Wiggins, John Standiford and Eliza Echevarria two days prior to the commission's decision. Our meeting with them was to learn what the staff recommendations would be to the commission on the following Wednesday. After 6 1/2 years of trying, I can assure you that we were not instrumental in influencing the decision to change the route recommendation to Highgrove just 2 days before the commissioners meeting.

Everybody knows about the 6 1/2 year old resolutions of support for the Highgrove Metrolink location from the Highgrove CSA 126, City of Grand Terrace, City of Loma Linda, and the University Neighborhood Association near UCR who oppose 2 stations close together in their neighborhood.

*So what happened to make RCTC change their minds?*

In a letter to RCTC dated Dec. 13, 2007, from the Federal Transit Administration's Regional Administrator, Leslie Rogers, part of the letter reads:

*Finally, FTA is concerned about the capitol cost estimates and the projects cost-effectiveness. Although the project currently warrants a "medium" rating for cost-effectiveness, any increase in the projects cost could result in the project receiving a "medium-low" cost-effectiveness rating. Thus FTA encourages you to undertake cost-containment measures and value engineering to identify further reductions in the projects capitol cost estimate".*

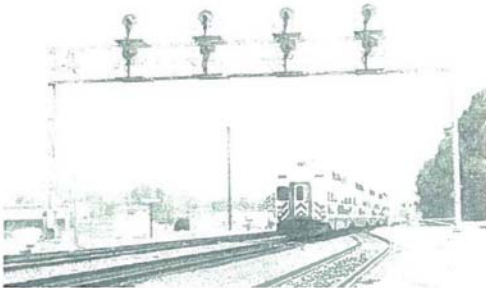
Cost estimates from RCTC Staff to the commissioners on April 9<sup>th</sup>, indicated there would be a \$4.61 million dollars savings to come to Highgrove instead of going over the Union Pacific track at Marlborough Avenue.

Also, in an article that appeared, in the Press Enterprise on the morning of April 9, 2008, just before the commission voted, John Standiford was quoted as saying: "We are doing this as a result of the input we received from the community" and "The public does make a difference"

Whatever the reasons are for this change in the position about the Perris Valley Line route, the first step is that this 35 acre vacant property should be purchased for transportation uses. We have stated this for many years. This property is becoming a very popular location with the new 48" water pipe line that is being put through it. (see photo on right) and the new Iowa Ave. overpass that is planned near the south west corner, and the possibility of commuter trains going through it. But during these planning stages there also needs to be a new road constructed through it to handle future growth.

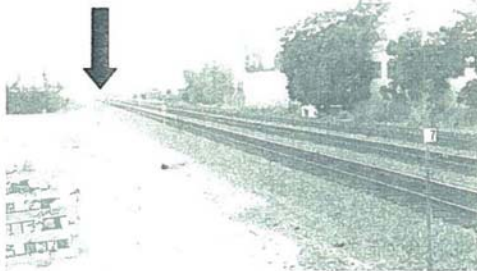
On April 9, 2008, during the public comments, Denis and I supported the RCTC decision because the property needs to be purchased before any road or a track can be put through it!

July 2008 P. 1 & 9 STOP THE TRAIN.....



This Metrolink commuter train is shown crossing Main St. in Highgrove. Main St. is the Riverside/San Bernardino County Line. There are already 3,224 commuter trains that pass through Highgrove each year but do not stop for passengers. The Highgrove station sign is to the left of the train.

HERE!



A new curved track from the Perris Valley Line RR (left-but not shown) is planned to connect to the BNSF RR near this location. The 7 on the post indicates that it is 7 rail miles from San Bernardino to Highgrove.

It is 3 1/2 rail miles to Riverside from mile post 7. Between this location and Citrus St. (near Iowa Ave.) would be an ideal location for a Metrolink platform so commuters can travel in 3 different directions: to Riverside and beyond, San Bernardino and beyond and between Riverside and Perris when the Perris Valley Line is upgraded in a few years. One platform at this location would allow commuters to park in the vacant 35 acres and ride the existing trains as soon as the platform is completed while waiting for the Perris Valley Line to be rebuilt. Commuter trains pass by this location every day of the week including week ends.

If it takes 3 years to rebuild the Perris Valley Line, that means that 967 commuter trains passed through Highgrove while the Perris Valley Line was under construction! These existing trains could take a lot of drivers off of the freeways and save commuters thousands of dollars in gasoline. It is time to stop ignoring the benefits of this location and give the region a Highgrove Station Stop the people have been working on for the last 6 1/2 years! To view the map showing the new proposed curved track go to: [www.highgrovehappenings.net](http://www.highgrovehappenings.net) and click on Metrolink.



Letter 1 (cont'd)  
R.A. Barney Barnett  
May 24, 2010

### METROLINK RESOLUTION ADOPTED

HIGHGROVE  
MUNICIPAL ADVISORY COUNCIL  
Resolution  
June 24, 2008

WHEREAS, On Nov. 27, 2001, Riverside County Service Area 126 (Highgrove) passed a resolution requesting a Metrolink Station Stop in Highgrove and  
WHEREAS, On Jan. 8, 2002, the Highgrove PAC (Project Area Committee) also requested "a Metrolink station stop be implemented at Highgrove when the tracks are upgraded for commuter service on the San Jacinto branch" and  
WHEREAS, Highgrove residents and residents from other surrounding communities have given written support for a Metrolink Station in Highgrove for the last 6 ½ years and  
WHEREAS, Many local leaders and residents from both counties have attended Riverside County Transportation Commission (RCTC) meetings and San Bernardino Associated Governments (SANBAG) meetings, to make verbal requests (3 minutes at a time under public comments) for our voices to be heard for the benefit of residents in both counties and  
WHEREAS, On April 9, 2008, the RCTC commissioners changed the preferred route for the Perris Valley Line track from going over the Union Pacific RR track near Marlborough Ave. to the location near Highgrove in the same vacant 35 acres where the public has been requesting a station for 6 ½ years.  
NOW, THEREFORE, BE IT RESOLVED that for the above reasons, the Highgrove Municipal Advisory Council is requesting a Metrolink Station Stop on the Burlington Northern Santa Fe (BNSF) main line between Mile post 7 and Citrus Street near Highgrove. This location currently has 62 existing commuter trains per week, (3, 224 trains per year) that pass by this location without stopping for passengers. We oppose building a station south of Palmyrita Ave. on the Perris Valley Line where there will be no commuter trains for several years.  
R. A. Barnett, Don Earp, Denis Kidd, Mark Visyak, & Melanie Zimmermann  
The above resolution was passed unanimously by the Highgrove Municipal Advisory Council at the community meeting on June 24, 2008 and the original was given to Jaime Hurtado to give to our Riverside County Supervisor for the 5th District, Marion Ashley.  
Our guest speakers for the evening were Eliza Echevarria, Riverside County Transportation Commission Community Relations Manager and Cathy Bechtel, RCTC Project Development Director.  
We thank them for attending our meeting. There was however, respectful objections to the placement of a station platform south of Palmyrita Ave. where there are no present commuter trains.

### August 2008 P. 6

#### Locals attend closed meeting

A few local residents from Highgrove, Grand Terrace and the UCR area were allowed to sit in on an Ad Hoc committee meeting that was attended by high-ranking transportation officials when the Perris Valley Line was the topic of discussion by select members of the Riverside County Transportation Commission. The meeting was not open to the public and we were not allowed to speak or ask any questions. (We were more like the fly on the wall as we listened to the proceedings). The consultants and staff presented their information to the committee but I can not divulge what happened during the meeting. The meeting was held at the County Administration Building on June 26, 2008 and even though we were unable to make any comments, we learned a lot just by listening. It was a worthwhile learning experience just to see what happens at this type of meeting.

### August 2008 P. 6

## PVL Metrolink: Highgrove to Riverside not on track!

There have been many meetings about the Perris Valley Line and the plans for rebuilding and upgrading the track for commuter train service between Riverside and Perris.

RCTC already owns the 38 mile Perris Valley Line track from Highgrove to San Jacinto but their jurisdiction ends at the location where they need to leave their track on the PVL between Citrus St. and Spring St. and start the curve from their track to the BNSF tracks. But the property that is needed for the curve between the Perris Valley Line and the BNSF tracks is still owned by a developer. And even though the property is "For Sale", RCTC has not yet purchased it.

In addition even if they did own the land for the curve, it is almost unbelievable that there still is no written agreement between RCTC and the BNSF Railroad for the Perris Valley Line commuter trains to operate between Highgrove and Riverside. On July 30, 2008, RCTC confirmed that even if RCTC pays for the cost of building a 4th main line between Highgrove and Riverside, there is no written agreement with the BNSF to let them run more commuter trains. RCTC can not connect to the BNSF into Riverside without an agreement with the BNSF because it is on the railroad's right-of-way.

Here are two important issues that could stop the project in its tracks:

1. The property for the curve between the two railroads is not owned by RCTC.

2. There is no agreement with the railroad to use the BNSF right-of-way for PVL commuter trains between Highgrove and Riverside.

Both of these important issues need to be resolved before commuter trains can operate between Riverside and Perris. Without both of these steps being resolved, the commuter trains can only operate between Highgrove and San Jacinto on their own Perris Valley Line.

Meanwhile every day of the week, existing commuter trains continue to pass through Highgrove without stopping long enough to pick up passengers. The Highgrove location is only 1/2 mile north of the proposed Palmyrita Ave. station that RCTC wants. We oppose the Palmyrita Ave. station because the PVL will not have any commuter trains for another 3 or 4 years even if the 2 previously mentioned issues are resolved tomorrow.

On July 9, 2008 I spoke at the RCTC meeting during the 3 minute "Public Comments" and I gave a copy of my statements to each of the 30 Commissioners. This was my presentation:

"For the last 6 ½ years surrounding cities and organizations have continually pointed to Highgrove as an ideal location for a Metrolink stop.

In the past, we have been told that SANBAG needs to be financially involved if a station were to be located in the Highgrove area because it is so close to the county line. RCTC needs the property at the Highgrove location for a curved track from the Perris Valley Line to the BNSF right of way, but this same property could also be used for a Metrolink platform. In addition, RCTC also wants to purchase another piece of property south of Palmyrita Ave. for a platform and parking where there are no existing commuter trains.

With this plan, I see a duplication of expenses for the purchase of 2 properties instead of 1 and I also see a delay of several more years for Metrolink service to this area. And I am sure these expenses are without any help from SANBAG for the purchase of the 2 different properties.

7 days a week, there are commuter trains that pass through Highgrove but do not stop. This amounts to 62 trains a week or 3, 224 commuter trains per year. Highgrove has commuter trains that can serve riders in 3 different directions: To and from Riverside, to and from San Bernardino, and eventually to and from Perris, and it is only ½ mile north of the Palmyrita location.



Letter 1 (cont'd)  
R.A. Barney Barnett  
May 24, 2010

*September 2008 P. 6 & 11*

**Community representatives meet with RCTC**

On Aug. 21, 2008 community representatives from Highgrove and Grand Terrace met with the Executive Director of the Riverside County Transportation Commission, Ann Mayer and other RCTC representatives, John Standiford, Cathy Bechtol and Eliza Echeverria. Community representatives included former Grand Terrace City Councilman Gene Carlstrom, Denis Kidd, Melanie Zimmermann and yours truly, R. A. "Barney" Barnett.

The topic of discussion was the location of the proposed Metrolink stations in the Highgrove area. There is a difference of opinion regarding where to put the station. RCTC wants to put a station on the Perris Valley Line just south of Palmyrita Ave. (see photo below). This would require the demolition of an existing warehouse and would result in another delay of commuter train service to the area for approximately 3 or more years until the entire 23 miles of the old Perris Valley Line track is upgraded for commuter trains.

The community's position is that by purchasing one piece of vacant land where there is already commuter train service, and does not require any demolition, is more efficient than buying two pieces of property where one of the locations will not have commuter trains for several years. Buying the property for the curve and then buying additional property for the Palmyrita station where there are no commuter tax dollars. The property north of the arroyo and south of Villa St. is mandatory for the curved track between the PVL track and the BNSF tracks. And this property already has Metrolink trains on the west side of the property that go through Highgrove 7 days a week. We have waited 6 1/2 years for Metrolink service and we would have to wait another 3 to 5 years under the RCTC plan.



*This is the warehouse that would have to be purchased and demolished to make room for a Metrolink station south of Palmyrita Ave. under the plan proposed by RCTC. The Perris Valley Line railroad track is located to the right of the photograph but is not pictured. There will be no commuter train service over this track at this location until the entire 23 miles of track are upgraded and a signal system for train movements (Traffic Control System) is installed between Highgrove and Perris on the PVL.*

*September 2008*

*This is just one of the sixty-two (62) commuter trains that already pass through Highgrove each week. A platform is needed near this location that could be used for destinations in three different directions: to and from Riverside, to and from San Bernardino and in a few years when the Perris Valley Line is rebuilt and upgraded for commuter trains, this same location could be used for commuter trains to and from Perris. The purchase of one 19 acre piece of property could be used for both the curve and a platform to serve all three destinations. And all of the 19 acres are still vacant land! There used to be 35 acres of vacant land but our suggestions have been ignored for the last 6 1/2 years and warehouses are now being built on the south side of the arroyo. Time is running out because if this land is not purchased soon there are plans for 2 more warehouses on the north side of the arroyo and RCTC will not have access for the curved track to Perris.*





Letter 1 (cont'd)  
 R.A. Barney Barnett  
 May 24, 2010

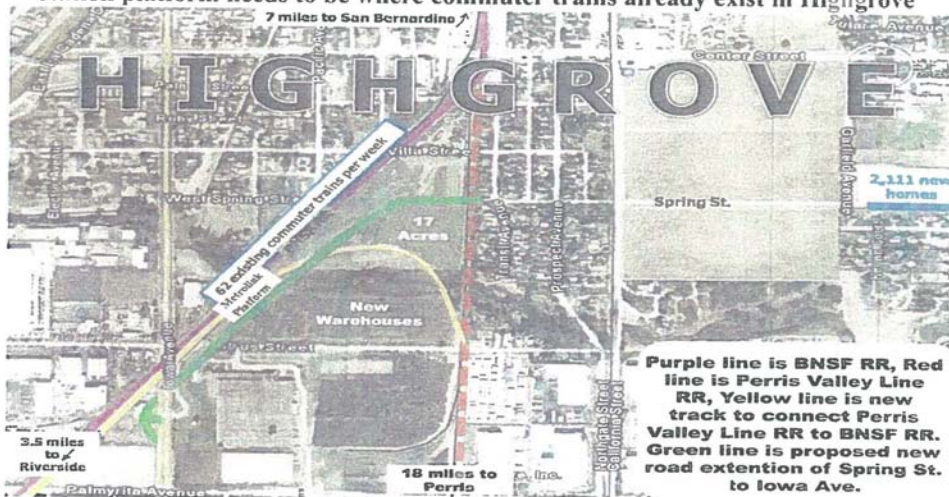
Inland Empire-Orange County Line  
 62 Passenger trains pass through Highgrove each week  
 but do not stop due to no station platform

	Departing San Bernardino	Train #	Arriving Riverside		# of Trains
Saturday	5:32am	3	5:53am	Amtrak	1
	7:30am	857	7:50am	Metrolink	1
	8:55am	859	9:15am	Metrolink	1
Sunday	5:32am	3	5:53am	Amtrak	1
	7:30am	857	7:50am	Metrolink	1
	8:55am	859	9:15am	Metrolink	1
Weekdays	4:52am	803	5:11am	Metrolink	5
	5:22am	805	5:41am	Metrolink	5
	5:32am	3	5:53am	Amtrak	5
	5:57am	807	6:16am	Metrolink	5
	11:25am	811	11:44am	Metrolink	5

	Departing Riverside	Train #	Arriving San Bernardino		# of Trains
Saturday	4:49pm	858	5:20pm	Metrolink	1
	6:29pm	860	7:00pm	Metrolink	1
	8:03pm	4	8:29pm	Amtrak	1
Sunday	4:49pm	858	5:20pm	Metrolink	1
	6:29pm	860	7:00pm	Metrolink	1
	8:03pm	4	8:29pm	Amtrak	1
Weekdays	10:21am	800	10:50am	Metrolink	5
	5:18pm	804	5:45pm	Metrolink	5
	6:03pm	806	6:30pm	Metrolink	5
	6:38pm	811	7:10pm	Metrolink	5
	8:03pm	4	8:29pm	Amtrak	5

Total Passenger trains per week 62

Comparing Metrolink Station locations: Sept. 23, 2008  
 Station platform needs to be where commuter trains already exist in Highgrove



X RCTC wants a station south of Palmyrita Ave. at the X where there are no commuter trains!

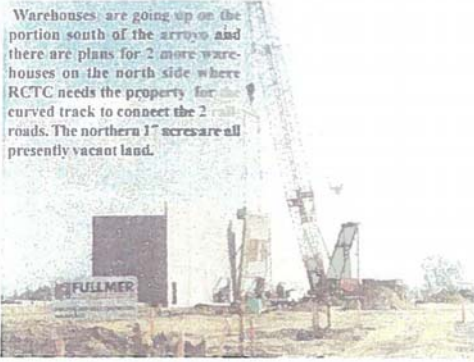
The yellow curved line shown on the map above is where there are 17 acres of vacant land that is "For Sale" for \$11 million dollars and is mandatory for the curved track to connect the Perris Valley Line RR to the BNSF RR between Riverside and Perris. Without this curve at Highgrove, future Perris Valley Line commuter trains will not be able to operate between Riverside and Perris in either direction. If RCTC does not buy the 17 acres, there are plans for 2 more warehouses on the 17 acres. We have waited for 7 years but our plan is still being ignored. RCTC wants to buy property and put a station where there are no commuter trains on the Perris Valley Line. The X at the bottom of the map shows where RCTC wants to put a Metrolink station. This \$25 million dollar property is not needed at all because the 17 acres at Highgrove could be used for the curved track, a Metrolink station where there are existing daily commuter trains, and plenty of room for parking. Abandoning the Palmyrita Ave. station could save \$25 million of your tax dollars.





Letter 1 (cont'd)  
R.A. Barney Barnett  
May 24, 2010

October 2008 P. 8 & 9

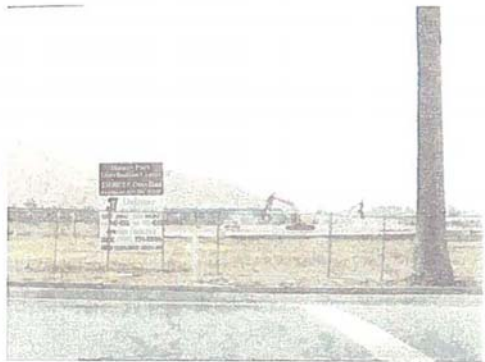


Warehouses are going up on the portion south of the arroyo and there are plans for 2 more warehouses on the north side where RCTC needs the property for the curved track to connect the 2 rail roads. The northern 17 acres are all presently vacant land.



This photo shows one of the 62 Metrolink trains that currently pass through Highgrove each week. A platform is needed at this location and just stop some of these existing trains next to the 17 acres. (see Metrolink Platform on map at left)

These 25 acres (below) south of Palmyrita Ave. are "For Sale" at \$1 million dollars per acre. RCTC would not need this \$25 million dollar property because the Highgrove location is only 1/2 mile north of this location. And there will be no commuter trains here until the entire Perris Valley Line is ready for commuter service in 3 to 5 years. The PVL track is located to the right of the photo but is not pictured.



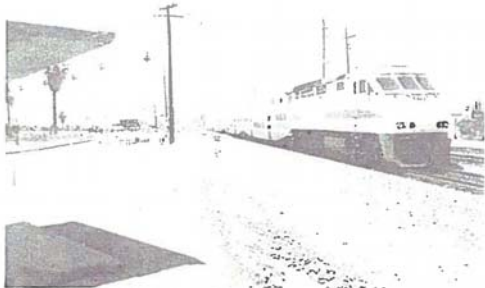
During the proposed re-construction time of 3 years for the Perris Valley Line track to be up-graded there will be almost 10,000 commuter trains that pass through Highgrove that do not stop. Here are the figures: Highgrove now has commuter train service 7 days a week. There are 62 commuter trains each week or 3,224 trains per year. Three years of construction time is equivalent to 9,672 commuter trains that could take thousands of vehicles off the freeway during this period. These figures are not freight train figures but trains that transport people by rail.

The passenger track speed at this location is 60 mph and the platform for the existing trains would be located on straight track. Just stopping the existing trains does not violate the Feb. 14, 1996 train movement agreement between RCTC and BNSF because there are no additional trains added between San Bernardino and Riverside. The trains are already there- but they need to stop just long enough for passengers. The curved track would intersect the BNSF railroad from the right side of the above picture. Our freeways are so congested and the gasoline prices are so high that many commuters have turned to park and ride. Highgrove is the perfect location to park and ride because the platform would serve commuters in 3 directions; to and from Riverside using existing trains, to and from San Bernardino using existing trains, and to and from Perris when the Perris Valley Line is completed. The Perris Valley Line railroad also needs a completely new signal system to run commuter trains. There are no signals for any trains except for the ones on each side of the railroad junction where the Union Pacific track crosses the Perris Valley Line track at Marlborough Avenue. Additional passing tracks or sidings will have to be built and new engines and coaches will be needed. And there is no rail connection at the other end of the Perris Valley Line because the track dead ends at San Jacinto. But the real question is: How will their trains get between Riverside and Perris without the 17 acres of vacant land at Highgrove?

January 2009 P. 1 & 3

Greyhound Bus/Metrolink Service

What do they have in common? Location, Location, Location!



The picture above shows a Metrolink train passing over Iowa Avenue. Penhall Trucking (Arrow), is located on the west side of Iowa Ave. and would be an ideal location for a Greyhound Station.

There are no residents in the area of the triangular shaped Penhall property which has RR tracks on one side, the walls of an existing warehouse on another side, and the remaining side will be along the elevated part of the Iowa Ave. overpass. Access to this property will be under the proposed Iowa Ave. overpass on the south side, and parallel to the BNSF RR tracks. The Greyhound Station would be within walking distance of a future Metrolink Station near the train shown in the picture. Iowa Ave. is also along the Riverside Transit Agency's (RTA) existing bus route 25 between Riverside and Loma Linda. Two forms of bus transportation would be available close to the proposed Metrolink Station. A Metrolink Station is needed for present commuters between Riverside and San Bernardino, and future rail commuters between Riverside and Perris. Four types of transportation would be located in the same area: Greyhound & RTA bus service, Metrolink commuter train service, and automobile traffic could use the new proposed 1/2 mile road between Citrus St. and Spring St. when trains block the grade crossings. This short road could go through the vacant property north of the new warehouses on Citrus St. that is the same property needed for the curved track from the Perris Valley Line to the BNSF main lines! Back on Aug. 4, 2008, I met with Riverside City Manager, Brad Hudson and his assistant Belinda Graham in Brad's office to discuss my plan to relocate Greyhound to the outskirts of Riverside. I have never heard from them in response to my proposal! But I keep reading in the Press Enterprise about how Riverside wanted to move Greyhound to the west side of the I-215 freeway by Columbia

Continued on page 20



Letter 1 (cont'd)  
R.A. Barney Barnett  
May 24, 2010

### Greyhound Bus/Metrolink Service

Continued from page 19

Ave. and that fell through, and how they are considering buying out Greyhound for \$625,000 to get them out of their \$1.00 per year lease agreement.

Then on Dec. 15, 2008 I met with Riverside County Supervisor, Bob Buster to talk about relocating Greyhound and also to discuss the Highgrove Metrolink Station. This property is within his jurisdiction as County Supervisor but it is also within the city limits of Riverside. He informed me that Greyhound was interested in the property on the south/east corner of Center St. and Iowa Ave. in Highgrove. But moving Riverside's problem to Highgrove is not the answer and I oppose this location because it is too close to our businesses and residences.

That same day (Dec. 15, 2008), I gave CD copies of my Greyhound plan to Supervisor Buster, to Jaime Hurtado for Supervisor Ashley, to Juan Perez, Riverside County Transportation Director, and to the city of Riverside for Brad Hudson, Belinda Graham, and Councilman, Mike Gardner, who is the city councilman in ward one where this property is located.

On Dec. 20, 2008 I talked to the owner of the property who leases to Penhall Trucking and sent him a copy of the photo shown on the front page and asked him to view the Greyhound portion of our web site. He is willing to listen to my proposal that includes talking to the city of Riverside about relocating. If Penhall Trucking were relocated, this would be an ideal location for Greyhound since they need a building to use for their station.

The CD I gave to the City and County officials is available for your viewing by visiting our web site at [www.highgrovehappenings.net](http://www.highgrovehappenings.net) and clicking on "Greyhound". (Thanks to Bill Hahn for preparing this for our web site)

There will be a meeting of the Transportation Committee at 1:00 pm on Jan. 8, 2009 on the 7<sup>th</sup> floor of the Riverside City Hall to discuss the possibility of finding a new location for the Greyhound terminal in the city.

The public is invited to attend!

February 2009 P. 6 & 7

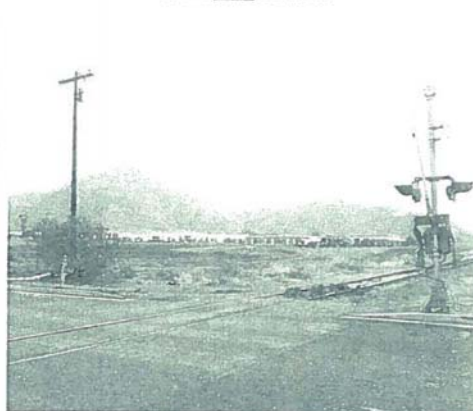
### Where will the Palmyrita Ave. Metrolink Station be located?

NORTHEAST CORNER



The northeast corner is already occupied by West Coast Wire and Steel Co.

SOUTHEAST CORNER



Grading is underway for a giant warehouse south of Palmyrita! The plan for the 520,000 Sq. Ft. cross dock warehouse is shown at the right

NORTHWEST CORNER



The northwest corner appears to be an orange grove but is only 4 rows of trees deep. This is the narrow part of Palmyrita Ave. just west of the RR track.

SOUTHWEST CORNER



On the southwest corner of this area is a warehouse next to the railroad track so this location for a Metrolink Station is out because there is no room for parking. This photo is looking south at the Perris Valley Line RR across Palmyrita Ave. Even if one of these corners was available for a Metrolink station and parking, there will be no commuter trains on this track for several more years until the entire Perris Valley Line is upgraded. Why try to put a station on a track where there are no commuter trains when only 1/2 mile north of this location there are 3,224 commuter trains that already pass through Highgrove each year?

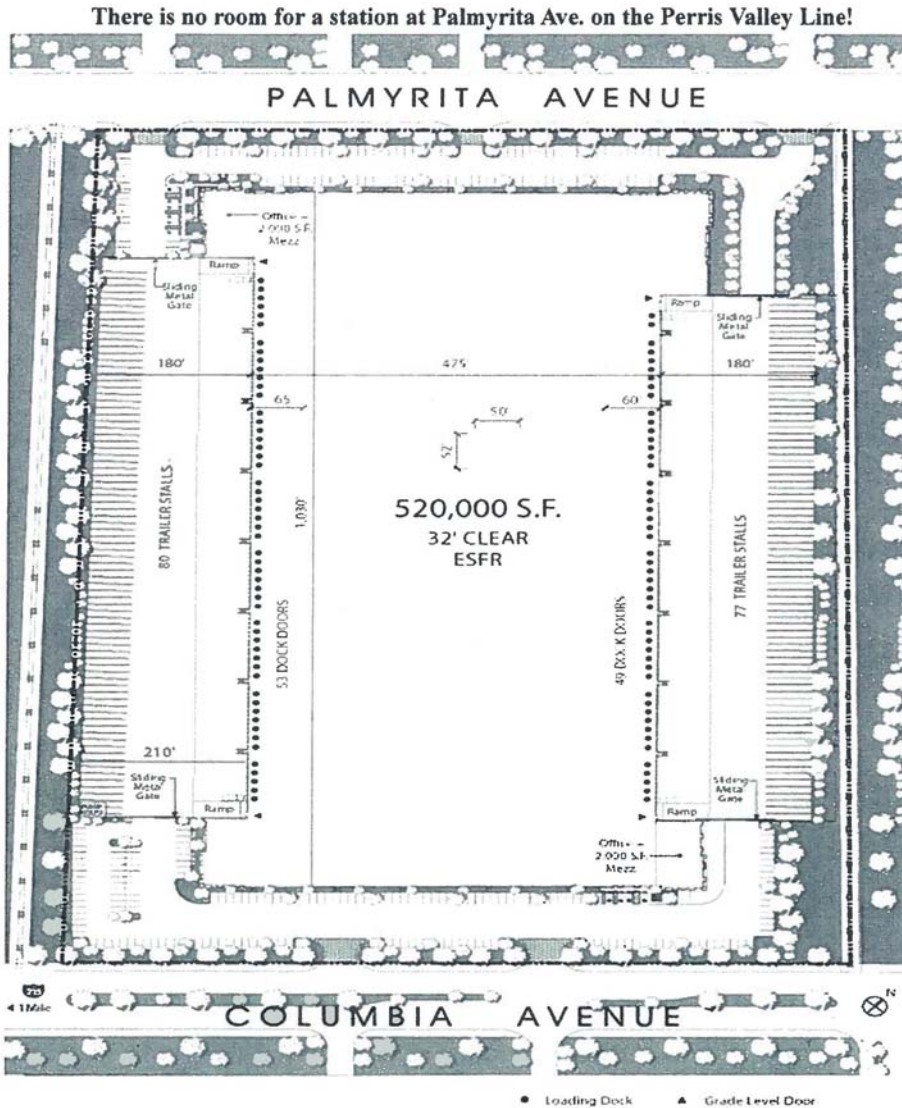
PALMYRITA AVE. FROM WIDE TO NARROW



These trees will be gone when Palmyrita Ave. is widened to match the existing width of the street. Notice how the trees extend into the right-of-way where the road narrows! Palmyrita Ave. is wider at both ends of this small orange grove.  
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Letter 1 (cont'd)  
 R.A. Barney Barnett  
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25 acres are currently being graded for this giant 520,000 Sq. Ft. cross dock warehouse that stretches from Palmyrita Ave. all the way to Columbia Avenue. The plan above shows 53 dock doors on the west side and 49 on the east side for 102 dock doors. It also shows 80 trailer stalls on the west side and 77 trailer stalls on the east side for a total of 157 trailer stall parking spaces. The vertical left hand margin of the above plan is where the Perris Valley Line Railroad track is located right next to this large warehouse.

The RCTC plan shows 460 parking spaces at the Palmyrita Station in 2011 and 550 in 2030 but all 4 corners are taken!

Only 1/2 mile north of the Palmyrita location there are 19 acres of vacant land that is mandatory for a curved track to connect the 2 railroads. Without this land, future commuter trains will not be able to operate between Riverside and Perris. This same land should be used for the Highgrove Metrolink Station where commuter trains pass by on the west side of the property each day of the week including week-ends. This means that 62 commuter trains per week or 3,224 commuter trains per year already go through Highgrove where there is room for the curved track and plenty of room for parking. There is no need to purchase 2 different properties one for the curve and another for a station when Highgrove is only 1/2 mile away!  
 One piece of property would serve both purposes and the land is "For Sale"!

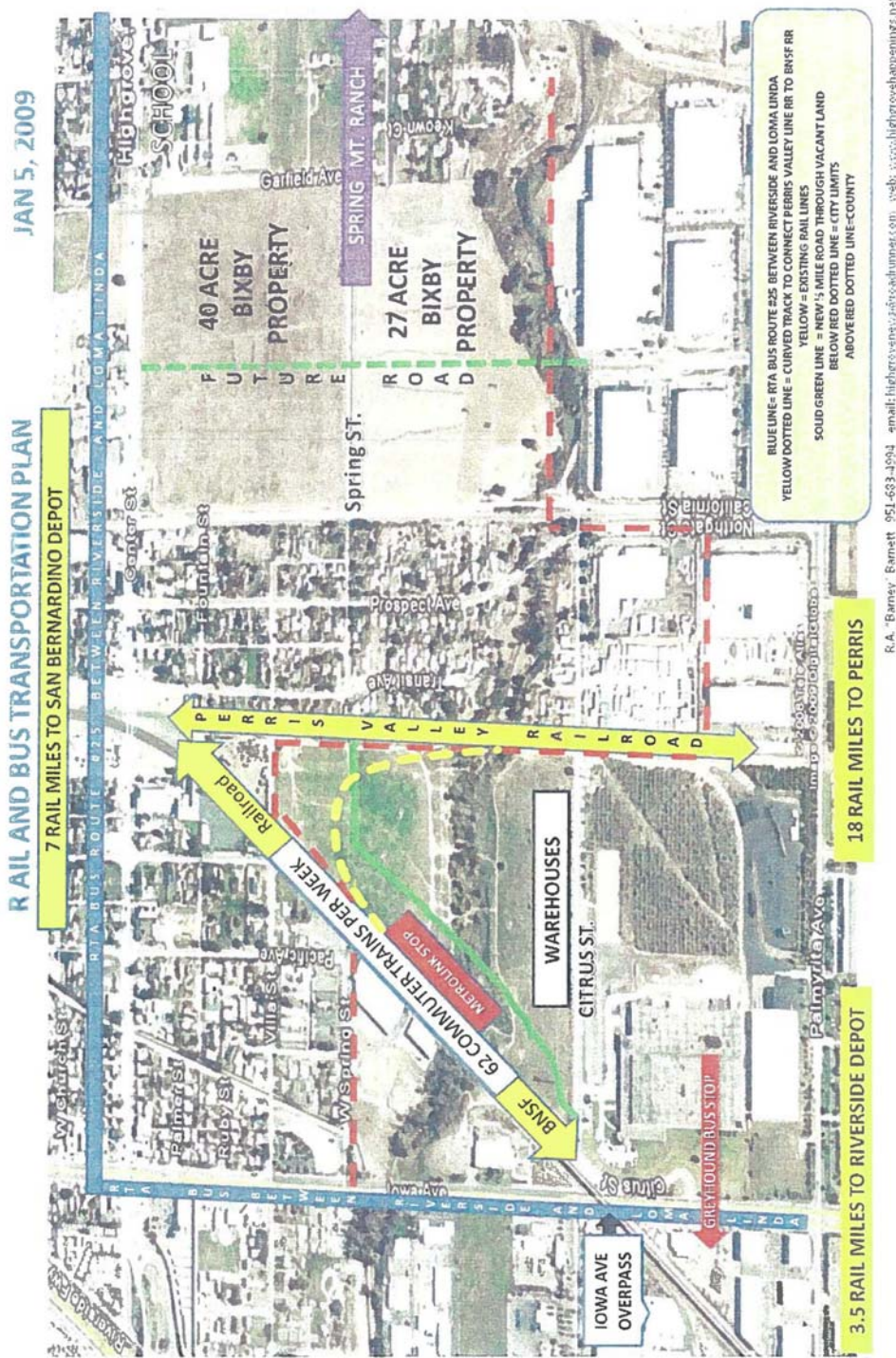


The photo at the left states it will be a warehouse with 530,000 Sq. Ft. but the floor plan says 520,000 Sq. Ft. Either way these 25 acres are taken!

Move the Palmyrita Ave. location to Highgrove!  
 One Metrolink station platform could serve 3 cities: Riverside, Perris and San Bernardino.



Letter 1 (cont'd)  
 R.A. Barney Barnett  
 May 24, 2010





**Letter 1 (cont'd)**  
**R.A. Barney Barnett**  
**May 24, 2010**

RCTC's Opposition  
To  
Highgrove Metrolink

Aug. 16, 2004 Eric Haley: Withheld Barnett packets from Commissioners for 14 months  
July 15, 2006 Permanent weekend trains added to make 7 days per week  
Sept. 15, 2006 Perris Valley Line Workshop held in La Quinta, Ca.  
Oct. 11, 2006 Eric Haley: "Too close to county line"  
"Land banking"  
"Residents of San Bernardino County would be using station"  
"75% of riders will be from San Bernardino County"  
Was instructed to arrange tour of Highgrove  
Cost of Colton Flyover added to Highgrove Station  
Nov. 8, 2006 9 speakers spoke in favor of Highgrove Station at RCTC  
Melanie Zimmerman ask for commissioners to visit Highgrove via  
Small bus and Denis Kidd ask to invite "Barney".  
Nov. 9, 2006 Melanie Zimmermann requested Barnett be present at future  
RCTC/SANBAG meetings.  
Nov. 28, 2006 Eric Haley: Scheduled Hi-rail vehicle tour of Highgrove on same day as Board of  
Supervisors meeting and 2 Hi-Rail cars did not stop at Highgrove.  
Jan 10, 2007 The hand-out was dated 8 days into the future (Jan. 18, 2007) that  
showed that SANBAG opposed Highgrove 8 days before their actual  
meeting.  
Jan. 18, 2007 SANBAG report was exact wording from RCTC meeting on Jan. 10,  
2007 (8 days earlier) Read by Mike Baer of SANBAG  
April 4, 2007 SANBAG decides to wait on results of SCAG study of Highgrove  
April 5, 2007 Eric Haley: Went to Los Angeles and stopped SCAG study (Recording available)  
April 8, 2009 Barnett to Congressman Calvert's office in Riverside-no contact  
April 27, 2009 Invited to RCTC meeting and given 13 reasons why Highgrove  
location would be denied. Not allowed to show our CD at meeting.  
May 29, 2009 Letter from RCTC Chairman, Bob MaGee denying Highgrove  
Metrolink Station.  
June 3, 2009 Letter from Ann Mayer to Congressman Ken Calvert that RCTC  
would not build a station at Highgrove.  
June 22, 2009 Letter from Deborah Barmack (SANBAG) to Bea Cortes (Grand  
Terrace SANBAG Rep.) about denying Highgrove Station.  
Oct. 14, 2009 Letter from Supervisor Ashley about RCTC denying Highgrove  
For the last decade asking for special Ad Hoc meeting with RCTC.  
Jan. 25, 2010 Special Ad Hoc meeting held by RCTC. "Barney", Ardie, Bill  
Addington (Retired Civil Engineer)



Letter 1 (cont'd)  
 R.A. Barney Barnett  
 May 24, 2010

1/4/2008

808



**Inland Empire-Orange County Line**  
**62 Passenger trains pass through Highgrove each week**  
**but do not stop due to no station platform**

	Departing San Bernardino	Train #	Arriving Riverside		# of Trains
Saturday	5:32am	3	5:53am	Amtrak	1
	7:30am	857	7:50am	Metrolink	1
	8:55am	859	9:15am	Metrolink	1
Sunday	5:32am	3	5:53am	Amtrak	1
	7:30am	857	7:50am	Metrolink	1
	8:55am	859	9:15am	Metrolink	1
Weekdays	4:52am	803	5:11am	Metrolink	5
	5:22am	805	5:41am	Metrolink	5
	5:32am	3	5:53am	Amtrak	5
	5:57am	807	6:16am	Metrolink	5
	11:25am	811	11:44am	Metrolink	5
	Departing Riverside	Train #	Arriving San Bernardino		# of Trains
Saturday	4:49pm	858	5:20pm	Metrolink	1
	6:29pm	860	7:00pm	Metrolink	1
	8:03pm	4	8:29pm	Amtrak	1
Sunday	4:49pm	858	5:20pm	Metrolink	1
	6:29pm	860	7:00pm	Metrolink	1
	8:03pm	4	8:29pm	Amtrak	1
weekdays	10:21am	800	10:50am	Metrolink	5
	5:18pm	804	5:45pm	Metrolink	5
	6:03pm	806	6:30pm	Metrolink	5
	6:38pm	808	7:10pm	Metrolink	5
	8:03pm	4	8:29pm	Amtrak	5
<b>Total Passenger trains Per Week</b>					<b>62</b>



Letter 1 (cont'd)  
R.A. Barney Barnett  
May 24, 2010

RB Responses  
to RCTC's  
13 reasons Not  
to Build a station  
in Highgrove

NOTE: These 13 items have been enlarged from an RCTC map entitled:  
**RCTC PERRIS VALLEY LINE HIGHGROVE STATION SITE PLAN STUDY 2/27/09**  
(These items have been challenged and are followed by responses from R. A. "Barney" Barnett)

NOTES OF ISSUES

ASSUMING PRESENT CONDITIONS REMAIN:

- ① VILLA STREET GRADE CROSSING ENHANCEMENTS, DELTA - \$2 MILLION.
- ② VILLA STREET DEAD END AT BNSF RIGHT-OF-WAY, ONE ENTRANCE/EXIT (TRAFFIC ISSUE) AND THE REQUIRED TWO MEANS OF INGRESS AND EGRESS IS NOT POSSIBLE.
- ③ PEDESTRIAN CROSSING OVER CITRUS CONNECTION TRACK TO PLATFORM, IS COSTLY ALTERNATIVE. 1,500' DISTANCE FROM PLATFORM TO FARTHEST PARKING; 700' - 800' DISTANCE FROM PLATFORM TO NEAREST PARKING.
- ④ VILLA STREET WOULD REQUIRE RECONFIGURATION/UPGRADES AND DRAINAGE IMPACT.
- ⑤ ENVIRONMENTAL JUSTICE ISSUES - TRAFFIC IMPACTS ON ESTABLISHED RESIDENTIAL NEIGHBORHOODS. STREET UPGRADES/WIDENING WOULD BE REQUIRED. POSSIBLE REAL ESTATE ACQUISITION (HOMES) WOULD BE REQUIRED.
- ⑥ LIMITED PARKING AT HIGHGROVE SITE, (LESS THAN PALMYRITA), COULD CAUSE LOSS OF RIDERSHIP (AFFECTS CEI). NO POSSIBLE FUTURE EXPANSION OF PARKING.
- ⑦ EXISTING WAREHOUSE BUILDINGS, PROPOSED ROADWAY FROM NEW CONSTRUCTION AND DEVELOPMENT, AND ITS OPERATIONS WOULD RESTRICT ACCESS TO PLATFORM AREA.
- ⑧ NEED HANDICAP PARKING NEXT TO PLATFORM AND NEW DEVELOPMENT CONSTRICTS ANY PARKING AT PLATFORM AREA.
- ⑨ A SECOND PLATFORM WILL NOT FIT WITHIN RIGHT-OF-WAY WITH EXISTING TRACK ALIGNMENT. PER BNSF, IECC ACCESS TO PLATFORM CANNOT BE ACCOMMODATED DUE TO OPERATIONAL CONGESTION, TRACK SYSTEM CAPACITY, AND SIGNALING ISSUES.
- ⑩ SURVEY WOULD BE REQUIRED. BNSF INNER TRACK FENCE AND SHIFTING OF 4TH TRACK EASTWARD REQUIRED. SEVERE MODIFICATION TO CITRUS CONNECTION CURVE (INCREASE IN DEGREE OF CURVE = DECREASED SPEED, HIGH POTENTIAL WHEEL NOISE, AND HIGHER MAINTENANCE COST).
- ⑪ BUS CIRCULATION POSSIBLE AT CITRUS STREET ONLY. BUS TRAFFIC WOULD IMPACT THE NEIGHBORHOOD TO THE EAST.
- ⑫ CITRUS STREET RECONFIGURATION WOULD BE REQUIRED, PROPOSED IOWA GRADE SEPARATION WOULD IMPACT ACCESS AS WELL.
- ⑬ HIGHGROVE STATION MAKES PLANNED DOUBLE TRACK TO MARLBOROUGH AVENUE IMPOSSIBLE.

\*ROUGH COST ESTIMATE OF THESE ITEMS, OVER WHAT PALMYRITA STATION WOULD COST (EXCLUDING REAL ESTATE ACQUISITION) IS ROUGHLY AT LEAST \$6 MILLION IN CONSTRUCTION (\$12 MILLION IN PROJECT COSTS).

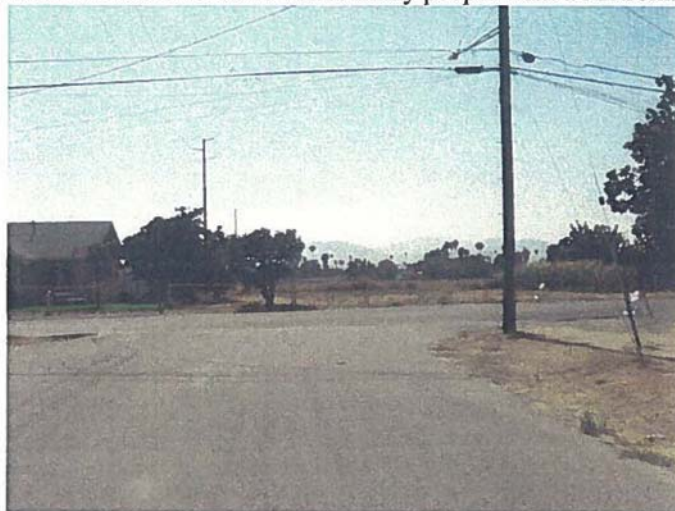


Letter 1 (cont'd)  
R.A. Barney Barnett  
May 24, 2010

R. A. "Barney" Barnett's responses to 13 reasons why RCTC does not want to build a Metrolink Station in Highgrove



**Response to Item 1:** \$2 Million for Villa St. grade crossing enhancements seem excessive.  
**Response to Item 2:** Villa St. is currently a grade crossing that crosses the Perris Valley Line RR track at Transit Ave for access to 19 acres where many people want a Metrolink stop.

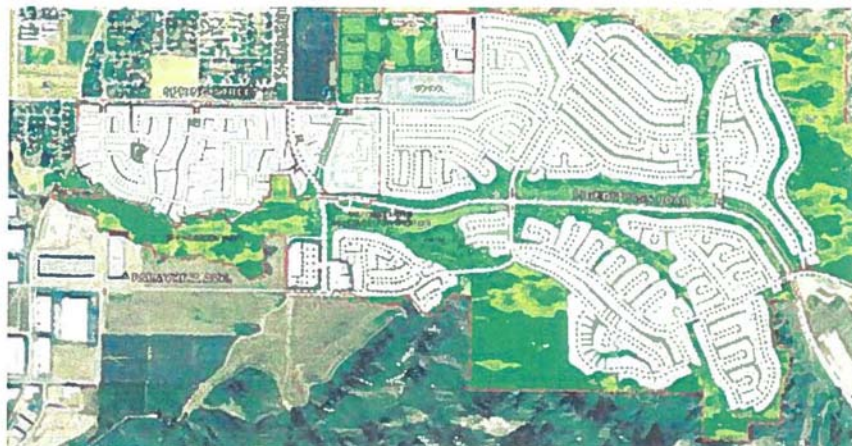


Another similar grade crossing at Spring St. would allow two means of ingress and egress to and from the 19 acres between the 2 railroads. Spring St. currently ends at Transit Ave. but there is a vacant lot in direct alignment with Spring St. that would allow Spring St. to continue straight across the Perris Valley Line track without any structural demolition.

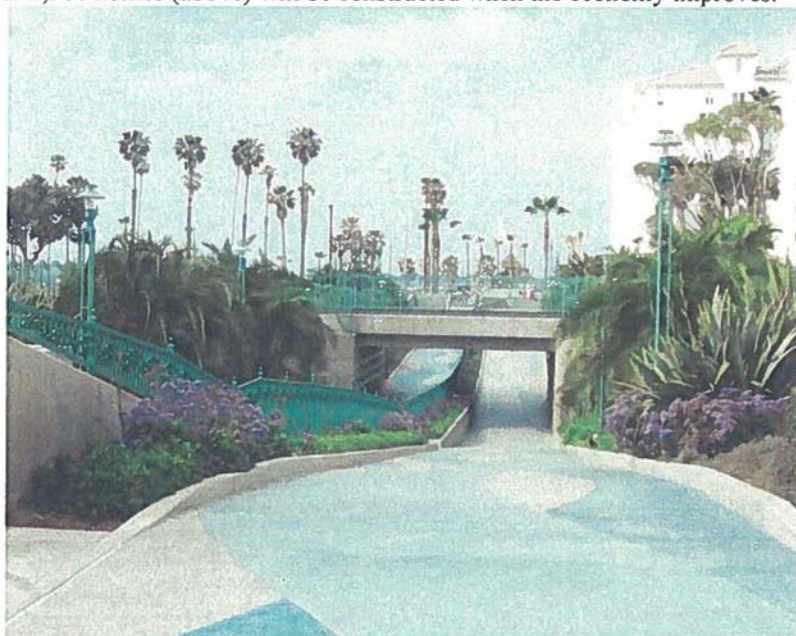




Letter 1 (cont'd)  
R.A. Barney Barnett  
May 24, 2010



One mile east of this intersection (Spring St. and Transit Ave.) is where the Spring Mountain Ranch Development of 2,500 homes (above) will be constructed when the economy improves.

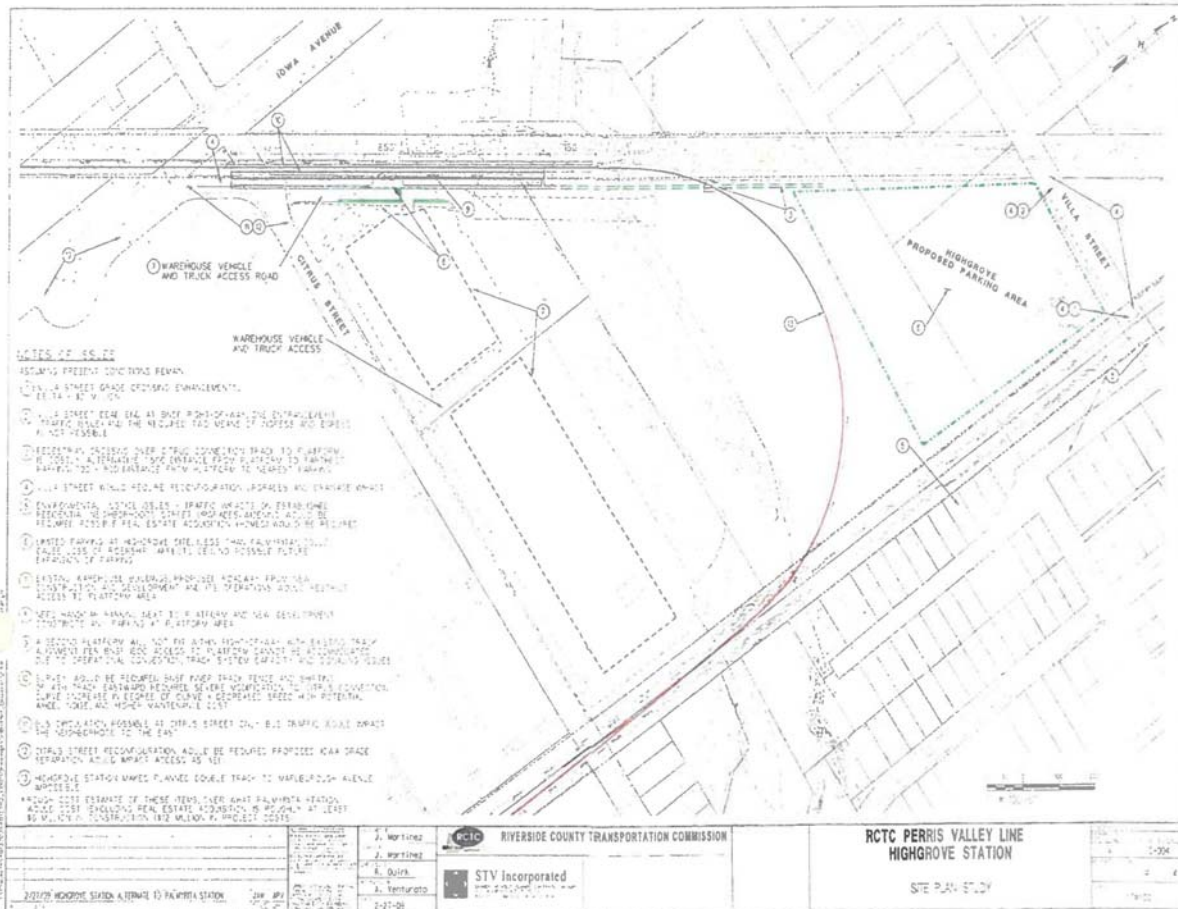


**Response to Item 3:** No pedestrian overpass will be required. A pedestrian and bicycle underpass could be easily dug during the grading phase before the track is laid that could accommodate a small tram if necessary for access between the north and south parking lots similar to the one shown here under the railroad tracks in Oceanside.



Letter 1 (cont'd)  
 R.A. Barney Barnett  
 May 24, 2010

The map below was prepared by STV Incorporated at the request of RCTC.



The STV/RCTC map only shows parking near Villa St. and does not show any parking on the inside (south side) of the curved track that could also be used for parking.

(The 13 items that are being challenged are shown on the left side of the map and they have been enlarged for clarification at the beginning of this presentation on the 2<sup>nd</sup> page.)



**Letter 1 (cont'd)**  
**R.A. Barney Barnett**  
**May 24, 2010**

**Response to Item 4:** The short section of Villa St. west of Transit (not shown) was repaved about 2 years ago. And the drainage flows Northward toward Center St. where this storm drain is located on the S/W corner of Center and Transit right by the Perris Valley Line RR track.  
There are no drainage problems!

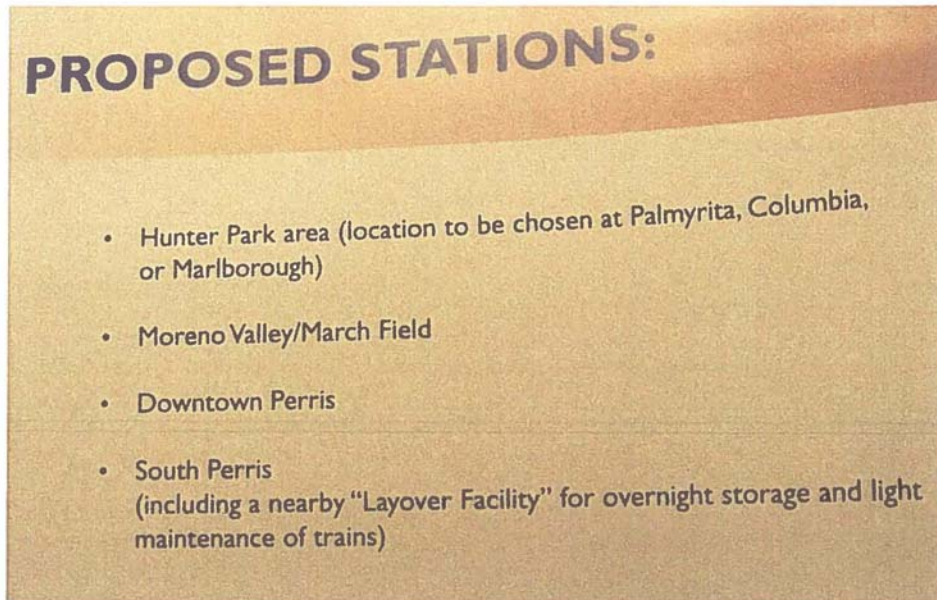


**Response to Item 5:** Even though this area is within a redevelopment area, homes would not have to be purchased but the street may have to be widened between Center St. and Villa or Spring Street.





Letter 1 (cont'd)  
R.A. Barney Barnett  
May 24, 2010



**Response to Item 6:** 7 ½ years ago there were 35 acres available but now only 19 acres are available which are ample room for current parking and enough room for a future parking structure when needed. The Highgrove location would increase ridership because there is room for parking now-where there are existing commuter trains. Property for the Palmyrita Ave., Columbia Ave., or Marlborough Ave. stations will still have to be purchased by RCTC and none of these 3 locations have any commuter trains! This photo was taken at the RCTC scoping session on July 28, 2009 in Moreno Valley and Highgrove has been deleted and does not appear on their plan for proposed stations.



**Response to Item 7:** There are 3 access roads to the rear of the warehouses:  
One on the east end of the buildings for trucks,



Letter 1 (cont'd)  
R.A. Barney Barnett  
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another one in the middle for trucks,



and one on the west end of the  
warehouses that Metrolink  
commuters could use.



Metrolink commuters from Citrus St.  
could use this new road over the  
arroyo on the west end of the  
warehouses for access to the  
Metrolink parking lot on the south  
end of the vacant 19 acres.





Letter 1 (cont'd)  
 R.A. Barney Barnett  
 May 24, 2010



**Response to Item 8:** There is no new development to constrict handicap parking because the 19 acres are all vacant land. Handicap parking would be available on the east side of the station platform right next to the track, anywhere between Villa St. and Citrus St. near mile post 7.

**Response to Item 9:** The BNSF tracks at this location are straight tracks with a 60 MPH passenger train speed limit that has plenty of room for a second platform anywhere between Villa St. and Citrus St. where the existing commuter trains pass through 7 days a week using existing Metrolink commuter trains such as this one. No new trains are needed at Highgrove!  
 (See timetable below for existing trains)

**Inland Empire-Orange County Line** 1/4/2008

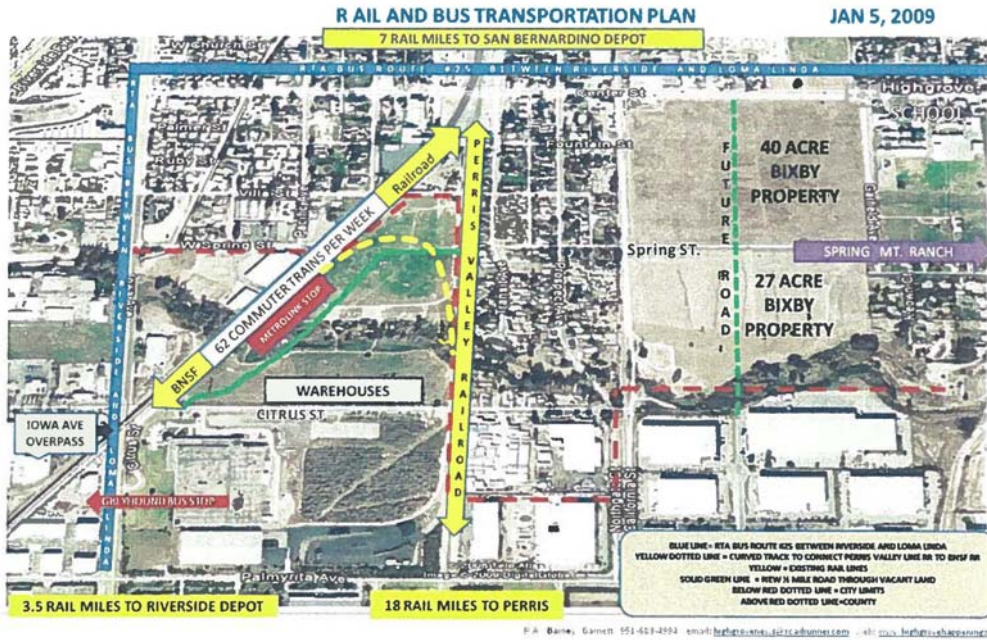
**62 Passenger trains pass through Highgrove each week  
 but do not stop due to no station platform**

808

	Departing San Bernardino	Train #	Arriving Riverside		# of Trains
Saturday	5:32am	3	5:53am	Amtrak	1
	7:30am	857	7:50am	Metrolink	1
	8:55am	859	9:15am	Metrolink	1
Sunday	5:32am	3	5:53am	Amtrak	1
	7:30am	857	7:50am	Metrolink	1
	8:55am	859	9:15am	Metrolink	1
Weekdays	4:52am	803	5:11am	Metrolink	5
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	5:32am	3	5:53am	Amtrak	5
	5:57am	807	6:16am	Metrolink	5
	11:25am	811	11:44am	Metrolink	5
	Departing Riverside	Train #	Arriving San Bernardino		# of Trains
Saturday	4:49pm	858	5:20pm	Metrolink	1
	6:29pm	860	7:00pm	Metrolink	1
	8:03pm	4	8:29pm	Amtrak	1
Sunday	4:49pm	858	5:20pm	Metrolink	1
	6:29pm	860	7:00pm	Metrolink	1
	8:03pm	4	8:29pm	Amtrak	1
Weekdays	10:21am	800	10:50am	Metrolink	5
	5:18pm	804	5:45pm	Metrolink	5
	6:03pm	806	6:30pm	Metrolink	5
	6:38pm	808	7:10pm	Metrolink	5
	8:03pm	4	8:29pm	Amtrak	5
Total Passenger trains Per Week					62



Letter 1 (cont'd)  
 R.A. Barney Barnett  
 May 24, 2010



**Response to Item 10:** RCTC will have to pay for the new 4<sup>th</sup> main line track when it is added between Highgrove and Riverside. When this is done, the curved track will have to be located within the 19 acres to connect the 2 railroads (yellow dotted line). The curved track will parallel the # 3 BNSF main line and will not require “severe modification” to the curve that can be blamed on the location of the Highgrove station. The curve will remain the same and the station location has no bearing on speed, wheel noise on the curve, or higher maintenance cost.



**Response to Item 11:** RTA Bus Route 25 operates between Riverside and Loma Linda and is shown at Iowa Ave. and Citrus Street. This route goes through Highgrove and Grand Terrace about every 15



Letter 1 (cont'd)  
R.A. Barney Barnett  
May 24, 2010

minutes. These existing buses could bring Metrolink commuters to Highgrove from any of these locations along their existing RTA route which is on Iowa Ave. and would have a positive impact on public bus and rail transportation for the entire area.



Iowa Ave. overpass plan



Conceptual artist rendition

**Response to Item 12:** Citrus St. will have the same basic connection to the Iowa Ave. overpass as it does now plus there will be a traffic signal on the overpass to regulate traffic to and from Citrus St. and the Iowa Ave. overpass.



**Response to Item 13:** Double track to Marlborough Ave. is not part of the Perris Valley Line upgrades. Highgrove station is on another railroad next to the BNSF track over 1 mile away and Marlborough Ave. does not cross the BNSF tracks anywhere in the area. But the Perris Valley Line track does cross Marlborough Ave. (shown above). This view is looking north toward Highgrove across Marlborough.

The 19 acres are "For Sale" and are mandatory for the curved track. This exact same property could be used for a Highgrove station on the west side of the 19 acres. Additional property at Palmyrita, Columbia or Marlborough would not even have to be purchased and save millions of our taxpayer dollars. And how can you exclude the cost of "Real Estate Acquisitions" when this unnecessary cost involves an additional purchase of property on the Perris Valley Line where there are no commuter trains and ½ mile away in Highgrove there are commuter trains every day of the week? **ONLY 19 ACRES ARE NEEDED!!!**





Letter 1 (cont'd)  
R.A. Barney Barnett  
May 24, 2010



A Metrolink station similar to the Pedley Station (photo insert), should be at the point of the orange arrow where existing commuter trains travel between Riverside and San Bernardino 7 days per week (3,224 per year). This same platform could be used later for future trains between Riverside and Perris (yellow line) instead of using Federal Tax money to build a station where there are no commuter trains (red X). One platform station at Highgrove would serve commuters in both directions between 3 different cities, Riverside, San Bernardino, and Perris in the future.

When our Federal Tax money is involved, the mass transit commuter rail system should benefit riders in the surrounding area. If the RCTC plan is approved by the Federal Transit Administration, future rail service will only be between Riverside and Perris and all of the existing commuter trains will continue to pass through Highgrove without stopping.

**During** each year of construction of the Perris Valley Line there will be 3,224 commuter trains that pass through Highgrove that could stop, so the Highgrove station should be built first!

**After** the Perris Valley Line is completed these same trains will continue to pass through Highgrove without stopping if RCTC's plan is approved.

Your vote for a Highgrove Metrolink station can be cast on-line at:

<http://www.ipetitions.com/petition/highgrovemetrolink>.

If you are a taxpayer no matter where you live, you can vote because Federal Money is being requested by RCTC for rail service that will only benefit riders in Riverside County.

Please vote on-line or call and you can sign the petition that is being circulated. This information will be provided to Senators Boxer and Feinstein as well as the Federal Transit Administration.

R. A. "Barney" Barnett

(951) 683 4994

E mail: [highgrovenews@roadrunner.com](mailto:highgrovenews@roadrunner.com)

Please visit our web site: [www.highgrovehappenings.net](http://www.highgrovehappenings.net)



Letter 1 (cont'd)
R.A. Barney Barnett
May 24, 2010

Public Petition supports Metrolink Stop In Highgrove

Page 1 of 1

Home > Categories > Politics and Government > Public Petition supports Metrolink Stop In Highgrove

Public Petition supports Metrolink Stop In Highgrove

Sign Blog Signatures Email friends

The Petition

Reasons to support a Highgrove Metrolink Station June 23, 2009

- The Perris Valley Line Railroad track branches off from the BNSF # 3 main line in Highgrove and dead ends in San Jacinto. This 38 mile branch line from Highgrove to San Jacinto is owned by the Riverside County Transportation Commission and plans have been made for establishing commuter train service between Riverside and Perris (24 miles).
• But in order to run trains between Riverside and Perris, a curved track is needed at Highgrove to connect the 2 railroads. Without this 19 acre property for the curved track, there will be no commuter train service between Riverside and Perris!
• RCTC continues to insist that they want to build a station near Palmyrita Ave. where there are no commuter trains on the Perris Valley Line track. But only 1/2 mile north of their Palmyrita location, the Highgrove station already has commuter train service between Riverside and San Bernardino on the # 3 BNSF track.
• A station on the Perris Valley Line near Palmyrita Ave. should be abandoned and here are the reasons why:
• The 19 vacant acres have 2 different railroad tracks on its boundaries. The east boundary is the Perris Valley Line Railroad track and the west boundary is the # 3 BNSF Railroad track.
• And the 19 acre Highgrove location is the same exact property that is needed for the curved track that is mandatory to run trains between Riverside and Perris!
• The Highgrove station already has commuter trains passing by the west side of this 19 acres every day of the week including week-ends.
• This amounts to 62 commuter trains per week that go through Highgrove between Riverside and San Bernardino- but they do not stop!
• For several years, there have been 3,224 commuter trains per year that have been passing by this location in Highgrove without stopping because there is no station platform for the existing commuter trains.
• And there is no need to use eminent domain to tear down any structures because the 19 acre parcel is all vacant land and is "For Sale".
• The location of the 19 acres in Highgrove has plenty of room for parking and is within a redevelopment area.
• Highgrove is located the middle of the triangle between Riverside, San Bernardino and Perris and one station platform in Highgrove could serve all 3 destinations.
• New property will need to be purchased by RCTC for a station site. There is no need to buy 2 different locations-one for the curve and another piece of property on the Perris Valley Line for a station where there are no commuter trains.
• The Highgrove station could be used now, by using the existing 62 commuter trains per week, and this same platform could be used in the future when the Perris Valley Line is upgraded to meet passenger train standards.
• The Highgrove station could be located on straight track next to the # 3 BNSF track between mile post 7 and Citrus St. which would be south of the curve from the Perris Valley Line connection.
• With a construction timeframe of 2 years for example, while the Perris Valley Line track is being replaced, a new train signal system installed, and other stations built, there will be 6,448 commuter trains that pass through Highgrove that could have stopped for passengers at a platform on the west side of the 19 acres.
• Delays in delivery of new equipment such as engines and/or coaches are also a possibility because new equipment will be needed for the new commuter train service on the Perris Valley Line.
• No additional equipment will be needed with a station at Highgrove because the train

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The views expressed in th solely those of the petition do not in any way reflect th iPetitions. iPetitions is sole of technical services to the sponsor and cannot be he any damages or injury or c arising from this petition. I adequate sponsor is nam will consider the individual holder with which the petit created as the lawful spon

http://www.ipetitions.com/petition/highgrovemetrolink/

5/22/2010



**Letter 1 (cont'd)**  
**R.A. Barney Barnett**  
**May 24, 2010**

Rebuttal to RCTC's engineer  
by Denis Kidd

10/9/2009

The plan for the Highgrove station at Citrus drawn up by the engineer for the RCTC is a poor plan failing to use assets of the site.

The plan does not use the road constructed by the property owner from Citrus across the arroyo to the 19 acres. Using the road would allow parking south of the curve between the tracks and the arroyo allowing handicap parking next to the station (Criticism 7.) and general parking much closer than the 700 to 800 feet closest parking listed in Criticism 3 and correcting the limited parking of Criticism 8.

The two means of ingress and egress (Criticism 2.) can be solved by installing an underpass before the tracks are laid. As to Criticism 6, if houses were needed to be acquired, the EDA could acquire them and improve Transit with redevelopment funds at no cost to RCTC. The land is in a redevelopment area. Most of these houses were old 60 years ago when I was a boy. The others are inexpensive houses that would be cheap in our depressed real estate market.

Criticism 9: We are not proposing a second platform. We are proposing one platform to serve the Perris Valley Line and the BNSF Main Line to S.B. and Orange Co. The Orange Co. trains could be switched to the Perris Valley Line to go into Riverside then switched back to the Orange Co. Line.

Criticism 12: The Iowa grade crossing would not restrict access to the station. Riverside is going to install a stop light at Citrus and Iowa so traffic on Citrus could go N or S on Iowa and traffic going N or S on Iowa could turn onto Citrus to go to the station. Plus, from the top of the Iowa overpass the Metrolink station could be seen by commuters on Iowa, thus advertising Metrolink.

Criticism 11: The Loma Linda bus could enter from Transit Ave. and Villa Street. With an underpass on the 19 acres the bus could go to Citrus St. and on to Iowa Ave.

Rough Cost Estimate (Criticism 14.): It is unfair to say that the Highgrove Station would cost more than the Palmyrita Station excluding real estate acquisition. The real estate acquisition costs must be included. Then the Highgrove Station may be cheaper.

The Highgrove Station at Citrus is environmentally superior to a Palmyrita Station. It would save more gasoline. Whereas the Palmyrita Station would bring Perris and Moreno Valley workers to Hunter Business Park, the Highgrove Station would bring not only workers from Perris and Moreno Valley but also workers from San Bernardino and Colton and possibly Orange Co. and Corona and Arlington, thus potentially saving twice as much or more gas with twice as many or more workers using the station.

Earlier RCTC studies that concluded there was not enough ridership for a Highgrove Station failed to take into account the new Pigeon Pass road that will bring Moreno Valley commuters through Highgrove. These commuters could use the Highgrove station as a more convenient way to get to Orange Co. avoiding the congestion of the Riverside Station and delays on the Perris Valley Line to Riverside. It would also serve as a way to get to LA through San Bernardino.

Criticisms 1 & 4: Maybe redevelopment funds could be used here also.

Denis W. Kidd  
Highgrove Municipal Advisory Council



Letter 1 (cont'd)  
R.A. Barney Barnett  
May 24, 2010

## Highgrove Metrolink comments over the last eight years!

Please look at the dates of the following statements:

Excerpts prepared Jan. 14, 2010

(Not in sequence)

**Ann Mayer, current Executive Director RCTC: (Press Enterprise, Feb. 15, 2009)**

*"We have to put stops where they will serve the most people".*

**Marion Ashley, Riverside County Supervisor: (Letter, Oct. 14, 2009)**

*"Over the course of more than a decade, the Riverside County Transportation Commission has considered and repeatedly rejected the request of Highgrove residents for Metrolink service."*

**Bob Buster, Riverside County Supervisor: (Statement Oct. 11, 2006)**

*"Highgrove is at the fulcrum, the pivot point of transportation between the 2 counties. You can not ignore the geographic reality that both the freeway and major rail lines and there is available land that will soon be snapped up for other uses. This is a key sight for the future of the Inland Empire"*

**Bob Buster, Riverside County Supervisor: (Letter July 17, 2006)**

*"Highgrove is the right place for a regional, intermodal station, at the junction of the main lines and the 215 freeway. Highgrove still has ample land and the community and Grand Terrace want the station".*

**Mary Crayton, RCTC Commissioner from Canyon Lake: (RCTC meeting Feb. 11, 2009)**

Stated that she *"was not satisfied why Highgrove has not been considered and that they never went to Highgrove to look at the property"*. She stated: *"they should consider the property in Highgrove"*.

**Roger Berg, RCTC Commissioner from Beaumont: (RCTC meeting Feb. 11, 2009)**

*"The Highgrove station may have some merit, more parking is needed and gridlock will only get worse"*.

**James Potts, RCTC Commissioner from San Jacinto: (RCTC meeting Feb. 11, 2009)**

*"It is the right project for the right time and it would open up other areas where seniors could go instead of just driving locally"*.

**Robin Low, RCTC Commissioner from Hemet: (RCTC meeting Feb. 11, 2009)**

*"Recognized the amount of work that has been done on this project and said they need to revisit this idea"*.

**Jeff Stone, Riverside County Supervisor: (RCTC meeting Feb. 11, 2009)**

*Was sympathetic to the concerns of those living near the track and said that the I-215 is reaching capacity and that people need to get out of their cars, onto the tracks and to their destinations.*



**Letter 1 (cont'd)**  
**R.A. Barney Barnett**  
**May 24, 2010**

**Bill Emmerson, California State Assembly- Dist. 63: (Letter Aug. 14, 2006)**

*"I am very supportive of bringing a Metrolink Station to Highgrove because I agree that it is an appropriate location to help solve traffic congestion for this fast growing area".*

**Mark Hanson, UCR Professor (emeritus): (Letter Feb. 22, 2009)**

*"For us the "no brainer" aspect of the sitting decision comes down to which station could provide the greatest service to commuters of the region when the Metrolink trains come on line. That has to be Highgrove where one station could serve in three directions: San Bernardino, Riverside and the PVL".*

**University Neighborhood Association: (Letter Oct. 21, 2005)**

*"Our meeting was standing room only and by a unanimous show of hands, we voted to support a train stop in Highgrove".*

*(Four years later)*

**University Neighborhood Association: (Letter Nov. 17, 2009)**

*"Our community continues to support this concept because that location seems to offer greater overall flexibility. In addition to servicing Metrolink traffic from the PVL, the Highgrove station establishes services to existing Riverside and San Bernardino traffic, and opens opportunities to increase the number of potential riders through the expanded capacity and the flexibility to serve them".*

**Riverside Land Conservancy: (Letter Oct. 18, 2005)**

*"At this time we see no objection to development of this parcel for such a Metrolink Station, but want you to be aware early on, that the development and any crossing of the Springbrook Arroyo should provide reasonable protection for the natural habitat and an undercrossing for the Regional Trail as well as habitat usage".*

**City of Loma Linda: (Letter Jan. 24, 2002)**

*"This is to advise that the City Council at the regular meeting of Jan 22, unanimously supported your efforts and the Riverside County Service Area 126 Advisory Board's recommendation to the Riverside County Transportation Commission to site a Metrolink station stop in Highgrove".*

**San Bernardino Sun Newspaper: (Article Dec. 31, 2006)**

*"San Bernardino County Supervisor Dennis Hasnsberger believes there is enough demand for a Metrolink station in the Highgrove area. "It's a very worthwhile objective", Hansberger said. "Unfortunately, the people in Riverside County who have jurisdiction have not shown a lot of interest. But we are willing to try to get that discussion going".*

**City of Grand Terrace Resolution: (Passed unanimously Dec. 13, 2001)**

*"NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Grand Terrace, does hereby recommend that the Riverside County Transportation Commission grant a Metrolink Station stop at Highgrove when planning for future track upgrading for Metrolink service on the San Jacinto Industrial Spur".*



**Letter 1 (cont'd)**  
**R.A. Barney Barnett**  
**May 24, 2010**

*(Eight years later)*

**City of Grand Terrace: (Letter Dec. 29, 2009)**

*"The City of Grand Terrace continues to believe that a Metrolink stop in Highgrove would benefit the city and its residents".*

**Tony Petta, First Mayor of Grand Terrace 1978: (Letter June 23, 2006)**

*"I encourage you and your staff to seriously consider building a Metrolink Station in Highgrove".*

**Tony Petta, Retired Grand Terrace Mayor: (Public comments Dec. 11, 2009)**

*"It's absolutely favorable to our community"*

**Hugh J. Grant: Former Chairman San Bernardino L. A. F. C. O., Former S. A. N. B. A. G. and Omnitrans Boards: (Letter June 21, 2006)**

*"I have become aware of the important need to situate a Metrolink stop in our neighboring community of Highgrove, in Riverside County. Due to the fact that the nearest stops at this time are in San Bernardino and Riverside, servicing the transportation needs for the large population in between, with valid predictions of sizable increases in the near future, seem to me to be self-evident".*

**Southern California Association of Governments (S. C. A. G.): (Aug. 30, 2007)**

*"In the latest State of the Region Report, Southern California received an "F" for transportation mobility. The region has been the most congested in the country for the past two decades".*

**JoAnn Johnson Manager Grand Terrace Senior Center: (Letter Feb. 23, 2009)**

*"I strongly support a Metrolink Station in Highgrove and I know that many others in Grand Terrace do also".*

**William A. Shopoff, The Shopoff Group: (letter Feb. 23, 2009)**

*"Since Highgrove is a natural railroad junction point where two railroad lines meet between Riverside and San Bernardino, a commuter train stop in Highgrove would benefit the entire region. This location is only ½ mile east of the congested I-215 Freeway that has exits at Center Street. It is also only about one mile northeast of the new \$381 million dollar 60/91/215 interchange that was just completed, and about 3 miles south of the I-215/I-10 interchange. Both major interchanges are between Riverside and San Bernardino and the Highgrove location is also between Riverside and San Bernardino".*

**Anthony Mize, Builder: (Letter Feb. 24, 2009)**

*"It is our opinion that the junction point of the Metrolink train traffic between the City of Riverside and the City of San Bernardino and the Perris Valley Line is a very logical location for a new station. In this day of "NIMBY" on just about everything, it would seem to us that if a community wants to work together to revitalize itself by embracing something like this then RCTC should give it careful, thoughtful consideration".*



**Letter 1 (cont'd)**  
**R.A. Barney Barnett**  
**May 24, 2010**

**Kirk Wallace, Builder: (Letter Oct. 21, 2009)**

*"We feel this station would be very beneficial to the community not only because of the established residents but with the future development that will impact the area of Highgrove".*

**Bobbie Kay Forbes, Terra Loma Real Estate: (Letter Feb. 25, 2009)**

*"As a local Realtor I believe the area would benefit having a Metrolink Station in Highgrove. There are many people in our community that use the Metrolink a few times a week to get to LA for work. When I am showing property to people from out of the area they will ask about the location of Metrolink stations. And as more people in the area are financially stressed by the economy and the price of commuting they will be more encouraged to use Metrolink if it is closer to home".*

**Byron Matteson 14 year Mayor of Grand Terrace: (Letter June 23, 2006)**

*"I think the commuter trains will gain even more popularity in the near future as our area continues to experience rapid growth and our freeway systems become more and more congested. Proper planning is essential in being able to handle these future transportation needs and I hope the new Highgrove Station will be approved soon, to help alleviate some of these ongoing traffic problems".*

**Highgrove CSA 126 Resolution: (Nov. 27, 2001)**

*"Highgrove community adopted a 15 point resolution outlining the benefits of a Metrolink station stop in Highgrove".*

**Highgrove Project Area Committee: (Petition Jan. 8, 2002)**

*"The Project Area Committee (P. A. C.), for the redevelopment of the Highgrove area, hereby submits this recommendation that a Metrolink Station stop be implemented at Highgrove when the tracks are upgraded for commuter service on the San Jacinto branch".*

**Robert and Nancy Rice, Retired Highgrove residents: (Letter Feb. 20, 2009)**

*"We are in our Seventies, and don't like to drive very far. With a station near home, we could go, go, go, and not have to worry about traffic".*

**George Saunders, commuter from Grand Terrace to Orange County for 7 years: (Letter Feb. 20, 2009).**

*"With the ever expanding usage of the train it has become increasingly difficult to get to, and to find parking at Downtown Riverside station. An additional stop on the route between Riverside and San Bernardino would be helpful".*

**William H. Addington, Civil Engineer since 1975-Retired: (Public comments Dec. 11, 2009)**

*"It is really important to Grand Terrace, Loma Linda and Highgrove to have a station. The opportunity is there now and if passed by, it won't be available. The site is well located and the problems could be mitigated with good engineering. This is the time to act!"*



**Letter 1 (cont'd)**  
**R.A. Barney Barnett**  
**May 24, 2010**

We also have additional letters of support from:

Terry and Lori Carlstrom, G. T.	2-23-2009
James Lasby, Highland	2-20-2009
Ron and Cynthia Cruz, Highgrove	2-26-2009
Melanie Zimmermann, Highgrove	2-23-2009
Barbara McCoy, Highgrove	2-23-1009
Ardie Barnett, Highgrove	2-26-2009
Ron and Geri Barnett, G. T.	

The above information does not include residents who have signed the circulated petition for a Highgrove station nor does it include names of those who signed the on-line petition on the web site: [www.highgrovehappenings.net](http://www.highgrovehappenings.net)

Our requests consist of 3 items:

1. Build a Metrolink station stop next to the BNSF main line at Highgrove.
2. Build the Highgrove station first.
3. Name the station "Highgrove".





Letter 1 (cont'd)  
R.A. Barney Barnett  
May 24, 2010

“Highgrove Metrolink”  
3 easy steps

Jan. 25, 2010

Step 1: Build a Metrolink Station on the west side of the new curve in Highgrove.

Step 2: Build it first.

Step 3: Name it Highgrove.

.....  
Step 1 Explanations and reasons:

- a. Location, Location, Location
- b. 19 acres bordered on 2 sides by R. R. tracks.
- c. Existing commuter trains on west side of 19 acres.
- d. Same exact location that is needed for curved track to connect the 2 railroads.
- e. Commuter trains cannot operate between Riverside and Perris without these 19 acres for the curved track.
- f. Future growth: Infrastructure is already in place and ready for 2,500 new homes in Spring Mountain Ranch. (Sewer, Fire hydrants, flood control, electrical, water) There are 1,555 Sq. acres of vacant land in Highgrove. 30,777 residents currently live within a 2 mile radius of Highgrove Station even before these new homes are built. (Figures from Riverside County EDA)
- g. All 19 acres are vacant land-no structures to demolish-no eminent domain needed.
- h. Plenty of room for parking.
- i. Purchase one property at Highgrove instead of two. No additional property is needed at Palmyrita Ave., Columbia Ave., or Marlborough Avenue.
- j. Future platform could be built for commuter trains between Perris and San Bernardino on this same 19 acres.
- k. Highgrove is located ½ mile east of the I-215 that has exits in both directions at Center Street.
- l. Highgrove is located about 1 mile north-east of the new \$381 million dollar I- 60/91/215 Interchange.
- m. Highgrove is located about 3 miles from the I-215/I-10 interchange in Colton.
- n. The Highgrove location addresses both short term and long term needs for commuter rail transportation in the Inland Empire.
- o. This location has been supported for 8 years by the surrounding communities and leaders via letters, resolutions, petitions, and numerous “public comments”.



Letter 1 (cont'd)  
R.A. Barney Barnett  
May 24, 2010

### Step 2 (Build it first) Explanations and reasons:

- a. No new track is needed at Highgrove.
- b. No new engines or cars are needed at Highgrove.
- c. No new signal system is needed, no train dispatchers or no new train crews.
- d. Example: During 1 year of construction for the Perris Valley Line upgrades- 3,224 existing commuter trains will pass through Highgrove without stopping.
- e. Even after the Perris Valley Line is completed, with the proposed RCTC plan, these existing trains will continue to pass through Highgrove every day of the week without stopping.
- f. Just “stopping” the existing commuter trains for passengers does not violate the Feb. 14, 1996 train movement agreement because no new commuter trains are being added to the schedule between Riverside and San Bernardino.
- g. Add another coach to the existing commuter trains if needed.

### Step 3 Name it “Highgrove Metrolink” Explanations and reasons

- a. Historical “Highgrove” was named 124 years ago, back in 1886 and is still an unincorporated part of Riverside County.
- b. Highgrove is known as a railroad junction point where the former “San Jack”, (Perris Valley Line) connects to the former Santa Fe now known as the BNSF.
- c. The new commuter rail station should be called: “**Highgrove Metrolink**” and not the “Citrus Connection”. Highgrove is a recognized geographical location.
- d. A copy of a 100 year old railroad timetable shows “Highgrove” back in 1910.

.....  
 We know that RCTC has made changes before:  
 Spruce and Rusin station abandoned  
 Route changed from UP RR at Marlborough to Highgrove

Building a station at Highgrove is not an impossible task!

R. A. “Barney” Barnett  
 (951) 683 4994  
 highgrovenews@roadrunner.com  
 Please visit our web site for details: [www.highgrovehappenings.net](http://www.highgrovehappenings.net)



Letter 1 (cont'd)  
R.A. Barney Barnett  
May 24, 2010

## WRONG TRACK - WRONG LOCATION!

Transportation agency ignores existing commuter rail destinations!

By R. A. "Barney" Barnett

March 22, 2010

For the last 8 years the agency responsible for making transportation decisions in our area continues to completely ignore the requests from the people in the region when it comes to commuter rail station locations and destinations.

On Jan. 25, 2010, the Riverside County Transportation Commission Ad Hoc committee rejected our requests to build a Metrolink station right next to the track where commuter trains pass by 7 days a week between San Bernardino and Riverside. Instead, RCTC wants to build a station only ½ mile away, right next to another track where there are no commuter trains at all! Does this seem logical? Is this really true?

**Track layout:** At Highgrove just south of Main St. at the San Bernardino/Riverside County line, the tracks split. One track goes toward Perris and the other 3 tracks go toward Riverside. This split results in 19 acres of pie shaped vacant land between these 2 different railroads. The Perris Valley Line track is on the east side of the 19 acres and the 3 BNSF tracks are on the west side. RCTC wants to establish new commuter train service between Riverside and Perris but they need a U shaped curved track to reverse their northward direction from Riverside to Highgrove, to a southward direction from Highgrove to Perris.

Without this curve to connect the 2 railroads at this location, no commuter trains will be able to operate between Riverside and Perris unless the engineer changes ends.

**Why changing ends is necessary:** All train movements are operated by an engineer located in the front of the train. But commuter trains have the capability to be operated from either end. The commuter train engineer can control the train from the engine or from the rear coach compartment to go in the opposite direction. The engine stays attached but pushes the coaches instead of pulls them. But before going in the opposite direction, the engineer has to walk to the opposite end of the train and a brake test must be made by the crew to visually check the brakes to see if they work properly. This procedure can be very time consuming.

In the future, when the engineer is operating the train from the engine going northward from Riverside to Highgrove for example, after the curved track is built, he would be able to stay in his seat and go around the new proposed curve to head back southward toward Perris.

This would save a lot of time and we have no objection to this portion of the plan.

### HERE IS THE PROBLEM: STATION LOCATION

Highgrove already has commuter trains 7 days a week, on the west side of the same vacant 19 acres needed for the curved track. One station platform at Highgrove could accommodate commuters now, by just stopping some of the existing commuter trains, and the same station platform could be used to serve future commuters to Perris when the Perris Valley Line is completed. The distance between these two locations is only ½ mile but they have different destinations!

RCTC's plan does not include stopping any of the existing commuter trains between Riverside and San Bernardino even after the Perris Valley Line track is finished!

During a one year construction period of the Perris Valley Line railroad for example, there will be 3,224 commuter trains between Riverside and San Bernardino that pass through Highgrove. Some of these trains could stop for passengers. This same piece of property could be used for both the station and the curve. **\$232.69 Million dollars** of our Federal Tax Money and Measure "A" tax money (RCTC figure), is estimated for this 24 mile upgrade, but the RCTC plan ignores the existing Metrolink commuter trains between Riverside County and San Bernardino County. Their plan reverses direction just before it reaches the San Bernardino County line and turns back into Riverside County toward Perris.

**Perris Valley Line expenses:** 24 miles of the Perris Valley Line track need to be completely upgraded for passenger service. New rail and ties are needed in the roadbed, additional tracks have to be built for meeting or passing other trains and new engines and new coaches are needed. (Coaches are \$1.96 million each). Also, there is no Centralized Traffic Control system at all on the Perris Valley Line track! CTC is a traffic signal system for trains that allows the train dispatcher to control train movements from their control point in San Bernardino. The San Bernardino train dispatcher is now able to give existing freight trains a signal into or out of the Perris Valley Line track at Main Street. But once the entire train is on the track to Perris, there are no CTC signals for



Letter 1 (cont'd)  
R.A. Barney Barnett  
May 24, 2010

38 miles where the track dead-ends in San Jacinto. A whole new train signal system has to be installed between Highgrove and Perris.

**Highgrove is cost effective:** The Highgrove Metrolink station location does not need any new track improvements or CTC signal system, or new engines, or coaches, and no new crew members are needed. The commuter train schedule is already established between Riverside and San Bernardino and all that is needed is a platform to stop some of the existing trains where there is ample room for parking. The Highgrove location would save several million dollars because additional property of 10 or more acres would not have to be purchased at Palmyrita Ave., Columbia Ave. or Marlborough Ave. for another station. Building a station on a track where there will not be any commuter trains for several years is a waste of our tax money especially when there are existing commuter trains every day of the week only ½ mile away with better destinations. Location, location, location-Highgrove is the most logical location and most cost effective way to spend our tax money to address the present and future transportation needs of the region.

\$232.69 Million of our tax dollars should be spent to benefit the entire region on both sides of the county line and not just 2 locations within Riverside County. And 3,224 commuter trains per year will literally take thousands of vehicles off of our freeways!

**SOLUTION: BUILD A METROLINK STATION IN HIGHGROVE RIGHT NEXT TO THE BNSF MAIN LINE WHERE THERE ARE EXISTING COMMUTER TRAINS!**

R. A. "Barney" Barnett  
Chairman, Highgrove Municipal Advisory Council  
474 Prospect Ave.  
Highgrove, Ca.  
92507  
(951) 683 4994  
E-Mail: [highgrovenews@roadrunner.com](mailto:highgrovenews@roadrunner.com)

**HERE IS WHAT YOU CAN DO!**

Please look at our website for additional information: [www.highgrovehappenings.net](http://www.highgrovehappenings.net)

Spread the word via e-mail and ask your friends to contact our Federal and State politicians listed below and ask that our tax money be used to build a Metrolink station in Highgrove!

Please send your comments to:

Federal Transit Administration  
Mr. Leslie Rogers, Region 9  
201 Mission St. Suite 1650  
San Francisco, Ca.  
94105-1839  
[leslie.rogers@dot.gov](mailto:leslie.rogers@dot.gov)  
(415) 744-3133  
(415) 744-2726 fax

Senator Dianne Feinstein  
750 B St. Suite 1030  
San Diego, Ca.  
92101  
[www.feinstein.senate.gov](http://www.feinstein.senate.gov)  
(619) 231-9712

Senator Barbara Boxer  
3403 Tenth St, Suite 704  
Riverside, Ca.  
92501  
[www.boxer.senate.gov](http://www.boxer.senate.gov)  
(951) 684-4849  
(415)403-0100  
(202) 224-0454 fax

Southern California Regional Rail Authority  
700 S. Flower St. 26<sup>th</sup> floor (METROLINK)  
Los Angeles, Ca. 90017-4104  
[yeroo@scrra.net](mailto:yeroo@scrra.net)  
Attn. Keith Millhouse, Chairman  
(213) 452 0245

Southern California Association of Governments  
818 W. Seventh St. 12<sup>th</sup> floor  
Los Angeles, Ca. 90017  
[rushen@scag.ca.gov](mailto:rushen@scag.ca.gov)  
Attn. Hasan Ikhata, Executive Director  
(213) 236 1800

See next page for additional addresses)



## FINAL ENVIRONMENTAL IMPACT REPORT

### 0.3.3 OTHER INTERESTED PARTIES

#### 0.3.3.1 OTHER INTERESTED PARTIES LETTERS

**Letter 1 (cont'd)**  
**R.A. Barney Barnett**  
**May 24, 2010**

Senator Bob Dutton  
3780 Market St.  
Riverside, CA 92501  
(951) 715 2625  
(951) 715 2627 fax  
[senator.dutton@sen.ca.gov](mailto:senator.dutton@sen.ca.gov)

Congressman Ken Calvert  
3400 Central Ave. Suite 200  
Riverside, CA 92506  
(951) 784-4300  
(951) 784 5255 fax  
[www.calvert.house.gov](http://www.calvert.house.gov)

Assemblyman Brian Nestande  
1223 University Ave. #230  
Riverside, CA 92507  
(951) 369-6644  
(951) 369 0366 fax  
[briannestande@asm.ca.gov](mailto:briannestande@asm.ca.gov)

Congressman Jerry Lewis  
1150 Brookside Ave. #J-5  
Redland, CA 92373  
(909) 862-6030  
(909) 335-9155 fax  
[www.house.gov/jerrylewis](http://www.house.gov/jerrylewis)

Assemblyman Kevin Jeffries  
41391 Kalmia St. Suite 220  
Murrieta, Ca. 92562  
(951) 894 1232  
(951) 894 5053 fax  
[assemblymember.jefferies@assembly.ca.gov](mailto:assemblymember.jefferies@assembly.ca.gov)

Congressman Joe Baca  
201 N. "E" St. Suite 102  
San Bernardino, Ca. 92401  
(909) 885 2222  
(909) 888 5959 fax  
[cong.baca@mail.house.gov](mailto:cong.baca@mail.house.gov)

Assemblymember Wilmer Carter  
335 N. Riverside Ave.  
Rialto, CA 92376  
(909)820 5008  
(909) 820 5098 fax  
[assemblymember.carter@assembly.ca.gov](mailto:assemblymember.carter@assembly.ca.gov)

Mobility 21-Six County Coalition  
One Park Plaza Suite 600  
Irvine, Ca. 92614  
(949) 288 6884  
(949) 264 1456 fax  
[mprimer@mobility21.com](mailto:mprimer@mobility21.com)

Assemblyman Bill Emmerson  
10681 Foothill Blvd. Ste 325  
Rancho Cucamonga, CA 91730  
(909) 466-9096  
(909) 466 9892 fax  
[assemblymember.emmerson@assembly.ca.gov](mailto:assemblymember.emmerson@assembly.ca.gov)

San Bernardino Associated Governments  
1170 W. Third St.  
San Bernardino. Ca. 92410-1721  
(909) 884 8276  
Attention Barbara Robinson Barmack  
[dbarmack@sanbag.ca.gov](mailto:dbarmack@sanbag.ca.gov)

**PLEASE WRITE OR E-MAIL ANY OR ALL OF THE ABOVE REPRESENTATIVES** and send a copy to Eliza Echeverria, RCTC Community Relations Manager, ([eecheverria @rctc.org](mailto:eecheverria@rctc.org)), and a copy to me to add to our 8 year long paper trail! Our voices must be "heard" in writing rather than just a phone call. Thank you!

R. A. "Barney" Barnett (951) 683 4994  
474 Prospect Ave. (951) 683 7258 fax  
Highgrove, Ca. E-mail: [highgrovenews@roadrunner.com](mailto:highgrovenews@roadrunner.com)  
92507 Web site: [www.highgrovehappenings.net](http://www.highgrovehappenings.net)

**HIGHGROVE IS THE RIGHT TRACK AND THE RIGHT LOCATION!**



**Letter 1 (cont'd)**  
**R.A. Barney Barnett**  
**May 24, 2010**

Wrong Track for Metrolink Stop!

Which is best, building a commuter train station right next to a track that has existing Metrolink commuter trains 7 days a week, or building a station next to a track that has no commuter trains? The difference between these two locations is only ½ mile but the destinations are different.

For over 8 years, RCTC has rejected the public's request to build a Highgrove Metrolink Station situated on 19 acres of vacant land between the BNSF RR tracks and the Perris Valley Line RR track. The 19 acres are needed for the curved track to connect the 2 railroads and this same property could also be used for a station platform on the west side where there are existing Metrolink trains between Riverside and San Bernardino.

Copies of the Draft EIR report have been made for public viewing at 4 libraries: Riverside, Moreno Valley, Woodcrest and Perris. But the Highgrove Public Library, only 1 mile away from the requested Highgrove station, has not been given a copy of the EIR!

And, under what authority does RCTC have the right to change the "Highgrove" name to "Citrus Connection"? Highgrove has been a station on the Santa Fe RR for over 100 years and today Highgrove is still a station on the same track on the BNSF railroad.

Please visit: [www.highgrovehappenings.net](http://www.highgrovehappenings.net) for written documentation that shows 8 years of support for a Metrolink station at Highgrove. There are city resolutions, letters and comments that date back to 2001. Station location should benefit both counties using existing Metrolink trains.

There are no commuter trains on the Perris Valley Line track.



**Letter 1 (cont'd)**  
**R.A. Barney Barnett**  
**May 24, 2010**

Federal Transit Administration  
201 Mission St. Suite 1650  
San Francisco, Ca.  
94105-1839

May 22, 2010

Attn.: Catherine Luu

Ref.: Perris Valley Line Metrolink Station Locations

Dear Ms. Luu,

For 8 ½ years the public's requests for a Metrolink Stop in Highgrove, Ca. have been opposed by the Riverside County Transportation Commission.

Unincorporated Highgrove is located in Riverside County between Riverside and San Bernardino near the county line. It is 7 rail miles south of San Bernardino and 3 ½ rail miles north of Riverside and is the railroad junction point where the Perris Valley Line track connects to the BNSF main line.

Existing Metrolink commuter trains already pass through Highgrove 7 days a week on the BNSF track but do not stop because there is no station platform next to the track. There are 19 acres of vacant land at Highgrove and both the east and west ends are next to a railroad track.

The main reason for this letter is to inform our Federal Representatives that for a long period of time we have had substantial public support for a Metrolink station stop in Highgrove where there is plenty of room for parking that will benefit the entire region!

But RCTC continues to insist that they will use our Federal tax money to build a station, only ½ mile away from the Highgrove location, on another railroad that is a dead end track where there are no existing commuter trains and no connections to other trains. And the RCTC plan will only transport commuters between Riverside and Perris. RCTC will have to purchase the 19 acres at Highgrove to build a curved track to connect the Perris Valley Line railroad track to the BNSF railroad track. Without this land to connect the two railroads, they will not be able to provide commuter train service between Riverside and Perris. The west side of this same 19 acres is where the public wants a station where existing Metrolink trains already operate. This same property could be used for the curve and the Highgrove station and the platform could be located on straight track south of where the Perris Valley Line connects to the BNSF track between mile post 7 and Iowa Avenue.

RCTC has to purchase the 19 acres for the curve but then wants to purchase another 10 or more acres only ½ mile away to build a station. Only one property is needed-not two! If RCTC is allowed to build a station ½ mile away from Highgrove on their dead end track, their plan does not include stopping any of the existing Metrolink trains that go through Highgrove between Riverside and San Bernardino even after the Perris Valley Line upgrades are completed! The Civil Engineer hired by RCTC, listed 13 reasons why Highgrove station could not be built but our Independent Civil Engineer states that the Highgrove location is possible. We have challenged their 13 reasons, because we feel their reasons had no validity and were only designed to try to convince the public to abandon the Highgrove location.

We are requesting that you look at the web site: [www.highgrovehappenings.net](http://www.highgrovehappenings.net)

Please click on "Wrong Track" on the map, the You-Tube video and Supporting Docs.

Click on each document to see the entire letter. Some of the resolutions date back to 2001.



**Letter 1 (cont'd)**  
**R.A. Barney Barnett**  
**May 24, 2010**

We continue to believe that a Metrolink station should benefit the surrounding region by using existing commuter trains that have established timetables that are already part of the Metrolink commuter rail network. Highgrove has written support in all 360 degree directions but all of the city resolutions, public comments at RCTC meetings, letters, petitions, newspaper articles, and written documentation continue to be rejected by RCTC. The station location should not be a political decision that will only benefit RCTC's goal of running trains between Riverside and Perris. The location should be based on serving the most people, providing the best destinations where there is ample parking, and a location where there is room for future growth. The Highgrove location has all of these assets! Someone needs to intervene to prevent wasting our tax money on a station that ignores these regional assets.

There are 1,555 sq. acres of vacant buildable land in Highgrove that was formerly orange groves but is now ready for the Spring Mountain Ranch project of 2,500 new homes. The entire infrastructure is already in place including compacted lots, electrical, water, sewer lines, fire hydrants, flood control channels and paved roads. And these new lots are only about 1 mile east of the Highgrove Metrolink station being requested. This project is ready to start building homes as soon as the economy improves and there are already 30,777 residents within a 2 mile radius of the Highgrove Metrolink station location even before these new homes are built! We have plenty of room for growth but commuter rail is needed for our fast growing area to help relieve the crowded I-215 freeway which is only about ½ mile from the Highgrove Metrolink station at the Center St. off-ramp.

The estimated cost of this project is \$232 million dollars because the Perris Valley Line track needs new welded rail and ties in the existing roadbed, new passing tracks, new engines, and coaches and a new Centralized Traffic Control System, because there is no CTC signal system for trains on the Perris Valley Line.

For the last several years there have been 3,224 commuter trains per year that pass through Highgrove right next to this 19 acre parcel of vacant land where there is ample room for parking. With the new approval of the Colton Crossing, future additional commuter trains are expected between San Bernardino and Riverside and these new commuter trains will go through Highgrove just like the existing commuter trains.

The current Riverside County Transportation Commission's Executive Director, Ann Mayer made the following statement in the Riverside Press-Enterprise on Feb. 15, 2009:

***"We have to put stops where they will serve the most people".***

We can't agree more! That is why a station is needed at Highgrove!

**We are not trying to stop the Perris Valley Line project but the station needs to be built next to the # 3 BNSF main line at Highgrove on the west side of the 19 acres!**

R. A. "Barney" Barnett

Chmn.: Highgrove Municipal Advisory Council, Editor: Highgrove Happenings Newspaper  
474 Prospect Ave., Highgrove, Ca. 92507  
(951) 683 4994

Web site: [www.highgrovehappenings.net](http://www.highgrovehappenings.net) e-mail [highgrovenews@roadrunner.com](mailto:highgrovenews@roadrunner.com)

Cc: Senators Barbara Boxer and Dianne Feinstein, RCTC, and interested parties.





**Response to Letter 1**  
**R.A. Barney Barnett**  
**May 24, 2010**

L1-1. The submittal is a compilation of material in support of a new Highgrove station. Most of the materials are signature cards or internet postings or newspaper articles that express the commenter's opinion on the need for a Highgrove station. Since pure opinion does not constitute substantial evidence of environmental concerns under CEQA, no response to these materials is required (see State CEQA Guidelines §§ 15384, 15088). With regard to those materials that do raise environmental comments/issues, responses are provided below. Since the materials raise the same issues many times, the responses below are presented in a discussion format to avoid repetition. The Draft EIR in Section 2.2 provides a description of the Highgrove Station and reasons why it is not being considered as part of the proposed project. This response provides the most up to date information regarding why the Highgrove station is not part of the PVL project.

The concept of a Metrolink Station in the Highgrove area has been raised by members of the public throughout RCTC's commuter rail planning process. In response, RCTC studied the concept on a number of occasions between 1994 and 2010. The evaluations consistently reaffirm that a Highgrove area station is not a feasible option for the PVL project. (State CEQA Guidelines § 15126.6(f)(1) [feasibility of alternatives can be determined based on factors such as site suitability, economic viability, availability of infrastructure].) Below is an explanation of why the Highgrove area station is not feasible.

During the planning period for the proposed project, site conditions have changed at the commenter's Highgrove area station site. The previously undeveloped 34± acres of private land now has an approved Parcel Map and Design Review (Planning Case P06-1506 and P06-1508) from the City of Riverside (November 2007) for development of the Citrus Business Park. Improvements to the property will include constructing four new industrial buildings (509,787 square feet). Access was approved via Citrus Street; emergency access is via Villa Street.

With public access to the site limited to Citrus Street, access across Springbrook Wash is the only way to access the two designated parcels north of the Wash. This area, north of the wash, was approved for two industrial buildings as part of the approval for the Citrus Business Park. The approved access is from a new crossing constructed on the western portion of the site, adjacent to the BNSF right-of-way. Since the approval of the Citrus Business Park, the two industrial buildings south of Springbrook Wash have been constructed. As such, the existing condition for the commenter's proposed Highgrove station site consists of two industrial buildings with access from Citrus Street and a crossing at Springbrook Wash at the western boundary of the property adjacent to the BNSF.

The proposed PVL project would construct the Citrus Connection on the two parcels north of Springbrook Wash. As discussed in the environmental document, the Citrus Connection would connect the BNSF main line with the SJBL/RCTC ROW via a



short curved track to be constructed. This would replace the two industrial buildings proposed for this northern area.

In addition to the approved Citrus Business Park, the City of Riverside is scheduled to start construction of a railroad grade separation at Iowa Street on the BNSF main line. The planned grade separation would allow Iowa Street to be raised over the BNSF main line between Palmyrita Street and Spring Street. Citrus Street would remain in the current configuration but only a right turn in/right turn out would be allowed to and from Iowa Street.

It should also be noted that construction has started on the Spring Mountain Ranch development, along the northern section of Pigeon Pass Road. The Riverside County Transportation Department (RCTD) is currently studying alternatives for roadway alignment through the development to connect Pigeon Pass Road with the City of Riverside. Currently, neither Center Street nor Villa Street (Highgrove area) connect to the east to provide access to the Spring Mountain Ranch area. The closest connection for Pigeon Pass Road would be at Marlborough Street which allows access to the Hunter Park Station. These alignments will continue to be studied by RCTD.

The planning history of the PVL began in 1988 when RCTC initiated studies of potential station sites on the BNSF main line to serve future commuter rail service to Orange County. As a result, RCTC decided to purchase passenger rail operating rights on the BNSF. As the Metrolink system expanded within Riverside County, existing stations were reaching capacity and various station selection studies were undertaken. Unlike other Metrolink member agencies, RCTC takes responsibility to fund the capital and operating costs for Metrolink Stations within the county. As such, RCTC takes into account both capital, operation, and maintenance costs when evaluating station locations.

Commuter rail station siting and selection considerations are based on a number of factors, including projected ridership and revenue; operational requirements; geographic spacing in relation to other stations; right-of-way requirements and availability; local conditions such as surrounding land use and traffic circulation; and rail configuration. Additionally, both the BNSF and the CPUC prefer the Marlborough Station location over the Highgrove site. The BNSF is concerned the Highgrove station location would cause increased congestion on the main line and not be a feasible option (Project Meeting, February 25, 2009). The CPUC identifies the Marlborough Station as the preferred location because of the existing roadway access. The Highgrove station would require two new grade crossings while Marlborough would not require any (email communication, February 2, 2011).

From an engineering perspective, the Highgrove area station is infeasible for the reasons enumerated below:

Prior to planning the PVL project, RCTC received public input concerning the construction of transit facilities in the Highgrove area. The desired facilities included locating a station on the BNSF main line near Citrus and Villa Streets. RCTC has revisited the feasibility of this option numerous times in the past (1994, 1999, 2003,



2007, and 2009). In general, the limitations identified by RCTC in early evaluations have not changed over the years. During a January 2006 evaluation, RCTC identified the following key reasons to decline development of a Metrolink commuter rail station at Highgrove on the BNSF:

1. Public preference was to expand existing stations (38%) compared to construction of brand new stations (only 6% of the public wanted a Highgrove option when compared to three other station sites);
2. Constrained Operating Environment – Highgrove weekday volume ranks the lowest in comparison to the current train volumes for the five existing RCTC Metrolink stations. The closest station (existing Riverside Downtown Station) to the Highgrove area is only 3.7 miles away. The Riverside Downtown Station train volume is more than 4 times that of a potential Highgrove option. Riverside Downtown serves three commuter lines while Highgrove would serve just one line.
3. It was determined that the opportunity to have a station site on the RCTC owned SJBL alignment, at a location just south of the Highgrove area (Hunter Park region), would be a better solution instead of purchasing property from BNSF.

The Hunter Park Station would also allow for commuters from the Spring Mountain Ranch the shortest access via Marlborough Avenue or Palmyrita Street (which connects to the Ranch development directly). Neither Citrus Avenue nor Villa Street connect east across the SJBL/RCTC ROW to allow access to a station from the east.

Subsequently, after the January 2006 presentation, members of the public requested additional evaluations to determine the viability of the Highgrove station option as part of the PVL project. In February 2009 RCTC requested STV Incorporated to prepare a Highgrove Station Site Plan Study. The results of this study indicated 13 impediments to the construction of a Highgrove Station. On September 19, 2009, Barney Barnett submitted a letter rebutting STV Incorporated's study. STV Incorporated prepared a response to Mr. Barnett's rebuttal by letter dated January 11, 2010. A summary of STV's response is outlined below:

1. Reconfiguration of the Villa Street grade crossing would be necessary. This would include extensive and costly safety and engineering enhancements and poses potential vehicular and pedestrian safety issues. In addition, the City of Riverside will not allow regular truck and vehicular access from Villa Street to the northern parcels in the Parcel Map and Design Review document dated November 8, 2007 (Planning Cases P06-1506 and P06-1508) that would cause adverse impacts the existing adjacent residential neighborhood. The CPUC has indicated, in a project email, dated February 2, 2011, that they will not allow a station at Highgrove because of the need to improve two at grade crossings when none require improvements at Hunter Park.
2. Extending Spring Street westward through an existing vacant residential property and creating a new vehicular and pedestrian grade crossing creates risks of train and vehicular/pedestrian collisions and is not feasible for the same



reasons as accessing the site from Villa Street. In addition, the CPUC has reviewed the Highgrove alternative and prefers the Hunter Park Station (Marlborough alternative) because of the close proximity of the two sites and existing crossings provide access to the Hunter Park Station (Marlborough alternative). The CPUC implementation practice for General Order Number 88-B is to not allow the construction of new at-grade crossings when not absolutely necessary. The CPUC views new at-grade crossings at Spring Street or over the Citrus Connection track as not absolutely necessary because of the option for a station to be located at Hunter Park (email communication, February 2, 2011).

3. The existing topography and evidence of substantial ponding on either sides of the crossing within the right-of-way (ROW) indicate serious drainage and visibility problems that would need to be addressed by extensive excavation and grading. Such work would add substantial construction and operational/maintenance costs and would also introduce new impacts to soils, geology and air quality during excavation. Thus, it's not "environmentally friendly" as commenter claims.
4. Diverting traffic into the Villa Street neighborhood to access the station parking on the northern parcels is not viable because the City of Riverside will not allow regular truck and vehicular access from Villa Street to the northern parcels. This limitation was stated as a condition of approval in the Parcel Map and Design Review document dated November 8, 2007 (Planning Cases P06-1506 and P06-1508). The City of Riverside indicated that Villa Street could only be used for emergency access into the site.
5. The original estimate in the 2009 Site Plan Study of 7 acres of available land for parking was based upon utilizing only the parcel north of the Citrus Connection track. Due to further design development and moving the Citrus Connection track further north to avoid the Springbrook Wash conservation easement, the northern parcel area available for parking has been reduced. STV Incorporated has reevaluated the available land for parking and included a portion of the parcel south of the Citrus Connection track in parking land area calculation netting approximately 9.3 acres total available land for parking. Although, considering the size, shape and configuration of the parcels available, a less than efficient parking plan would be the result. The actual area available for parking in the Citrus Connection area is slightly less than the Marlborough alternative containing 9.5 acres. The current total area north of Springbrook Wash is 17.22 acres. This 17.22 acres would then have the Citrus Connection track through the center of it which would result in a net usable area of 6.6 acres. Access to the approximately 6.6 acres on the north parcel would be dependent upon a vehicular undercrossing beneath the Citrus Connection track due to the access restrictions at Villa Street discussed above. The land area needed for an undercrossing would severely restrict the 6.6 acres available.
6. RCTC cannot limit access to the western driveway to only Metrolink passengers. The existing western driveway is shared access with the current property owner of the parcels (currently an existing industrial warehouse use) south of the



Springbrook Wash, forcing passenger traffic to mix with semi-truck traffic and creating an unsafe condition for access to the station parking. Per an easement in the Covenants, Codes and Restrictions for the purchase of the property by RCTC, access from this western driveway must be maintained for the owner of existing warehouse development. Any parking facilities located within the parcel area south of the Citrus Connection track are limited by the California Department of Fish and Game 50 foot setback from the Springbrook Wash due to Condition 22 of the Agreement Regarding Proposed Stream or Lake Alteration imposed on the subject property dated 5/30/08.

7. The only viable location for disabled parking is immediately adjacent or in the near vicinity of the platform and the ticket vending machine which would be in the western drive and does not fit due to the placement of the adjacent warehouse building. The alternative is to place the disabled parking north of the Springbrook Wash which would impose an unreasonable travel distance (in excess of 800 feet) from the closest parking spaces to the ticket vending machine and platform for disabled passengers.
8. BNSF representatives have stated that they prefer not to have a platform in their ROW in this location due to operational congestion and track capacity because of the high volume of freight traffic on their Main Line (Project Meeting, February 25, 2009).
9. The Highgrove station would require an inner-track fence to separate the station track (4th track) from the three BNSF Main Line tracks for safety reasons. This would move the 4th track further east, thus requiring a design modification to the Citrus Connection curve increasing the degree of the curve causing decreased train speed, higher wheel noise, and higher maintenance due to the increased wear on the track. In addition, the minimum width with required clearances (approximately 44 feet) would force the platform to encroach into the driveway. Per an easement in the CC&R's for the purchase of the property by RCTC, access from this western driveway must be maintained for the owner of the warehouse development on the southern parcels.
10. There is adequate bus service to the area proposed for the Highgrove station alternative, but there would be no on-site bus drop-off area near the platform because of the constrained space between the platform and the existing open access driveway. Bus passengers would be dropped off curb-side on either Iowa Avenue or Citrus Street.
11. Reconfiguration of Citrus Street would be required. It is agreed that the Citrus Street connection to Iowa Avenue will remain unchanged. Because of the length of the platform and the required distance (150') from the switch for the Citrus Connector track, reconfiguration, including real property acquisition on the east side of the street, would be required to move Citrus Street eastward where it curves adjacent to the BNSF Main Line ROW. This would result in an increase in project cost related to the property acquisition and the road reconfiguration. These costs would not be required for the Hunter Park station location.



12. A possible option to attempt to accommodate a station in the Highgrove location just south of the Citrus Connection is for RCTC to purchase the western-most building and property of the existing warehouse development on Parcel 4, demolish the building, and convert the property to on-site bus drop-off, disabled parking, and kiss-and-ride (drop off area with no parking) drop-off. This option presents traffic and congestion challenges due to the single entry and exit for passenger vehicles and buses. This would also require the demolition of the newly constructed industrial buildings at the site. Additionally, the vehicular access issues discussed above for the parcels north of the Citrus Connection would remain unchanged due to restrictions from the City of Riverside and CPUC.

As a result of additional study subsequent to the Site Plan Study prepared by STV Incorporated dated 2/27/09, the difference in cost to locate a station at this Highgrove site is now estimated at an additional \$35 Million to \$45 Million.

Many commenters suggested that the “existing” depot in Highgrove could be used as a station site to avoid the cost of constructing a new station. However, there is no existing Highgrove depot. The Highgrove depot was originally located just south of Center Street and was demolished in 1953 (Applied Earthworks, 2009). The former depot location is located approximately 2,300 north of Citrus Street and adjacent to where the BNSF mainline and the SJBL currently connect. This proposed location would only allow for access to the BNSF mainline and not the proposed PVL project because the PVL project does not travel that far north. Additionally, this area is a low income minority area that would be significantly impacted by moving services north of Villa Street.

For all the above stated reasons, the Highgrove station option was not included as a component of the PVL project or as a feasible alternative, and therefore is not evaluated further within this EIR.



Letter 2  
Stephanie Pacheco  
May 17, 2010

17 May 2010

Ms. Edda Rosso, PE  
Capital Projects Manager  
Riverside County Transportation Commission  
P.O. Box 12008  
Riverside, California 92502-2208

RECEIVED  
MAY 24 2010  
RIVERSIDE COUNTY  
TRANSPORTATION COMMISSION

Subject: Comments on Draft Environmental Impact Report (DEIR) Perris Valley Line Commuter Rail

Reference: Draft Environmental Impact Report (DEIR) Perris Valley Line Commuter Rail

Dear Ms. Rosso:

Please find as follows a summary of my comments on the subject DEIR. I am very concerned that the mitigations stated in the DEIR are not adequate to protect our neighborhood from the significant impacts associated with an increased number of trains proposed by this project. My specific comments based on my review of the DEIR are as follows. } L2-1

1. Impacts of the project to Hyatt Elementary School and Highlander Elementary Schools  
• The DEIR does not provide adequate mitigations to provide a safe environment for our children attending Hyatt and Highlander Elementary Schools. Adequate safeguards for our children for the proposed more than doubled number of trains passing by these schools have not been identified. } L2-2

• An analysis of potential hazards construction and use of the BNSF line have not been fully considered. A hazard communication plan/emergency response plan has not been identified } L2-3

2. Impacts of noise and vibration to the neighborhood  
• The proposed noise barriers may provide mitigation for the direct noise generated by the 12 more trains moving through our neighborhood for those immediately adjacent residences but the technical study and the subsequent DEIR does not provide a discussion and subsequent mitigation for reflected noise, or noise that would rebound above the wall, and its impact on residences not immediately adjacent to the tracks. } L2-4

• Quiet Zones have the potential to more fully mitigate noise and vibration impacts to our neighborhood. The RCTC has stated that they are not responsible for this mitigation; that the City or owner of the road should apply for a grant to create this zone. Has the RCTC ever thought about to working responsibly with local governments such as the City of Riverside towards establishing Quiet Zones? This is not uncommon. The Regional Transportation District (or RTD) of Denver adopted in 2007 a Responsible Rail Amendment that includes a provision } L2-5



Letter 2 (cont'd)  
Stephanie Pacheco  
May 17, 2010

calling for RTD to work with railroads and local communities to address the noise concerns of residents located within relevant transportation corridors. This amendment includes assisting the communities in the Quiet Zone application process and finding all possible funding sources to cover costs associated with implementing Quiet Zones. The average cost of a Quiet Zone may range from \$300,000 to \$500,000 per zone. The RTD has set a budget of \$300,000 per needed Quiet Zone and then helps to ensure any additional funding the Quiet Zone may need. Might this be a cheaper cost to the RCTC than bearing costs of possible litigation and project delays?

L2-5 (cont'd)

3. Impacts to Health and Safety of Residences and Schools.

- The DEIR does not provide a discussion of the hazards to the community that the proposed increased number of train trips through the neighborhood poses.
- The DEIR does not analyze impacts to the neighborhood if there was a train derailment that caused a blockage of any or all of the three exits from the neighborhood.

L2-6

L2-7

4. Cumulative Impacts.

- The DEIR does not adequately analyze proposed manufacturing/light industries associated with the March Global Port and other proposed industries in the area and the potential cumulative impact of the proposed track improvement and likely increased train traffic of both commuter and cargo trains.

L2-8

I would like to recommend that the potential impacts from this project to the residences located in Riverside be fully analyzed in as part of a revised DEIR and the revised DEIR be re-circulated for public comment. The RCTC is pushing this project without fully analyzing the dire effects of this project on our neighborhood. Please feel free to contact me at (951) 788-1251 if you have any questions.

L2-9

Sincerely,

Stephanie Pacheco  
255 W. Campus View Drive  
Riverside, CA 92507

cc. Melendrez, A., City of Riverside Council, Ward 2  
Loveridge, R., Mayor of Riverside





**Response to Letter 2**  
**Stephanie Pacheco**  
**May 17, 2010**

- L2-1 Comment is introductory. No response is necessary.
- L2-2. See Master Response #9 – Highland and Hyatt Elementary Schools (Increased Traffic), Master Response #7 – Emergency Planning and Response, Master Response #8 – Grade Crossings, and Master Response #10 - Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment). This comment states that “the Draft EIR does not provide adequate mitigations to provide a safe environment for our children” and that “adequate safeguards” have not been identified. However, this comment does not specifically identify desired mitigation measures, what “adequate safeguards” would entail, and what impacts these mitigation measures and safeguards would protect against. CEQA requires mitigation measures where a significant impact is identified (State CEQA Guidelines § 15126.4). Since the Draft EIR found no significant impacts with this issue, no mitigation measures are needed. Without knowledge of the specific impacts this commenter is concerned about, this comment cannot be addressed further.

Please note that safety is the primary concern of RCTC and SCRRRA for implementation and operation of the project. The PVL project is proposing to improve track conditions and grade crossings along the project alignment. These improvements include tie replacement, welded rail, and ballast replenishment where necessary and the addition of pedestrian warning devices and gates, concrete raised medians, safety lighting, and signs. By improving the overall condition of the tracks and grade crossings, both Metrolink and freight trains can operate safely along the same alignment. Additionally, to increase the awareness of trains and increase safety Metrolink provides “Operation Lifesaver,” a safety education program. Operation Lifesaver provides age appropriate programs for communities and schools within the Metrolink service area. For additional information regarding the program, see the Draft EIR in Section 2.4.14. Please note that Operation Lifesaver is not required as mitigation but is simply a gesture of “good will” by RCTC to provide an additional safety measure. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L2-3. See Master Response #7 – Emergency Planning and Response. This comment states that “an analysis of potential hazards construction and use of the BNSF line have not been fully considered.” The Draft EIR in Section 4.7.4 and Section 4.7.5 discussed hazards and hazardous materials associated with the project and identified three mitigation measures to reduce impacts to less than significant levels. This analysis included potential hazardous impacts related to construction. Without knowledge of the specific hazard impacts this commenter is concerned about, this comment cannot be addressed further. (*Browning-Ferris Ind. v. City Council* (1986) 181 Cal. App. 3d 852, 862 [where a general comment is made, a general response is sufficient]). There are no new impacts as a result of this comment and the Draft EIR has not been changed.



L2-4. See Master Response #6 – Noise. For projects where sound reflections off noise barriers are of concern, sound absorptive materials are often proposed for use on noise barriers. However, here it is not expected that reflections off noise barriers would result in any significant increases in noise levels since the PVL alignment would not be very close to the proposed noise barriers (FTA Manual, page 2-12). In this section of the alignment, barriers would be located at least 100 feet from the alignment. Depending upon the frequency of a noise source, sound can refract over the tops off noise barriers, however, these refractions are taken into account when the height requirements for the noise barriers were calculated. At the 255 West Campus View Drive location, between civil stations 323+00 and 335+00, there would be a set of parallel barriers; however, along this alignment segment, the barriers would be tall enough and sufficiently far enough away from each other and the SCRRA/Metrolink trains that sound reflections would not be significant. ([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))

L2-5. See Master Response #1 – Quiet Zones and Master Response #6 – Noise. A detailed noise assessment was conducted for project Metrolink trains at representative sensitive properties along the entire project rail alignment (FTA Manual, page 3-10). Where impacts were predicted, noise mitigation including sound insulation and noise barriers were proposed at specific locations (see Draft EIR, Section 4.10.5) to reduce impacts to less than significant levels. Second row buildings from the alignment were also considered. Second row residences such as 255 West Campus View Drive have the benefit of having a building between itself and the proposed alignment. As a result, noise levels at this type of receiver would be reduced in three ways: 1) the proposed noise barrier, 2) the intervening building that also acts as a noise barrier, and 3) the added distance between the PVL alignment and the property that increases the distance noise attenuation for the property. By definition, noise barriers are effective when they block the line of sight between the receiver and the noise-generating source (FTA Manual, Section 6.8.3).

Section 4.10 of the Draft EIR discusses the potential noise and vibration impacts as a result of the PVL project. CEQA has defined threshold limits related to the exposure of persons to noise and vibration. These thresholds are contained in local general plans and noise ordinances, or applicable standards of other agencies. According to CEQA, a significant impact from noise or vibration would occur if the project exceeded allowable limits defined by federal, state, or local policies and regulations. Accordingly, the FTA impact criteria were used to determine significant impacts as a result of the PVL project (see Draft EIR, Section 4.10.1). ([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))

L2-6. Master Response #9 – Highland and Hyatt Elementary Schools (Increased Train Traffic) and Master Response #8 – Grade Crossings. This comment states that “the Draft EIR does not provide a discussion of the hazards to the community that the proposed increased number of train trips through the neighborhood poses.” This comment is incorrect. The environmental analysis completed within the Draft EIR provides an evaluation of both construction and operational impacts of the PVL project. For example, the Draft EIR, Section 4.7.4 and Section 4.7.5 discussed hazards and hazardous materials associated with the project and identified three mitigation measures to reduce impacts to less than significant levels. Furthermore,



with the track and grade crossing improvements proposed, the PVL project does not have a significant impact to community safety. These track improvements include tie replacement, welded rail, and ballast replenishment where necessary, and the addition of pedestrian warning devices and gates, concrete raised medians, safety lighting, and signs at grade crossings. Without knowledge of the specific hazard impacts this commenter is concerned about, this comment cannot be addressed further. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L2-7. See Master Response #3 – Derailment (General). The PVL project is proposing to improve track conditions along the project alignment. Accordingly, any risk of derailment would actually be reduced by the project. These improvements would include tie replacement, welded rail, and ballast replenishment where necessary. Improvement to the overall track conditions would allow for both Metrolink and freight trains to operate safely along the same alignment. Since this comment does not specify which “neighborhood” the commenter is referencing, we assume she means the UCR neighborhood. The PVL project’s trains would be commuter trains of only a few cars. These trains are too short to block more than a single crossing. Thus, even in the unanticipated event that a project train stops in the neighborhood, there would be no significant impact because only one of three ingress/egress locations would be affected.

Additionally, with the implementation of the PVL project, the corridor will become a shared corridor with the Metrolink and BNSF under control of SCRRA. Due to the shared nature of the operations, it is not anticipated that trains would be allowed to stop in areas of single track (including the UCR neighborhood) because this would block other trains from passing through. Instead, trains would stop in the areas where there is a bypass track (between MP 7.50 to MP 16.90) and not in the UCR neighborhood. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L2-8. See Master Response #5 – Freight Operations. This comment states that “the DRAFT EIR does not adequately analyze proposed manufacturing/light industries associated with the March Global Port and other proposed industries in the area.” This comment also states that the Draft EIR did not adequately study “the potential cumulative impact of the proposed track improvement and likely increased train traffic of both commuter and cargo trains.” These comments are misleading. First of all, Global Port operations have not occurred in many months and, regardless, Global Port does not use or have sidings along the SJBL.

Secondly, as stated in the Draft EIR in Section 5.3, the cumulative list is consistent with State CEQA Guidelines Section 15130(b)(1)(A), which states that “a list of past, present, and probable future projects producing related or cumulative impacts, including if necessary, those projects outside the control of the agency should be included in analysis of cumulative effects in the EIR.” The Draft EIR also states that the “information for the cumulative projects was garnered from interviews with county and city planning agencies”, and references Appendix E (Section 5.3). Appendix E was attached with the Draft EIR during public circulation and provided a list of individuals who were contacted for interviews in preparation of the Draft EIR. This list



includes the City of Riverside Principal Planner, City of Moreno Valley Planning Official, Principal Planner for the Riverside County Planning Department, Planning Manager for the March Joint Powers Authority, and the Executive Director for the Western Riverside Council of Governments. These varied individuals provided a broad perspective on past, present, and probable future planning activities within the project area. Since the cumulative section in the Draft EIR analyzed potential cumulative impacts based on the reasonably foreseeable projects in the area and since the commenter does not specify any other projects that she believes should have been included on the cumulative list, the EIR is compliant with CEQA.

Thirdly, as explained in the Draft EIR, Section 2.4.13 and Master Response #5 - Freight Operations, freight trains are not a part of the project and RCTC is not responsible for freight traffic. As stated in Draft EIR, Section 2.4.13, freight operations are dictated by customer demand; in turn, customer demand is a function of economic conditions. The business decision to provide freight service along the alignment is profit driven. As long as the customer demand for freight service is low, there is no reason to assume BNSF would increase operations on the SJBL, regardless of the PVL project (see Draft EIR, Section 2.4.13).

If ridership for the PVL project increases in the future, RCTC might build additional stations to meet this demand. RCTC has committed to conducting additional environmental reviews for any new stations that would be added in the future. There are no new impacts as a result of this comment, the Draft EIR has not been changed.

- L2-9. See Master Response #11 – Recirculate EIR and the CEQA Process. The response to comments, in conjunction with the revisions, updates, and corrections made to the Draft EIR adequately address project-related environmental issues. As such, recirculation of the environmental document is not warranted.



Letter 3a  
Austin E. Sullivan  
May 17, 2010

RECEIVED  
MAY 17 2010  
RIVERSIDE COUNTY  
TRANSPORTATION COMMISSION

May 17, 2010

Dear Sirs:

These are my written comments evaluating the Perris Valley Line (PVL) Environmental Impact Report's (EIR) noise analysis. (EIR 4-10-1). My observations here are limited to issues of noise and associated impacts. I will comment on issues of vibration, air quality, and safety under separate cover. My comments on noise are provided here because it is an area with which I have a greater familiarity.

L3a-1

**PROJECT DESCRIPTION**

The EIR indicates that "initial service" would include twelve train passages on each week day. This represents a 50% increase over projects which had been proposed earlier. It is not clear whether this project alternative is intended to include subsequent, additional trains and, if so, what scheduling would be likely, but, since the proposed number of passages has already been increased, there is no reason to assume that subsequent trains will not be put into service. It should be specifically stated that any additional service would require a new EIR. Furthermore, neither the project description nor any of the analyses take into account the likely time shifting to night hours of the freight passages which already occur. As such, the analysis included in the EIR is limited to the initial case. Since the project has been so narrowly defined and analyses, therefore, so limited, any further increase, beyond the proposed twelve train passages, or any resultant increase in night time freight passages beyond those in the assumptions, would need to be accompanied by subsequent environmental review, evaluation, and associated public hearings. If a more expansive project description is intended, now is the time to make that clear so that analyses bases on this larger project might be conducted.

L3a-2

L3a-3

**EIR NOISE METHODOLOGY AND RECOMMENDED MODIFICATIONS**

The authors of the *Noise and Vibration* section of the EIR indicate that they have complied with the Federal Transit Administration's (FTA) guidelines. This is a minimal standard and not sufficient to assess the true noise impacts which the commuter line option would create. The standard set forth in the Federal Aviation Administration (FAA) FAR Part 150, (in general use and certainly known to the authors) would provide a much more accurate and rigorous analyses of these impacts, especially as to establishing an accurate baseline condition. Moreover, these standards also require more complete mitigation. These are the standards which are currently being employed in noise programs elsewhere in Southern California (Ontario, El Segundo, Inglewood, Westchester, and Playa del Rey; for further information on these standards and related matters, FAA El Segundo Office, Los Angeles World Airways, and the City of Ontario). The residents of western Riverside County deserve no less. Without this accurate

L3a-4



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Austin E. Sullivan  
May 17, 2010

baseline no subsequent analysis can be accurate, either. The methodology which is in general use in FAA Part 150 studies includes fourteen day continuous noise monitoring of both interior and exterior locations and at sites which can be assumed to represent the areas of maximum impact. The authors of this noise analysis indicate that noise monitoring was only conducted over short periods and over a span of several years. The limited nature of this monitoring is no small matter. Moreover, the locations at which monitors were placed were somewhat limited.

L3a-4 (cont'd)

Neither are the criteria used to assess impacts appropriate. In my experience, some objective standard (like 65 or 70 Ldn) has always been used to assess levels of impact. (Actually, these standards do not really assess impact; what they do is provide an objective standard to determine which impacted properties are eligible for some sort of mitigation and relief). In any case, though not stated anywhere in the document, one must assume that the authors are using some noise standard (70 Ldn?) as the cut off point for proposed mitigation. These standards are important because, ultimately, they will determine which properties should be mitigated and how. The standards should be clearly stated in some objective fashion which they are not.

L3a-5

In a noise study, the very first step should be to decide which noise metric is most appropriate. The authors have chosen the Ldn (level, day-night) standard; however, the CNEL (Community Noise Equivalence Level) metric would clearly have been better. Ldn is used in all of the states but California where CNEL is the accepted standard. Since we are in California, the use of CNEL is indicated. The two metrics are similar in that both provide a 10X increase in assumed noise impact for the period from 10:00 PM to 7:00 AM, hours during which a quiet environment is thought to be especially important. However, the Ldn standard understates noise impacts relative to CNEL because the latter also includes a 3X increase in noise impact for the period from 7:00 PM to 10:00 PM. This 3X increase usually results in only minor differences between the two standards. However, in this case, the result is likely to be fairly great because proposed evening train passages are anticipated for this 7:00 PM to 10:00 PM period. Therefore, the use of Ldn considerably understates the impacts which can reasonably be assigned to both current conditions and to the project. The use of the single event metric would be even better and would certainly produce a higher impact level even than those which would be derived by using CNEL.

L3a-6

The authors also state that: *An increase of 1 dBA cannot be perceived* (EIR, p 4.10-4). This statement is both true and misleading, because the dBA metric assumes that noise is averaged over a 24 hour period. In that average 24 hour case, it is, indeed, true that noise increases of one dBA cannot be perceived. Another way to describe what the authors are saying is that, if a given sound *is occurring*, an increase of 1 dB cannot be perceived by the human ear. That is technically correct. The authors and acoustical engineers in general, use this fact to suggest that no impact exists where there is an increase of 1 dBA or less. Nevertheless, it defies common sense to suggest that residents would not be aware of two additional train passages per day which would be about the equivalent of 1 dBA if averaged over 24 hours. This slight of hand is very common in noise studies and should never be taken as a serious basis for policy recommendations.

L3a-7



Letter 3a (cont'd)  
Austin E. Sullivan  
May 17, 2010

Of equal importance, this deceptive analysis calls into question the good faith with which this entire study is being conducted.

} L3a-7 (cont'd)

**PROPOSED MITGATIONS**

The proposed mitigation program cannot be taken seriously. RCTC's Environmental Assessment (EA) which was conducted in 2004 identifies 111 homes as impacted and of these 55 are in the category of "severe impact" (EA p. 3-101). Noting that the EA was conducted with a project description assuming only eight train passages per day as compared to the present proposal of twelve, one can only imagine that at least this number would be impacted by this project. Therefore, one must conclude that the current proposal to insulate seven homes is an attempt to do as little as the community will tolerate and is not made in good faith. (Even in the earlier EA, no objective standard was provided to indicate how these 111 homes were identified. The EA's authors state the following with reference to the Belvedere Heights area: "The three sites (sic) include 111 residences that are subject to 'Impact', 55 of which would be categorized as subject to 'Severe Impact.')" A proper mitigation program needs to be established and completed before the first trains roll. Such a program should include the following elements in addition to sound walls, and the limited insulation which has been proposed.

} L3a-8

First, quiet zones should be established along the line. It is not sufficient to indicate that this is a City of Riverside issue. It is an RCTC project. RCTC owns the line, and it is the RCTC's project which is causing the impacts. If RCTC chose to provide this mitigation I doubt that the City would object.

} L3a-9

Second a meaningful home, noise insulation program needs to be conducted. Using well established federal noise evaluation criteria, a projected, future 65 CNEL noise contour needs to be created. Then, again using well established federal guidelines, if any part of a lot falls within that contour, then the use on that lot should be considered eligible for noise insulation relief. This contour should be established by monitoring in approximately ten locations, in each affected neighborhood, over a continuous, fourteen-day period in order to establish an accurate picture of the existing condition. Then, modeling can be done to make assumptions about the with-project noise levels.

} L3a-10

As part of this program, there also needs to be pre- and post-insulation interior noise monitoring designed to determine the effectiveness of the mitigations. At a minimum, 25% of eligible homes (and all eligible churches, schools, daycare centers, etc.) should be sampled as part of this pre- and post-monitoring. (Monitoring of every eligible property would be better and is frequently done in such cases.) The standard which has been used elsewhere and which is appropriate here, as well, is an interior noise reduction to a with-project level of no greater than 45 dBA. If this standard is not achieved, then additional measures would need to be taken. The noise insulation program should be designed to truly mitigate all impacts of the project. This standard mitigation package is spelled out in several federal guideline documents. Its primary elements are: insulating walls and

} L3a-11



Letter 3a (cont'd)  
Austin E. Sullivan  
May 17, 2010

ceilings, providing solid core doors, installation of special noise-resistant windows, baffling other noise paths (such as fireplaces, vents, mail slots, etc.), adding weather stripping, and providing ventilation. With reference to ventilation, the minimum which the federal government requires is a system which allows two air exchanges per hour with the windows and doors closed. The climate is such in inland Southern California, that, as a practical matter, this has usually meant the inclusion of central air conditioning where it does not already exist. For example, central air and heating have been standard in Ontario's Part 150 noise mitigation program. Of course, many of the homes in the affected neighborhoods already have central air. Yet, the requirement to keep windows and doors closed would still represent an economic burden. Most residents keep windows open at night to allow the cool, night air to enter the house, thereby greatly reducing costs of electricity. This cost would be partially mitigated by the energy saving aspects of the insulation which would be provided primarily for noise reduction purposes. In those cases where homes have older, less energy efficient air conditioning systems, it could be totally mitigated by replacing condensers with newer, more efficient-units. In those cases, where energy-efficient units are already in place, the inclusion of a whole house fan as part of the package would be appropriate. Home owners would be able to have window cracked open and the fan on only briefly in the morning and derive the same benefit as if they had left the windows open all night.

L3a-11 (cont'd)

**SECONDARY IMPACTS**

Being a long-time resident of the UCR (Belvedere Heights) area, I am especially familiar with that community and the concerns of its residents. This community is decidedly middle class in character while it is demographically stable yet ethnically, religiously, and racially diverse. In short, it is one of the few examples in the entire county of a real-life, working community where the American ideal of diversity has been achieved. Because of this unique and exemplary character of the UCR neighborhood, every effort needs to be made to maintain its quality of life. However, residents see the impacts of the proposed Metrolink line as a threat to this success story, and, it is clear, that this project does have the potential to disrupt the harmony which has, heretofore, characterized the neighborhood.

L3a-12

A major concern of homeowners whose houses do not abut the rail line is the indirect impact which this project is likely to have on the neighborhood, in general. The scenario which troubles them is the one where, owing to noise impacts, our good neighbors whose homes do abut the track become so frustrated that they sell to speculators. These new non-residents would most likely over-fill these homes with UCR students at high rents. Such speculators are not known for proper property maintenance, hence the concern that the general quality of the neighborhood will deteriorate. **If the project is carried forward, the best way to stop this negative future scenario from becoming reality is to incorporate adequate mitigation measures.**





Letter 3a (cont'd)  
Austin E. Sullivan  
May 17, 2010

**THE PUBLIC HEARINGS PROCESS**

Environmental review and associated public hearings are, in theory, intended to provide policy makers with information and opinions so that they might better make informed decisions. Since RCTC has already identified a prospective start of operations for the PVL, it seems that this environmental review and these public hearings are being conducted in order to fulfill legal requirements, and there is little real interest in determining impacts and proper mitigation. Decision makers have contended that the approval of this project is, by no means, a forgone conclusion. However, one would have to be blind not to notice that on the order of a million dollars has already been spent to upgrade right-of-way along the proposed Metrolink line. In addition, approximately \$130,000 was spent to signalize Campus View Drive at Blaine. These expenditures only make sense if one anticipates high speed trains in the near future. These preemptive actions leave the clear impression that the main purpose of this environmental assessment is to satisfy the legal requirement, only. The largest expenditure (and actual commitment to this project) probably occurred years ago, when the right-of way was purchased. (The entire process would have been more legitimate if that discretionary act had been the basis for the environmental review which we are currently seeing.) Therefore, the entire process takes on an unreal aspect, not unlike a kangaroo court.

L3a-13

One fears that we are seeing a contemporary case similar to the infamous transportation planning conducted by the New York Port Authority under the leadership of Robert Moses. In the most notorious case of the Cross-Bronx Expressway, a freeway was built which caused the destruction of numerous communities. One also fears that the availability of this proposed commuter line will be used as justification for further, undesirable tract house construction in the Moreno Valley and Perris areas, in spite of the fact that the ridership on these lines has only rarely met expectations and always has to be highly subsidized.

L3a-14

Neither does the *Noise* portion of the EIR allay these fears. Rather than being a complete noise assessment, this document represents a clear effort to get away with as little as possible. This, in spite of the fact that the EIR identifies noise as one of the greatest impacts associated with the proposed Metrolink project. Since RCTC has finally tipped its hand with this unserious mitigation proposal, it has become the job of, we, the community residents, to do whatever it take to see that these corners are not cut.

L3a-15

**RECOMMENDATIONS**

Given the real impacts of the proposed Metrolink train, and the great expense associated with the train, itself, as well as the cost of proper mitigation, it seems that the express bus option might be better. Not only does this proposal avoid the impacts associated with the train, it is far more flexible. That is, additional, or fewer, buses could be employed on the line, as needed. Since no one really knows how many riders this project will attract, that seems like a very significant advantage for that approach. Nevertheless, as indicated

L3a-16



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Austin E. Sullivan  
May 17, 2010

above, it seems clear that the RCTC is strongly predisposed to approve the proposed PVL. That being the case, the project should incorporate the following provisions.

1. **The RCTC should commit itself to new environmental review and public hearings, etc. if subsequent trains, beyond the 12 daily passages which are the basis upon which the analyses in this EIR was conducted.**
2. **Similarly, any further displacement of freight train passages into the more sensitive night hours beyond those assumed in the EIR (if resulting in an increase of 1 CNEL or greater) should trigger new hearings and supplemental environmental review.**
3. **The noise monitoring study should be redone using those same federal standards which have been employed elsewhere in Southern California and as outlined in these comments (see FAA Part 150).**
4. **This new study (and all subsequent noise monitoring and projections) should use the single event metric or the CNEL metric rather than Ldn.**
5. **All mitigations should be implemented before the first trains roll. This would include the construction of sound barriers, home noise insulation, and relocations.**
6. **Eligibility for noise insulation should be based on a projected, future 65 CNEL contour as outlined in these comments.**
7. **Homes (and other sensitive uses) should be insulated to a maximum interior noise level of no greater than 45 dBA.**
8. **The sound insulation program should include new air conditioning condensers and whole house fans, where appropriate in order to offset the cost of keeping homes closed at night.**
9. **The RCTC should state whether the recent shift to night hours of freight passages has anything to do with this project. If it does not, then the RCTC should determine and make public why this change has occurred and should use their good offices to require the freight lines to revert to their prior operating practices.**
10. **The mitigation of this project should include the development of quiet zones for the intersections of the rail line and Spruce Street, Blaine Street, and Mount Vernon Avenue.**

L3a-16 (cont'd)

Thank you for this opportunity to comment on the *Noise* portion of the EIR. I expect to comment on the *Vibration, Safety, and Air Quality* portions under separate cover.

L3a-17

Yours truly,

Austin E. Sullivan  
275 W. Campus View Drive  
Riverside, CA 92507

951/788-3812



**Response to Letter 3a**  
**Austin E. Sullivan**  
**May 17, 2010**

- L3a-1. This comment is introductory. No response is necessary.
- L3a-2. The environmental analysis completed was for all reasonably foreseeable operations as is required by CEQA. If ridership increases in the future, RCTC might build additional stations to meet this demand. RCTC has committed to conducting additional environmental reviews for any new stations that would be added in the future. There are no new impacts as a result of this comment, therefore the Draft EIR has not been changed.
- L3a-3. See Master Response #5 – Freight Operations. The PVL project is the introduction of commuter rail service. Freight operations will continue on the SJBL whether the PVL project is constructed or not. The frequency and quantity of materials, as with all freight operations, is dependent on customer demand. There are no new impacts as a result of this comment, therefore the Draft EIR has not been changed.

The PVL noise study assumes that no time shifting of freight trains to night-time hours would be required as a result of the PVL project implementation based on the 2008 freight study commissioned by RCTC, which found no evidence that shifting freight trips to night-time hours was a reasonably foreseeable result of the PVL project. A detailed noise assessment was conducted for project SCRRA/Metrolink trains at representative sensitive properties along the entire project rail alignment. Where potential significant noise impacts were predicted, noise mitigation, including noise barriers and sound insulation, was proposed (see Draft EIR, Section 4.10.5) to reduce these impacts to less than significant levels.

See Master Response #6 – Noise. Section 4.10 of the Draft EIR discusses the potential noise and vibration impacts as a result of the PVL project. CEQA has defined threshold limits related to the exposure of persons to noise and vibration. These thresholds are contained in local general plans and noise ordinances, or applicable standards of other agencies. According to CEQA, a significant impact from noise or vibration would occur if the project exceeded allowable limits defined by federal, state, or local policies and regulations. Accordingly, the FTA impact criteria were used to determine significant impacts as a result of the PVL project (see Draft EIR, 4.10.1). As per the FTA Manual (FTA Manual, page 6-43), sound insulation was proposed at seven homes and one church along the alignment where the use of a noise barrier would not be feasible.

([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))

- L3a-4. The commenter has suggested that Federal Aviation Administration FAA noise standards be used to assess the PVL project. As an FTA commuter rail project, potential project-related noise and vibration impacts were analyzed and mitigation measures were developed in accordance with the prescribed 2006 “Transit Noise and Vibration Impacts Assessment,” FTA (FTA Manual). The FTA Manual is specific to rail transit noise and vibration and its use is required by FTA for commuter rail



projects. To apply FAA noise standards to a commuter rail project is inappropriate and contrary to FTA requirements.

The FAA FAR Part 150 represents the recognized federal regulation for aviation noise. Conversely, the 2006 “Transit Noise and Vibration Impacts Assessment,” FTA (FTA Manual) represents the industry recognized federal guidelines for rail transit noise and vibration. Both regulatory directives are legitimate when they are properly applied. However, to use the FAA regulations on a rail project would be an inappropriate use of government guidelines since the very nature of rail versus airplane noise necessitates different methods of evaluation. As a result, the proposed PVL noise and vibration assessment methodology (which includes relevant noise monitoring procedures and assessment criteria) and the subsequent mitigation recommendations were based on FTA procedures (see FTA Manual, Chapters 3 and 6 as well as Appendix D) (see Draft EIR, pages 4.10-4 to 4.10-6). ([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))

L3a-5. Please see Responses L3a-6 and L3a-7 below.

L3a-6. With respect to noise descriptors, the FTA Manual calls for the use of  $L_{dn}$  as the appropriate descriptor for transit-related noise as it relates to residential uses where sleep is required and  $L_{eq}$  for “primary daytime” land uses such as schools and churches (FTA Manual, Section 2.5.5 and Table 3-2). As the commenter acknowledges, the  $L_{dn}$  descriptor (as with CNEL) weighs night-time noise more heavily than daytime noise. Concerning the CNEL descriptor suggested by the commenter, although it also adds an additional decibel penalty for noise during evening hours, it is geared primarily towards describing overall community noise for potential development projects. Therefore, while the project is located in California where the CNEL descriptor is used in the assessment of many non-transit based projects, because the PVL project is related to rail usage, the  $L_{dn}$  descriptor based on FTA Manual guidance was used here. See Master Response #6 – Noise. ([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))

L3a-7. The commenter’s statement “An increase of one dBA cannot be perceived” is correct in its proper context. However, it is also important to note that the FTA Manual noise criteria is based on EPA studies which have been adapted by major federal agencies such as the U.S. Department of Housing and Urban Development (HUD) (FTA Manual, Section 2.4 and 2.5.5). Specifically, the HUD absolute criteria recognize that 65 dBA and 75 dBA noise levels would result in acceptable and unacceptable living environments, respectively, which correlate with FTA criteria (FTA Manual, page 3.1.2). In addition, the FTA noise criteria also incorporate relative criteria, therefore, the possibility that a cumulative noise increase of one dB would result in a project noise impact is valid (see Draft EIR, Section 4.10.1). This results when a community’s existing noise exposure is already high.

Noise monitoring data were updated several times to ensure that the most up-to-date data were used (see Master Response #6 – Noise). Therefore, although we do agree that individual train events may be objectionable to residents, the FTA criteria effectively utilizes absolute and relative criteria to identify the relationship between the percentage of highly annoyed people and the noise levels in the community



environment. The incorporation of night-time noise sensitivity is also critically important and is accomplished by using the  $L_{dn}$  descriptor.  
([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))

- L3a-8. See Master Response #6 – Noise. The Draft EIR has predicted that 83 residential units would be impacted by noise from the proposed PVL project. This represents a reduction in the number of impacted properties compared to the previous 2004 study. However, the most recent study includes the use of more up-to-date noise monitoring data, revisions in the proposed train schedule, and improvements in the way “wheel squeal” will be handled at short radius curves (see Draft EIR, Section 4.10.4). The 2010 Draft EIR proposes noise barriers for the majority of impacted homes, however, sound insulation will also be provided at seven homes and one church. This represents more than twice the number of properties recommended for sound insulation in the 2004 report. The selection of eight properties for sound insulation was based on the fact that these particular properties would either not be properly protected by noise barriers or the existing terrain would make the use of noise barriers infeasible (FTA Manual, page 6-43). All eight properties are located near grade crossings. Because these grade crossings naturally create noise barrier discontinuity (since the barrier cannot traverse the intersection), homes nearby the crossings are often left either unprotected or under-protected, thus the need for sound insulation at these properties. Where this discontinuity occurred, sound insulation was recommended. The requirements for building insulation (such as window sound transmission class, insulation techniques/materials, required interior noise decibel reductions and interior noise levels) are further described in the Noise and Vibration Technical Report and the FTA Manual, pages 6-43 to 6-44. Extensive industry-wide use of sound insulation products and installation techniques have demonstrated that sound insulation is an effective mitigation measure for reducing interior noise levels.  
([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))
- L3a-9. See Master Response #1 – Quiet Zones.
- L3a-10. The commenter is incorrectly trying to apply aviation noise criteria to a rail project. See Responses L3a-2, L3a-3, and L3a-4.
- L3a-11. In order to predict where potential noise impacts would occur as a result of the PVL project, exterior noise criteria described in the FTA Manual, Section 3-1 was used to assess properties along the entire length of the project. The 45 dBA interior noise level mentioned by the commenter is indeed the basis for the exterior noise level criteria developed by the FTA (FTA Manual, Section 2.4). However, for those properties that would be impacted by train noise but could not be mitigated using exterior mitigation measures (such as noise barriers), sound insulation was proposed. As a result, for the eight properties where sound insulation is proposed, the FTA interior transit noise criteria level of 65 dBA is applicable (FTA Manual, page 6-44). This interior criterion is different from the FTA noise criteria applied to the exterior of properties (FTA Manual, Section 3-1) because it applies to the required interior noise level for occurrences of noise from project-related transit sources only (in this case the noise from Metrolink trains). Therefore, the 65 dBA interior noise criteria level was correctly applied to properties where sound insulation was



proposed. As a consequence, any sound insulation provided by the contractor must provide a net interior noise level reduction of at least 5 dBA while also providing an absolute interior noise level of 65 dBA or less. In addition, because all of the eight properties proposed for sound insulation are at grade crossings, the interior noise levels specifically related to train horn noise must be 70 dBA or less (FTA Manual, page 6-44). With respect to specific sound insulation measures, see Response L3a-4. Exterior post-operational noise monitoring is not proposed but may take place if the FTA decides to evaluate the effectiveness of noise mitigation. This would be at FTA cost and not part of the PVL project since this type of monitoring can only be authorized and provided at the request of the FTA.

With respect to central air conditioning, if the installation of sound insulation would result in residences not having any means of ventilation, then these homes would require central air conditioning as part of the sound insulation process (FTA Manual, page 6-43).

([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))

- L3a-12. Implementation of the proposed PVL project will provide noise mitigation measures and safety improvements that would not be available to the community under any other circumstances. It is expected that with the mitigation measures associated with the PVL project, freight train impacts would also be reduced and therefore provide an overall benefit to the community. It should be noted that the commenter is speculating about changes in neighborhood stability and character due to the PVL project from inadequate mitigation measures. Thus, no further response is required.
- L3a-13. This comment states that “this environmental review and these public hearings are being conducted in order to fulfill legal requirements, and there is little real interest in determining impacts and proper mitigation.” This comment is untrue. It is true, that the Draft EIR was written in full compliance with State CEQA Guidelines. Technical reports and analysis in the text adequately addressed each environmental issue area. Statements made in the Draft EIR were based on factual evidence and findings. Section 8.0, References, lists the sources that were used to produce the Draft EIR. However, not only is the Draft EIR compliant with CEQA, the CEQA process for the PVL project has gone far beyond the minimum requirements. The Draft EIR, Section 1.4 explains the steps RCTC has taken so far. RCTC prepared an IS/MND and circulated the document for public and agency review in early 2009. As part of the public involvement for the IS/MND document, RCTC held two public outreach workshops in June 2008, a public information meeting in February 2009, and two public hearings in February 2009. In response to public input, RCTC decided to proceed with an EIR and would consider the IS/MND comments in the EIR.

Additionally, on July 28, 2009, two weeks after the NOP was posted by the State Clearinghouse, RCTC conducted a public scoping meeting at the Moreno Valley Towngate Community Center. The intent of this meeting was to receive input on the issues that should be covered in greater detail in the EIR. The Draft EIR public review and comment period was open for 49 days between May 24, 2010 and May 24, 2010. This exceeds the CEQA prescribed minimum 45-day review period. Initially, two public hearings (April 4, 2010 and April 22, 2010) were scheduled;



however, in response to public request, a third public hearing (May 17, 2010) was held. These public hearings were a courtesy of RCTC and not required by CEQA (CEQA Section 15202(a)).

The commenter claims the signal at Campus View Drive and Blaine Street is an example of a “pre-commitment.” However, the signalization of Campus View Drive and Blaine Street are not pre-commitment under CEQA because the signalizations had separate and independent utility from the PVL project. Therefore, not only has the Draft EIR fulfilled the CEQA requirements, it has more than adequately analyzed impacts and mitigation measures.

The commenter also states, “these expenditures only make sense if one anticipates high-speed trains in the near future.” This comment is incorrect. RCTC is proposing to extend Metrolink service from Riverside to south of the City of Perris. This would be the extension of the existing 91 line from downtown Los Angeles. RCTC is not proposing high-speed train service along this corridor. If another agency is proposing high-speed train service along the PVL corridor then they will have to seek approval from RCTC, the landowner.

Based on the aforementioned reasons, the PVL project and the EIR process have been fully compliant with CEQA. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

L3a-14. This comment provides no substantial support to the claim that the PVL project is similar to the New York case. “Fears” are not substantive evidence (State CEQA Guidelines, § 15384). Furthermore, RCTC has devoted years of study to this project (see Response L3a-13). Additionally, the commenter’s claim that the PVL project would induce additional housing development is speculative. Indeed, the project is growth accomodating based on local planning documents. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

L3a-15. See Master Response #6 – Noise.

L3a-16. An Express Bus Alternative was considered In the *San Jacinto Branchline/I-215 Corridor Study Alternatives Analysis* (STV Incorporated, 2004), included as Technical Report A to the Draft EIR, but was rejected because the Express Bus Alternative would not reduce highway congestion in the SJBL/I-215 corridor and automobile and bus modes would still be tied to the congested roadway network. However, all three commuter rail alternatives would allow commuters to decrease their travel time in the corridor and decrease personal vehicles used in the corridor reducing congestion. Therefore, a commuter rail option was selected to provide mobility through the corridor without relying on or adding to the congestion of the area highways.

The ridership projections for this study were developed using the forecasting for the Alternatives Analysis that was performed by the Southern California Association of Governments (SCAG) utilizing the existing and approved SCAG regional travel demand model. The model was run for different scenarios at different time intervals: base year, start-up year, and forecast year. The forecast year for the study was



2025. Please refer to Technical Report A (Chapter 4) for a discussion of ridership for the proposed alternatives. Exhibit 25 in Chapter 4 depicts the boardings by stations for the Express Bus Alternative and three commuter rail alternatives. The selected commuter rail option shows a ridership in 2025 (7,472 boardings) which is slightly more than double the ridership for the Express Bus Alternative (3,705 boardings).

In accordance with CEQA, mitigation measures imposed by the project shall reduce potentially significant impacts to a level of non-significance. Analyses completed for the potential project impacts followed standard practices for a project of this nature. With the proposed mitigation measures, RCTC has reduced all potentially significant impacts to a level of non-significance.

Mitigation measures shall be in place prior to initiation of service.

L3a-17. This comment is conclusory. No response is necessary.





Letter 3b  
Austin E. Sullivan  
May 24, 2010

May 24, 2010

Dear Sirs:

I am writing regarding the DEIR which is currently in review for the proposed Perris Valley Metrolink Line (PVL). I have provided an assessment of its *Noise* element under separate cover. I am writing here to express my concerns with the *Vibration, Safety (Hazards), Air Quality, Traffic, Growth Inducement, and Cumulative Impacts* components. I will address each of these issues in turn. However, prior to that, it is my observation that all of the studies in the DEIR have a generic, "off the shelf" feel to them. Many of the included observations seem to have little or no application to this specific case and amount to boilerplate derived from similar, earlier studies. For example, the claim that derailments can be expected only every 124 year (EIR, p. 4.7-11) on average ignores or has been made with no knowledge of this line's history which has seen three derailments, near schools, within the last twenty-five years. (I'm sure that the Riverside Unified School District will provide much more data on these events.)

L3b-1

**VIBRATION**

First, some of the initial assumptions upon which this portion of the study is based are in error. For example, the study assumes no increase in rail traffic since 2005 (EIR p. 4.10-19). This initial assumption is factually in error as any resident along the line can attest. (It is likely that this error occurred because it was assumed that the only train passages were pick-ups and deliveries. In fact, many trains traverse the line simply to store unused box cars in the siding along I-215.) With this and other initial assumptions in error, clearly, one cannot trust conclusions.

L3b-2

Second, the EIR states: "...mitigation measures such as the use of ballast mats or resiliently supported ties would significantly reduce the level of predicted vibration." (p. 4-10-21). Nowhere is it stated that these mitigations would reduce impact to below levels considered significant. It then goes on to state: "When assessing vibration mitigation it is important to consider both degree of impact and the **cost** as any mitigation should be both reasonable and feasible."(ibid.). CEQA case law and black letter law are both very clear, that matters of cost should not be taken into consideration when determining impacts or the levels thereof. Therefore, one can only assume that the authors are truly unfamiliar with the basics of CEQA or, more likely, they have received marching orders to make this project look as benign as possible. In either case, the reliability of the entire EIR must be called into question.

L3b-3

L3b-4



**Letter 3b (cont'd)**  
**Austin E. Sullivan**  
**May 24, 2010**

**SAFETY (HAZARDS)**

I commented earlier on the failure of the DEIR to identify the three derailments which have occurred recently on the proposed route. All of these occurred on or near the Box Springs grade where a speed limit is currently in effect. This grade is unusually steep, the adjacent Box Springs Regional Park is the home to rodents whose burrows regularly compromise the safety of the track. (This analysis was not provided in the EIR.) Therefore, one can reasonably assume that this is the most hazardous reach along the proposed line. Unfortunately, this is exactly the location where adjacent land uses are most sensitive. It includes numerous homes, and most important, Hyatt School with the playground just below the inclined track and the school building, itself, below that. The true hazard which this project poses was not identified or evaluated.

L3b-5

The fact that the track separates the UCR community from the Box Springs Regional Park is another source of hazard which the DEIR did not address. The track, itself, is routinely used as a play area by children. Moreover, the track blocks most access from the neighborhood to the Park. Therefore, it is unrealistic to expect children and others to do other than to cross the track to enter the Park. As such, the track clearly would constitute an attractive nuisance were it to be used by 12 higher speed trains per day. The DEIR fails to address any of these considerations. The DEIR also ignores the risk which is inherent in the operation of both freight and passenger trains on a single line, especially one with this extremely steep grade. Therefore, the Safety (Hazard) portion of the DEIR provides another example of the careless way in which the entire study was conducted.

L3b-6

**AIR QUALITY**

It is a truism that *the solution to pollution is dilution*. However, the reverse is also true. That is, higher concentrations of pollutants represent greater risk. The proposed Metrolink line passes directly through the UCR community, and, as such, each house and other sensitive land use which lines the track would be exposed to high concentrations of pollutants even though the regional effect would not be great. The *Air Quality* analysis in the DEIR glosses over this fact. We have reliable reports from residents of the area that their vegetable gardens have frequently been covered by particulate matter generated by passing freight trains. The Metrolink trips would make this situation worse. The cumulative impact of these multiple sources has not been addressed, either. Moreover, the line in question is owned by the RCTC. Therefore, that agency is already responsible for the air pollution to which the community is already being subjected. The Metrolink proposal cannot reasonably be separated from the existing rail traffic. Both are the RCTC's responsibility. It is disingenuous to do an analysis

L3b-7



**Letter 3b (cont'd)**  
**Austin E. Sullivan**  
**May 24, 2010**

which disaggregates these sources and then concludes that neither reaches a level of significance while it is clear that, taken together, both do. The analysis of exposure to sensitive receptors is similarly flawed in that the pollution generated by current and projected freight traffic is not considered, either as part of the project or as part of a cumulative assessment.

L3b-7 (cont'd)

These “sensitive receptors” are given short shrift in the air quality analysis, in other ways, as well. Several of these are listed in the DEIR. I will only address concerns related to Hyatt and Highland Schools and the UCR Child Development Center, but many of the same observations could be made of all those sensitive receptors identified in the study. The DEIR assumes that these receptors must be either near intersections which are projected to be congested because of the project or parking lots which are part of the project with the *project* defined as the proposed Metrolink usage. Because these receptors are already subject to degraded air quality, much of which is caused by traffic on the line, any additional pollution load is problematic.

L3b-8

Furthermore, it is dumbfounding that the DEIR’s analysis identifies “sensitive receptors” as groups which include both athletes and children under 14 years of age (DEIR p. 4.3-29) and then goes on to defines the “schools” as the school buildings only. In all of the aforementioned cases the schoolyards are immediately adjacent to the track. While it is true that a narrow definition of “athletes” might exclude the students in these playgrounds, it is clear that they would be inhaling great quantities of air as they run and play, and in all meaningful ways they would suffer the same exposure as would individuals on a track team. As such, the DEIR should have identified these schools as being zero feet from the right-of-way, and all analyses should have been conducted on that basis. (In the case of Hyatt School, the playground is not only adjacent to the track, it is elevated so that particulate matter would be disbursed widely over the entire area.)

L3b-9

As is true throughout the DEIR, in the case of the *Air Quality* study, the analysis seems generic and has little application to the specific case of this project and the UCR community.

**TRAFFIC**

Based on the restricted project definition under which the *Traffic* portion of the DEIR analysis was made, the impacts which are identified seem somewhat reasonable. The problem lies in the project definition. Forgoing discussion as to whether current freight train traffic would appropriately be considered part of this project, it is clear that the track improvements which are an essential part of the project will, necessarily, result in an increase in freight passages on the line. These increases will, in turn, not only impact local traffic but most other area studies in the DEIR including, especially issues of *Safety, Noise, Vibration, Safety, and Air Quality*.

L3b-10



**Letter 3b (cont'd)**  
**Austin E. Sullivan**  
**May 24, 2010**

Nowhere in the DEIR is this increase in freight traffic addressed even though it would be a certain, direct result of the proposed project. It is important that the Final EIR address this increased freight traffic, as it would affect all potential impacts. It should use reasonable assumptions as to what levels of increased traffic will result including a high, low, and moderate increases in freight traffic.

L3b-11

**GROWTH INDUCEMENT**

This section of the DEIR uses about half a page to dismiss concerns about growth inducements out of hand. It is not credible that the writers do not understand that the presence of the proposed commuter line would be used by those in the Perris Valley and elsewhere who hope to create housing tracts as a presumed mitigation for the traffic that these new homes would generate. In fact, the line would not likely be used by these new residents. It is much more likely that they would create even more freeway congestion. Thus, the commuter line has the real potential to become the linchpin upon which new development rests. This fact is not addressed in the DEIR.

L3b-12

However, this is not the primary problem with this section of the DEIR. Rather, it does not even address the increase in freight traffic on the line which this project would make possible. It is clear that there is a maximum amount of freight which the line can currently carry because of the steep grade and poor condition of the track. This cap would be eliminated if the track improvements which are proposed here actually are carried to completion. The current use agreement which RCTC signed in 1993 places no limit on the amount of freight which can be transported over the line. As such, RCTC has no way of insuring that a massive increase in freight traffic will not result if this project is carried to completion. This issue needs to be addressed in detail.

L3b-13

**CUMMULATIVE IMPACTS**

As is common in similar studies, the *Cumulative Impacts* section of the report is not thorough and barely addressed any of the potential, cumulative impacts. Most obviously, the cumulative impact of increased noise is only addressed in one paragraph and in no detail. It is clear that many homes, two schools, and a child development center are already impacted by noise. It is true, that, with a constant source (not the case here) additional noise only increases impacts marginally. Even so, if a sensitive use which is currently impacted is subjected to additional noise, one has to conclude that the cumulative effect is significant. This issues has been completely ignored in the DEIR and needs to be addressed.

L3b-14



Letter 3b (cont'd)  
Austin E. Sullivan  
May 24, 2010

Thank you for this opportunity to respond to the DEIR. I look forward to your responses in the Final EIR.

} L3b-15

Yours truly,

Austin E. Sullivan  
275 W. Campus View Drive  
Riverside, CA 92507  
951/788-3812  
austineps1@hotmail.com



**Response to Letter 3b**  
**Austin E. Sullivan**  
**May 24, 2010**

- L3b-1. See Master Response #3 – Derailment (General). There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L3b-2. Although the number of freight trains would occasionally fluctuate up or down, based on the best information available from RCTC along with field observations and information from local engineers familiar with the SJBL, the Draft EIR’s characterization of freight movement along the SJBL is accurate.
- L3b-3. The commenter is incorrect, the proposed vibration mitigation measures would reduce predicted impacts to below significant levels (see Draft EIR, Section 4.10.5).
- L3b-4. The comment refers to the quote “...when assessing vibration mitigation it is important to consider both the degree of impact and the cost as any mitigation should be both reasonable and feasible.” A full analysis of vibration impacts was conducted and the assessment procedure and the resulting outcome were both influenced only by the available data and not by costs. Further, two separate vibration mitigation options were provided, independent of costs (see Draft EIR, Section 4.10.5). However, according to the CEQA Public Resource Code Section 21061.1, the definition for feasibility would include economic considerations.
- L3b-5. See Master Response #3 – Derailment (General) and Master Response #10 – Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment). The PVL project is proposing to improve track conditions along the project alignment. These improvements include tie replacement, welded rail, and ballast replenishment where necessary. This will improve the overall condition of the alignment, and therefore make it safer for both the commuter and freight operations. The commenter also mentions rodents impacting the tracks berm structure in the park area. As part of ROW maintenance, BNSF controls vegetation and removes any rodents and fills any burrows on the railroad berm that could impact the track. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L3b-6. The ROW has been in existence for over 100 years and the City of Riverside and the County of Riverside developed these parks without considering access across private property (the SJBL/RCTC ROW). If unauthorized people enter the ROW, even to “just” cross the tracks to get to the other side, they are considered to be trespassing. The PVL project does not include adding additional track in this area or affecting existing access to parks in any way. The existing track will remain in its current location.

This comment also states that, “the DRAFT EIR also ignores the risk which is inherent in the operation of both freight and passenger trains on a single line, especially one with this extremely steep grade.” This comment is incorrect. The PVL project includes track improvements that would upgrade the existing physical condition of the rail line, which would result in a stronger infrastructure, a higher level of maintenance, and enhanced operational safety. Therefore, no significant impacts



were identified as a result of this issue area. Since the commenter does not identify the specific risk he is concerned about, no further response is possible. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L3b-7. Because existing freight operations will not be affected by RCTC's proposed PVL project, the air quality assessment put forth in the Draft EIR is related only to the future operation of SCRRA/MetroLink passenger trains. Consequently, Section 4.3 of the Draft EIR (and the accompanying Air Quality Technical Report) outlines the extensive methodologies used to calculate the expected localized and regional emissions due to the implementation of the PVL project. The air quality analysis for the PVL accounted for all relevant project parameters and conditions. Where applicable, the analysis was done in compliance with the most up-to-date local, state, and federal air quality regulations and guidance from the SCAQMD, CARB, and the USEPA. Tables 4.3-7 to 4.3-12 of the Draft EIR show that emissions projected for criteria pollutants from sources such as local traffic intersections (CO hotspots), greenhouse gases, localized mobile source air toxics (from project locomotives), construction activities and parking operations all fall below local thresholds of significance and state and federal emissions standards.

The use of Localized Significance Thresholds (LSTs) are entirely voluntary (SCAQMD Fact Sheet LSTs). Based on the SCAQMD Fact Sheet, it is recommended that proposed projects larger than five acres in area undergo air dispersion modeling to determine localized air quality. For operational impacts, LSTs are more appropriate for stationary source projects. With respect to the proposed project, this would apply to proposed stations and their parking lots. As noted in the above referenced LST Fact Sheet for construction impacts, LSTs are more appropriate for a medium sized to large project that would have a longer-term influence on specific sensitive receptors neighboring the construction site. None of the stations that will be constructed as part of the PVL project would be larger than two acres in size so the PVL would be considered a smaller project. The overall project construction period is estimated at approximately 18 months. However, because of the linear nature of rail construction, the actual construction period at any one individual sensitive receptor would be approximately two to three months. As a result, the assessment of localized air quality impacts for the proposed project did not utilize LSTs.

The discussion of cumulative impacts in Section 5.3 of the Draft EIR accurately assesses cumulative impacts of the proposed PVL project in the context of past, present, and probable future projects in the PVL study area. Specifically, the emissions of the existing freight trains are already accounted for due to the project being included in the RTIP. Emissions from the existing freight trains are also measured by the local air quality monitoring stations. Furthermore, the SCAG Transportation Conformity Working Group has reviewed the health risk assessment and determined that the PVL is not a POAQC (Project of Air Quality Concern), as shown in the TCWG review form in Air Quality Technical Report B, Appendix F. Existing emissions were included in this assessment. Therefore, the discussion of air quality within the Cumulative Impacts Section 5.3 in the Draft EIR is correctly addressed.



- L3b-8. As noted in Section 4.3.4 of the Draft EIR, sensitive receptors were identified using the criteria outlined by CARB. Some examples of sensitive receptors analyzed in the study area include Highland, Hyatt, and Nan Sanders elementary schools, UCR Child Development Center, Highland Park, and the City of Perris Senior Center. The air quality analysis accounted for the buildings identified as sensitive receptors and also included adjacent parking lots, yards, and outdoor play areas. In addition, the CAAQS provide air quality standards, not relative criteria. CEQA does not require a lead agency to correct conditions in the existing environment. The lead agency is only required to mitigate project impacts or cumulative impacts. See Response L3b-7 above. This commenter is arguing that the creation of even one molecule of pollution somehow constitutes a significant impact. However, the one molecule rule is not the law (*Comm. For Better Environ. V. Cal. Res. Agency* (2002)).
- L3b-9 Contrary to the commenter's assertion, the air quality analysis performed for the PVL is not "generic" but instead examined in detail project-specific parameters that could potentially cause an air quality impact. The schoolyards of the two schools in the UCR area are considered sensitive receptor areas. The distances from sensitive properties to the proposed PVL alignment identified in Section 4.3.4 of the Draft EIR are only reference distances that represent the approximate location of the property. They do not exclude any segment of the overall property boundaries. In addition, as mentioned in Section 4.3.4 of the Draft EIR, none of the school properties is located close to congested intersections or proposed PVL parking areas. The distances are between the alignment and the schools (approximately 150 feet for Highland Elementary School and 500 feet for Hyatt Elementary School, as referenced in Section 4.3.4) are from the tracks to the nearest edge of the schoolyards. Pollutant concentrations decrease as the distance from the pollutant source to a receptor increases; therefore, if the analysis determined that there would be a less than significant impact at a reference distance from the source, then it is expected that impacts to receptors located further away from the source would also be less than significant. For example, the health risk assessment shows that near Highland Elementary School, the maximum pollutant concentration from the rail line occurs at a distance of 78 feet. As a result, it can be expected that there will also be a less than significant impact at Highland Elementary School which is located approximately 150 feet from the rail line. Furthermore, the maximum pollutant concentration is below the threshold for significant impacts.
- L3b-10. The methodology utilized in predicting air quality impacts from the PVL project was adopted from guidance within the USEPA, California DOT, FHWA and CEQA as is required in California. Specific aspects of the PVL project, as it pertains to pollutant emissions, were taken into consideration for all communities abutting the alignment. This includes but is not limited to pollutant emissions from existing local sources (highway vehicles, freight trains, industry) and future project related sources (PVL related locomotive and vehicular emissions,
- L3b-11. See Master Response #5 – Freight Operations. Page 2-47 of the Draft EIR provides a description of the freight usage for the corridor. The freight traffic is solely dictated by local economic conditions and not the proposed PVL track improvements. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.





- L3b-12. The PVL project is the introduction of commuter rail service. The project is intended to reduce existing vehicle traffic along the I-1215 corridor. Additionally, RCTC, as the regional transportation agency, does not have land use authority and therefore cannot increase planned land use densities in areas already planned for housing developments. Furthermore, the commenter's claim that the PVL project would induce additional housing development is speculative. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L3b-13. See Master Response #5 – Freight Operations. Page 2-47 of the Draft EIR provides a description of the freight usage for the corridor. The freight traffic is solely dictated by local economic conditions and not the proposed rail, tie, and ballast improvements. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L3b-14. See Comment L3b-7. Cumulative noise impacts have been addressed and as explained in Section 5.3.9 of the Draft EIR, these impacts would be less than significant (FTA Manual, Section 2.5.5). The effects of existing noise (including noise from freight traffic, vehicular traffic and other environmental sounds) were accounted for in the PVL noise assessment by utilizing the data collected from the extensive noise monitoring program conducted for the project (see Draft EIR, Section 4.10.1). These existing noise levels were then used as a baseline for relative impact criteria (see Draft EIR, Table 4.10-2).  
[http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))
- L3b-15. The comment is conclusory in nature and does not raise specific environmental concerns. Therefore, no response is necessary.



Letter 4  
David Keeling  
May 2, 2010

P3800

89061 ER, EE, DB, CB, MM, SK,

Ms. Edda Rosso

May 2, 2010

Riverside County Transportation Commission

P.O. Box 12009

Riverside, Ca. 92502-2208

RECEIVED  
MAY 04 2010

RIVERSIDE COUNTY  
TRANSPORTATION COMMISSION

Ms. Rosso,

Having learned of a decision about to be made on the issue of a Metrolink station in the Highgrove area, I would like to explain my views on this, for your consideration.

First of all, I think it is wonderful your commission is pursuing a Metrolink station in the Highgrove-Riverside area. I am sure the good citizens in the Moreno Valley-Perris-Hemet-San Jacinto areas are thrilled. We do need cost effective public transportation that will connect to most points in our great State. And that is the very point for my letter to you. You see, by placing the Metrolink station in the Highgrove area between Center & Main, it will serve two purposes, not just one. It will be pertinent for the connection of the Hemet route to effectively connect with the current train routes being served. There just isn't any reason that I can think of putting a station at Palmyrita St. Riders being dropped off there would have no connections other than walking or having to take a bus or taxi to another connection. I feel that would have a negative effect on riders using the train and limiting ridership. In addition, if the commission decided to use Palmyrita, and it was determined later another Metrolink stop was needed for riders to use the other train routes, well, you would have to create a 2<sup>nd</sup> facility for that purpose. You would have two facilities doing the work of one facility if it was placed correctly.

L4-1

Another factor, property is not an issue here. Both options have space available. In fact, putting the connection at the Center-Main space would be good for the area as there is a decaying park just sitting there dying (owned by Riverside Canal). There is property space on both sides of track to utilize. It is just perfect for the connection where the Hemet-San Jacinto track begins off the main tracks. Finally, there is the New High School on Main St (Grand Terrace). It will add to ridership being placed there.

L4-2

Ms. Rosso, I am particularly interested in this issue, you see, my wife & I do use Metrolink in Riverside heading to Union Station and connecting to LAX by bus. I know for a fact, there are residents who live in Highgrove & Grand Terrace who use the Metrolink for work every day. They drive to the Riverside station & park. I trust when you compare the sites, you will add up the benefits and see the Center-Main spot has more opportunities.

L4-3

Thank you for reading my letter.

*David Keeling*  
David Keeling (909) 825-1605

B.02.02.11.10



**Response to Letter 4**  
**David Keeling**  
**May 2, 2010**

- L4-1. The commenter is proposing a station at a Highgrove location instead of at the Palmyrita station. The commenter feels that a station in this location would provide easier access but does not discuss access at the proposed location. The sentiment is similar to the comments from Letter 1 and the commenter is referred to that. The Draft EIR, Section 2.2 looked at a number of factors when considering commuter rail station siting and selections, including “local conditions such as surrounding land use and traffic circulation.” The Draft EIR in Section 2.2 also provides a description of the Highgrove Station and reasons why it is not being considered as part of the proposed project. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L4-2. The Center-Main location that is identified in the letter is also identified in the Draft EIR in Section 2.2 and by other commenters as the Highgrove Station. The information presented is not new information and therefore there are no impacts as a result of this comment and the Draft EIR has not been changed.
- L4-3. As in the previous comment, the commenter is requesting a station be located at Center-Main, also known as the Highgrove Station. The previous two comments make the same request as does Letter 1. The reasons that the Highgrove Station option was not advanced are provided in the Draft EIR, Section 2.2, as well as Response to Letter 1. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.



Letter 5  
Paul W. Carlisle  
May 7, 2010

PAUL W.CARLISLE  
23045 DE BERRY ST.  
GRAND TERRACE, CA 92313  
(909) 783-0343

May 7, 2010

Ms. Edda Rosso  
Transportation Department  
P. O. Box 12008  
Riverside, CA 92502-2208

0180ET4EF  
MAY 19 2010  
RIVERSIDE, CA 92502

Re: Metrolink Station

Dear Ms. Rosso:

There are more options available to a rider without transferring from Highgrove than from Palmyrita Ave. located on the Perris/Riverside line. I would not use the Palmyrita station if I had to transfer in Riverside.

} L5-1

Sincerely,

Paul W. Carlisle



**Response to Letter 5**  
**Paul W. Carlisle**  
**May 7, 2010**

- L5-1. The Draft EIR in Section 2.2 provides a description of the Highgrove Station and reasons why it is not being considered as part of the proposed project. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.



Letter 6  
Aliana Lopez de Victoria  
May 14, 2010

May 14, 2010

Ms. Edda E Rossa, P.E.  
Riverside County Transportation Commission  
PO Box 12008  
Riverside, CA 92502-2208

RECEIVED  
MAY 17 2010  
RIVERSIDE COUNTY  
TRANSPORTATION COMMISSION

SUBJECT: Perris Valley Line

Dear Ms. Rossa:

I am a parent of a student in Highland Elementary School. I am concerned about the impact of the proposed Perris Valley Line in the safety at our school and of our kids. } L6-1

The Perris Valley Line Metrolink project will bring increased train traffic to the railroad lines adjacent to the Hyatt and Highland Elementary School sites. With the increased rail traffic comes the increased possibility of a derailment in locations where derailments gave already been known to occur. The Environmental Impact Report does not address the possibility of derailment in an adequately manner. } L6-2

The high pressure pipeline within the railway easement adjacent to Highland Elementary School is an additional concern. At this point, the pipeline is buried two feet deep at some sections. The construction that will take place to improve the tracks increases the risk of an accidental rupture of the line. The Environmental Impact Report does not address the risk of ruptures of the line during a derailment. } L6-3

At Highland Elementary, the students are present from 8am to 6pm. I am concern on how the safety of our students will be guaranteed during the construction, which is not address in the Environmental Impact Report and how the construction noise will be handed during school hours. Since our kids will be affected (probably in every way, from school performance to health issues) by the noise and dust that construction could bring, the constructions adjacent to the schools should be done when students are not present. } L6-4

I am also concern about the noise that more train traffic will do to the daily instruction of our students. The Environmental Impact Report proposed a landscape wall in a section closed to the school, but it does not mention the materials and proportions of this wall, as well as if it will be resistant to a train impact (in the case of derailment). } L6-5

The safety of my kid is very important. Currently my kid walks to/from school, but the proposed train schedule coincide with times that students (not only mine) will be walking to/from school. For me, is important that my kid is able to walk to/from school because it promotes a healthy lifestyle and a healthy environment, and with so many obese kids and air pollution, allowing the kids to walk (and supporting this) is essential. Since more train traffic will occur, I am concern about the safety of all the students that walk to/from school crossing the train tracks at times were the train will pass. } L6-6



Letter 6 (cont'd)  
Aliana Lopez de Victoria  
May 14, 2010

Progress within our society is inevitable, and when done right, is great for us. That's why I am writing to you today. We want our kids and our society to be safe for us and for future generations.

} L6-7

Sincerely,

Aliana López de Victoria  
3396 Utah St  
Riverside, CA 92507  
alianaldv@gmail.com



**Response to Letter 6**  
**Aliana Lopez de Victoria**  
**May 14, 2010**

- L6-1. See Master Response #10 – Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment). Safety is a primary concern of both RCTC and SCRRRA (the operators of the Metrolink service) for implementation and operation of the project. The Draft EIR found no significant, unmitigable impacts as a result of the PVL project. The project does not increase safety risks. Instead, the PVL project would upgrade the existing physical condition of the rail line, which would result in a stronger infrastructure, a higher level of maintenance, and enhanced safety.

As no specific concerns were raised, a more specific response is not required (Browning-Ferris Industries v. City of San Jose (1986) 1818 Cal. App. 3d 852 [where a general comment is made, a general response is sufficient]). Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L6-2. See Master Response #3 – Derailment (General) and Master Response #10 – Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment). The PVL project is proposing to improve track conditions along the project alignment. These improvements include tie replacement, welded rail, ballast replenishment where necessary. These improvements will provide for a safer operating environment for both the Metrolink commuter and freight trains. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L6-3. See Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School, and Master Response #3 - Derailment. The existing Kinder Morgan jet fuel line is located within the ROW, however, the PVL project is not planning to relocate or alter the pipeline as it currently exists. During construction of the noise barriers and landscape walls, where utilities such as Kinder Morgan are involved, the utility owner typically would require advanced notification of the planned work. During the design stage, plans will be forwarded to the utility owner for consideration of any precautionary measures needed to protect the utility during construction. The utility owner also evaluates if a representative is to be present at the time of construction. Kinder Morgan requires an inspector to be present for any work within 25 feet of a pipeline.

There are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L6-4. See Master Response #6 – Noise. The Draft EIR conducted a construction noise assessment utilizing FTA criteria (FTA Manual, Section 12.1.3). The assessment predicted that any impacts related to PVL construction noise would be less than significant (see Draft EIR, Section 4.10.4). Although the overall project construction period is approximately 18 months, the actual construction period near Highland Elementary School would only be approximately 2 to 3 months (see Draft EIR, Section 4.10.4). If exceedences of local noise codes or ordinances from construction activities do occur, they would be temporary and sporadic. However, these





exceedences would not constitute a significant impact under CEQA. Limiting construction activities to non-school hours is not feasible because the applicable local ordinances typically limit construction to day time hours that correspond to the hours when children are generally at school. Consequently, very little to no construction activity could be achieved during the day if construction was limited to non-school hours.

([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))

The results of the assessment of construction emissions from the proposed project are shown in Table 4.3-11 of the Draft EIR. The resulting construction-related emissions were not deemed significant as defined by CEQA SCAQMD daily construction emission limits. In addition, during the construction period, contractors would be required to implement Best Management Practices to control fugitive dust emissions in accordance with SCAQMD Rule 403 (see Draft EIR, Section 4.3.4).

- L6-5. A noise barrier specifically designed to mitigate noise is proposed for Highland Elementary School (see Draft EIR, Table 4.10-11). This would reduce predicted impacts to less than significant levels. The noise barrier is nine feet high and 680 feet long between Civil Sections 283+00 and Sta. 289+40 (see Draft EIR, Table 4.10-16).

Landscape walls are discussed in the Draft EIR, Sections 2-4.9 and 4.1.3. Landscape walls are not mitigation for any identified impacts. The landscape walls would provide a separation between the schools and the railroad ROW. Because the implementation of these walls is part of the PVL project, RCTC will provide funding for the design and construction.

For information regarding derailments, see Master Response #3 – Derailment (General) and Master Response #10 – Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment).

- L6-6. See Master Response #8 – Grade Crossings and Master Response #9 – Highland and Hyatt Elementary Schools (Increased Train Traffic). There are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L6-7. This comment is conclusory in nature and does not raise specific environmental concerns. Therefore, no response is necessary.



FINAL ENVIRONMENTAL IMPACT REPORT

0.3.3 OTHER INTERESTED PARTIES

0.3.3.1 OTHER INTERESTED PARTIES LETTERS

Letter 7  
Mark Hansen  
May 17, 2010

*Mark  
UCR and Commission*

May 17, 2010  
PERRIS VALLEY LINE PUBLIC HEARING ; *draft EIR*  
*addressed to:*  
TO: UCR Neighbors and the R.C.T.C. Commission

RECEIVED  
MAY 17 2010

RIVERSIDE COUNTY  
TRANSPORTATION COMMISSION

Are we at risk from the toxic cargo that passes along Watkins Dr. that fronts two public schools, UCR's Child Development Center, UCR student dorms, and several hundred homes just north of the tracks. Certainly the *Press Enterprise* thinks <sup>we are at risk</sup> so as it sounded the alarm in its series of TOXIC CARGO articles headlined "Rails Carry a Growing Risk," <http://www.pe.com/digitalextra/metro/trains/>

L7-1

We have deadly pressurized liquid chlorine gas, ammonia and other poisonous or flammable hazardous materials passing through our neighborhood almost daily in tanker cars built in the 1970s. If a chlorine tank ruptures it forms a greenish cloud that can kill within minutes. When the new Perris Valley Line tracks are laid down, we assume that a lot more freight will rumble through the neighborhood as the economy picks up. After discussing a close call of a derailment of tanker cars in San Bernardino, the P.E. article poses a simple question we all should ask. "Are we ready for a real disaster?"

L7-2

Authorities on such disasters point out that making sure that the railroad leadership, train crews and first responders (e.g., police, medic evacuation teams, fire and rescue units, hospitals) school and university personnel, and neighborhood residents must know what to do. My family has lived more than 30 years approximately 40 feet from the tracks in question and not once has anyone from any institution raised the issue of what to do in case of an accident or derailment. Parenthetically, I point out that on two occasions I recently expressed concern to the R.C.T.C. about ~~the concerns associated to~~ rail spikes laying on the ground and broken ties. On both occasions I was advised that inspections were routinely undertaken and no safety problems exist. In the light of the disaster now going on in the Gulf, the "everything is ok response" rings frightfully hollow.

L7-3

My recommendation is that a coordinated disaster plan must be developed and rehearsed by both the responders and those at risk in the neighborhood. The R.C.T.C. needs to exercise serious leadership in developing such a plan as it relates to the dangers of hazardous cargos along the Perris Valley Line.

*Draft EIR? When?  
Coordinate disaster plan*

MARK HANSEN  
556 W. CAMPUS VIEW P,  
RIVERSIDE, CA 92507  
(951) 782-8016



Letter 7 (cont'd)  
Mark Hansen  
May 17, 2010

# TOXIC CARGO



Nov. 20, 2005

[Back to main index](#)

## Are We Prepared?

**Making sure train crews, first responders and the public know what to do after a train derailment and toxic chemical spill is key, say authorities and those who have survived such disasters.**

Phil Pitchford, Ben Good and David Danelski / The Press-Enterprise

Knowing what to do in an emergency can save lives and minimize injury. Yet most Inland residents are unaware of the potential danger from hazardous materials on trains and would not know how to behave if a toxic chemical is released.

Emergency-response authorities and survivors of deadly train accidents say more public education is essential. And some railroad employees think they could use more training.

Catastrophic fires in the San Bernardino Mountains two years ago show the importance of readiness.

Residents were prepared to evacuate when the fires raged toward their homes because groups such as Mountain Area Safety Task Force, a group that held public meetings and mailed educational materials, had helped prepare the public.

A similar effort would dramatically increase public awareness and safety along the rails, authorities said. "It's something that needs to be addressed," said Gail Beckham, hazardous materials coordinator for San Bernardino County.

More than 1.5 million people in San Bernardino and Riverside counties live within a mile of railroad tracks.

### Emergency Call System

Many potential solutions to the risk from trains carrying hazardous cargo are costly, to either the railroads or local governments.

San Bernardino's homeland security director, police Lt. Don Soderbloom, proposed creating an automated emergency calling system, which can notify residents in any area of the city of a disaster and the measures they should take.

The idea initially drew support. But the proposal ultimately was rejected because it was deemed too costly, Soderbloom said.

Michael Eckley, San Bernardino's public systems manager, said start-up costs for about 20 phone lines were estimated in the \$50,000 range, but many more lines would be needed in the city of almost 200,000. Maintaining the system and updating phone numbers also would be a significant expense, he said.

Soderbloom said he plans to resubmit the proposal soon.

San Bernardino County has set up a telephone emergency notification system to inform mountain and foothill residents of floods, fires or other natural disasters, San Bernardino County Fire spokeswoman Tracey Martinez said. But the system is not equipped to handle a derailment or chemical spill in lowland areas. Martinez said the county has plans to expand the system throughout all county areas early next year.

Riverside County does not have an automated phone messaging system in place for disasters. Greg Stoddard, the county's chief technology officer, said the county has issued a request seeking proposals from vendors of such systems.

Riverside's city police and fire departments have a calling system to contact homes and businesses in the event of a chemical release or other emergency, said Carmen Nieves, city emergency coordinator.

### Train Crew Education

After a train derailed in San Bernardino in April, investigators blamed faulty track inspections and erroneous cargo lists for causing the accident and complicating the emergency response.

Railroad employees have differing views about whether they are adequately trained to deal with hazardous materials.

Most workers are not, according to Ray Enriquez, a Union Pacific engineer who teaches safety courses to other employees.

"We have people who have worked here for 30 years, and they start wondering what they are carrying," said Enriquez, a 13-year railroad veteran and a union official. After they take the course, he said, "they are glad they have the knowledge, but they're also scared of what they have learned."

If hazardous materials are released, train crews grab the listing of train car contents, evacuate and alert the railroad of the accident location. Train crews are responsible for getting the cargo list to first responders but are not trained to diagnose what has spilled or what should be done about it.

"I run the other way," said Aaron Sawyer, a conductor from Palmdale. "I don't get paid enough for that."

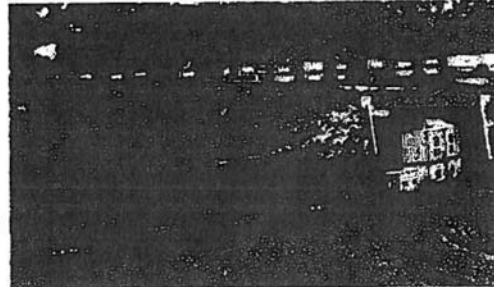
More training would help crews better understand the cargo lists and work with fire departments, Enriquez said.

Union Pacific spokesman Mark Davis said the company is satisfied employees have enough training.

Scott Mitre, a Union Pacific conductor who grew up in Fontana, said he is comfortable with the level of safety regulation at his job, which he took about 18 months ago. He said it could be safer, but railroads have to balance that goal with costs.

"The more rules and regulations put on any company to handle any material, the cost goes up and the consumer pays more. There's a fine line there," Mitre said. "The public has a lot of say-so in terms of what they will accept."

### Emergency Planning



Caitlin M. Kelly / The Press-Enterprise

A BNSF freight train descends Cajon Pass. An estimated 200 trains a day cross the Inland area.

### Graphics



**In An Emergency:** If a train car carrying hazardous materials ruptures, authorities can evacuate nearby neighborhoods or instruct residents to stay in their homes.



Letter 7 (cont'd)  
Mark Hansen  
May 17, 2010

Some public institutions in the Inland area already plan for a dangerous rail accident.

Dr. Dev Gnanadev, medical director at Arrowhead Regional Medical Center in Colton, said officials recognize the potential for a train derailment along nearby tracks or at the Colton switching yard.

If evacuation is impossible, the hospital could close off all exits, openings and airflow from outside within minutes. An internal ventilation service would distribute safe air throughout the building, but there could be no incoming ambulances or patients, Gnanadev said.

The hospital has its own hazardous materials team, which would erect decontamination tents in the event that many people are exposed to a hazardous chemical, he said.

Woodrow Wilson Elementary School in Colton, surrounded on three sides by railroad tracks, has had BNSF officials on campus to give train safety lessons.

In a hazardous materials accident, children would be locked in until they received other instructions, Principal Adrienne Bodhaine said.

Hawthorne Elementary School in Riverside, just 40 yards from a major railroad line, is being relocated because of rail noise, pollution and fear of a derailment.

The Riverside Unified School District, citing the conditions at the school, successfully sought state funding usually reserved for schools that must be abandoned because of serious structural problems.

Most emergency planning does not involve the general public, however.

One Inland lawmaker has introduced legislation that would require railroads to fund derailment evacuation plans, training and drills in communities near busy rail lines.

"The railroads have enough profit to pay for all the trouble they put people through," said Sen. Neil Soto, D-Pomona.

Riverside fire Capt. Philip Holder and other emergency responders said a public information campaign, whether by meeting or mass mailing, would help in any disaster.

"People need to be self-sufficient," Holder said.

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Letter 7 (cont'd)  
Mark Hansen  
May 17, 2010

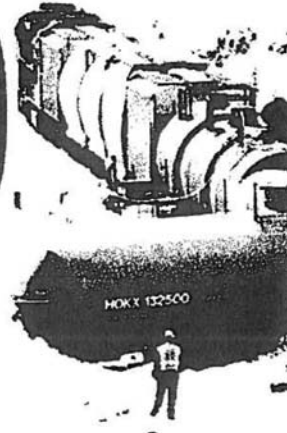
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A PRESS-ENTERPRISE SPECIAL REPORT

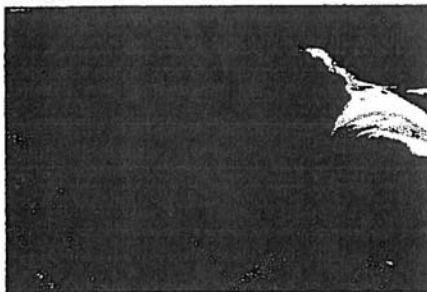
# TOXIC CARGO

## Crowded Inland Rails at Risk for Dangerous Chemical Spill



**Interactive animation:** How authorities would respond if a train car released toxic chlorine

### Inland Southern California: More trains, more risk



#### Residents largely unaware of rail dangers

A derailment in San Bernardino serves as a wake-up for residents about the potential danger from trains carrying toxic freight through the Inland region. The risk grows with the ever-increasing flow of cargo on the rails.

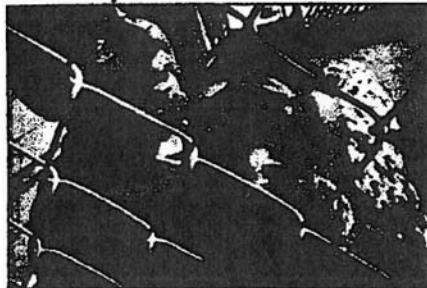
**Full Story...**

**Train wrecks:** Notable North American train accidents involving hazardous materials



**Interactive animation:** authorities respond if car release chlorine

### Minot, N.D.: A town scarred



#### In the middle of the night, a deadly fog

An undetected crack and faulty track inspections were blamed in a train derailment that wrecked seven tank cars carrying anhydrous ammonia, a fertilizer. The chemical formed a gas cloud that killed one man and injured more than 1,100.

**Full Story...**

**911 transcript:** A lost daughter



**Video:** resident videotaped killed by fog (2:1)



**Audio:**

<http://www.pe.com/digitalextra/metro/trains/>

3/9/2009



Letter 7 (cont'd)
Mark Hansen
May 17, 2010

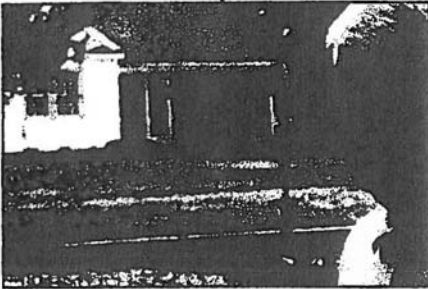
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- Breath ammonia (5:22)

Graniteville, S.C.: A community's nightmare

A creeping green cloud killed quickly



Chlorine spewing from a broken tank car killed nine men and hurt hundreds of other people after a train collision. People were trapped in their homes and cars while authorities tried to cope.

Full Story...

911 transcript: Desperate for help

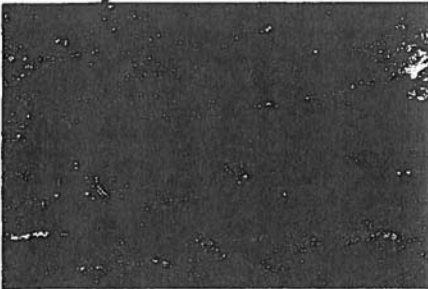


Video: Aftermath of the disaster (1:57)



Audio: 911 - Graniteville choking (3:00)

Ready or not



Few people know of the danger passing on the tracks

Some schools, hospitals and emergency-response agencies say they are prepared for an accident that releases hazardous chemicals, but little has been done to educate the public about the risk -- or what to do if it happens.

Full Story...

Our \ Peril

The number of people through the area is coming up

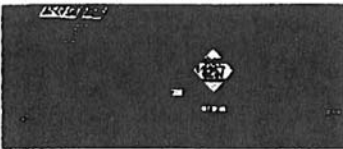
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Would you fund public to prepare

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Related Stories



Secret cargo

Fearful of terrorists, authorities keep hazardous shipments' time and contents confidential.

Full Story...



Track failures

Faulty rails are a leading cause of train derailments, despite regular inspections.

Full Story...



Liability questions

Railroad companies ask people to sign liability waivers after evacuations.

Full Story...

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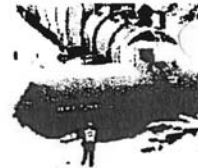
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Mark Hansen
May 17, 2010

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TOXIC CARGO



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Rails Carry a Growing Risk

With train traffic through the region surging, a close call after a recent derailment in San Bernardino raises the question: Are we ready for a real disaster?

Phil Pitchford, Ben Goad, David Danelski and Mark Kavar / The Press-Enterprise

A Union Pacific train hauling 28 cars of hazardous materials was headed north from the Colton switching yard when the crew felt the lead engine jerk and shudder to a stop.

Behind them, two tank cars of deadly pressurized liquid chlorine and 12 other cars had jumped the tracks and now lay twisted and dented in the evening darkness. Residents a few hundred feet away were barely aware of the sudden danger facing their west San Bernardino neighborhood.

Who's minding the railroads?
National Transportation Safety Board: A federal agency that investigates every civil aviation accident in the United States and significant railroad, highway, marine and pipeline accidents.
Federal Railroad Administration: A division of the U.S. Department of Transportation, which is under the direct authority of the president. It sets and enforces rail safety regulations, administers railroad assistance programs and conducts research and development aimed at improving both railroad safety and rail transportation policies.

The April 4 wreck was described to the public as a routine derailment, but documents obtained by The Press-Enterprise through a Freedom of Information Act request reveal an array of problems, from ineffective track inspections to a mishandled evacuation. The accident is a case study of risks that escalate each year in the Inland area as freight train traffic and population grow side by side. It also raises questions about whether communities are prepared for a rail disaster. Problems included:

The uneven track had "obvious and visible" warping that should have been caught by a routine inspection done three days earlier, according to a report from the Federal Railroad Administration.

The railroad's paperwork on the hazardous cargo was wrong, giving emergency response crews inaccurate information, the report said.

A tank car of pressurized chlorine sustained a 1-inch crack, increasing the risk of a dangerous chemical release.

The tank car was built in 1977. A federal safety agency is concerned about the crashworthiness of such older tank cars.

Authorities mistakenly let residents back into their homes before it was safe, a state investigation showed. Residents of The Manor, a and two nearby mobile home parks had to be re-evacuated.

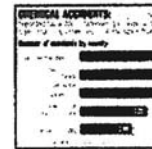
Had the chlorine tank ruptured, escaping liquid would have formed a greenish cloud that could have killed within minutes. When a January, nine people died before emergency officials even knew what was leaking. That disaster made this year the most deadly i



Erika Montano, 10, and other children in San Bernardino. Residents criticized the response in April.



Interactive animation: Vide How authorities would respond if a train car released toxic chlorine ex der



Chemical Accidents: Reported hazardous incidents from 1993 through 2004



Letter 7 (cont'd)  
Mark Hansen  
May 17, 2010

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accidents.

Residents of The Manor, thrown into chaos by the close call in April, now worry a catastrophe might happen here.

"If it happens, no one will know what to do," resident Esther Hernandez said. "The Manor will be a cemetery."

More than 1.5 million Inland residents live close enough to railroad tracks to be at risk from a serious spill, according to a recent analysis of technology from Redlands-based ESRI.

The risk is growing, experts say. Rail traffic in the region is expected to double in 20 years, and more homes and businesses are being built near tracks.

"The more traffic that comes through, the danger is going to increase, no question," said Ted Giras, a former adviser to the Federal Railroad Administration and a professor of engineering at the University of Virginia.

San Bernardino County already has more reported spills and other hazardous-materials incidents on trains than any other county in the state, according to an analysis of federal Department of Transportation data from 1993 through 2004.

Most of the mishaps occurred in rail yards in Colton and Barstow.

The spills reflect the high number of trains passing through and the county's insistence on diligent reporting by the railroads, according to Peter Brierty.

Railroad companies — driven in part by liability concerns — have improved their operations, but a significant spill on a local rail line is still possible.

Riverside County, with no switching yards, has fewer mishaps involving hazardous materials. But risk still exists.

Dozens of trains rumble through the county each day, and "almost every train we have has some type of hazard with it," said Riverside County Supervisor Gary Gaines.

Railroad companies say the odds of a major hazardous-materials spill is minuscule, in light of the thousands of rail tank cars that safely transport hazardous materials.

"We are the safest mode to transport hazardous materials," Union Pacific spokesman Mark Davis said.

About 99.998 percent of hazardous materials transported by rail are moved without incident, according to Tom White, a spokesman for the industry.

The rail industry works with local governments to be prepared for a spill, Davis said. But the ultimate responsibility lies with cities and counties.

### Deadly Cargo

Inland emergency officials say they are ready to handle a chemical spill from a train. But they acknowledge that more should be done to protect the public.

Emergency response agencies have never involved the public in a large-scale planning exercise, as is common with earthquakes and tsunamis, and that a public-education campaign — like the one credited with saving lives in the wildfires of 2003 — would help.

Few residents know how to react if a chemical cloud spreads into their neighborhoods, and the options — fleeing or staying inside — are not always clear. Most agencies lack an automated emergency-calling system that could warn people about a hazardous chemical accident.

Large-scale hazardous-materials incidents are rare, but they have killed more than two dozen people and injured thousands in the past decade.

A 61-year-old Arkansas woman died last month when her home exploded. Propylene leaking from a ruptured train car formed a flame that ignited, apparently from a gas heater in the woman's home. Flames raced back to the tank, which detonated. Propylene is used to make plastic.

Nine people died and hundreds were hurt in January after a train collision in Graniteville, S.C. A broken tank car released a cloud of chlorine gas that killed more than 5,400 residents. Chlorine gas, an effective weapon in World War I, can kill after only a few breaths.

One person died and more than 1,100 were hurt in Minot, N.D., when seven cars carrying anhydrous ammonia, a fertilizer, derailed in a collision. The gas leaked from the cars, burning their eyes, mouth and lungs. Some thought terrorists had launched a chemical attack.

<http://www.pe.com/digitalextra/metro/trains/inland.html>

3/9/2009





Letter 7 (cont'd)  
Mark Hansen  
May 17, 2010

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None of those accidents occurred in areas as densely populated as Southern California. If a chlorine tank ruptured in an urban area, minutes, and the cloud could kill 100 people per second, according to a worst-case assessment the U.S. Naval Research Laboratory.

Pushed by a brisk wind, such a cloud could spread 14 miles, roughly the distance between Riverside and San Bernardino, the lab found.

About 1.7 million shipments of hazardous materials are transported on rail each year in the United States and Canada, according to F and the number is growing.

Rail shipments of chlorine, ammonia and other poisonous or flammable hazardous materials, known as Class 2, jumped nationally by to the federal Bureau of Transportation Statistics and the U.S. Census Bureau. The only materials deemed more dangerous, Class 1,

The railroads, citing fears of terrorist attacks, do not divulge the type or quantity of hazardous materials they transport in a specific r

In the Inland area, hundreds of tank cars daily roll past schools, homes, hospitals and freeways. They carry chlorine, liquefied petroleum acid and hydrochloric acid, based on eight hours of observation last month by Press-Enterprise reporters. Such materials are used for producing cleaner-burning gasoline.

The materials move through Southern California on an increasingly congested rail system. By 2025, train traffic in San Bernardino County per day to 243; Riverside County traffic is expected to increase from 127 trains to 267, according to the government and industry study.

The growth is inevitable because the Inland area's two major railroads — BNSF Railway Corp. and Union Pacific Railroad — are the trunk lines between Los Angeles and Long Beach. Imports from Asia are skyrocketing, and those goods can reach the rest of the country only after passing through the Inland areas.

"Our problem is that we're the funnel," Brierty said.

Rerouting trains carrying hazardous materials away from heavily populated areas of Southern California is not an option, because no

For the past year, Inland political leaders have called attention to the pollution and noise that will be generated by a doubling of traffic at railroad crossings.

But hazardous materials awareness has not been discussed.

### Close Call

Residents of The Manor never gave much thought to the trains that snake past night and day.

More concerned about gang violence and the drug deals that take place in plain sight on neighborhood streets, many residents view the noise.

But after the April derailment, some in The Manor feel the greatest threat lurks on the steel tracks a few hundred feet beyond their homes.

About 200 gallons of a fuel additive was spilled during the accident clean-up, the state Public Utilities Commission said. The chemical

In addition to the cracked chlorine car, another one carrying chlorine was dented.

The neighborhood has dozens of homes spread across several blocks. Railroad tracks run along two sides, and the BNSF switching yard, four miles away in Colton, is one of the busiest in the United States.

Official investigations of the accident provided little reassurance for residents.

When the Union Pacific train derailed April 4, the track was in such poor shape that the Federal Railroad Administration officials recon. Such action can result in major fines.

"The warp defect should have been identified at the prior or previous track inspections," wrote Alvin L. Settje, the Railroad Administrator. A 12 memorandum attached to the accident investigation report.

<http://www.pe.com/digitalextra/metro/trains/inland.html>

3/9/2009



**Letter 7 (cont'd)**  
**Mark Hansen**  
**May 17, 2010**

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The Press-Enterprise obtained the memo and records of the accident under the federal Freedom of Information Act.

The accident report said: "Track conditions clearly showed raised spikes, buried ties, fouled ballast (anchors) and battered joints. The Davis, the Union Pacific spokesman, said the track was inspected three days before the derailment. He had no explanation for why th

The track inspector and a supervisor were reassigned because of the mistake, Davis said. Policy dictates that both be retrained and re inspect tracks again, he said.

Union Pacific and BNSF officials say they inspect tracks more frequently than the railroad administration requires — usually four times times a week.

A BNSF spokeswoman said the company inspects its most heavily used Southern California tracks daily and performs walking inspecti by crews driving on the tracks in special trucks.

"If a qualified inspector identifies unsafe conditions, he or she has authority to make repairs, place temporary speed restrictions on a service," BNSF spokeswoman Lena Kent said.

Union Pacific would not provide information about the frequency of its walking inspections.

Federal officials this month toughened rules to require more track inspections, citing what they saw as preventable accidents that killi

For example, inspectors on a rail-mounted truck in North Dakota failed to detect visible cracks that fractured under the weight of the National Transportation Safety Board.

The track problem wasn't the only thing wrong in the San Bernardino accident.

Federal records showed that paperwork describing what each car carried was wrong. An empty lumber car was added to the train but

That put many cars, including 24 carrying hazardous materials, out of position by one in the paperwork.

An inspector also found that the hazardous materials in some cars were not properly described and that the train had incorrect emerg railroad company disputes.

Potential administrative action against Union Pacific is pending, said Steven W. Kulm, a Railroad Administration spokesman.

Union Pacific has changed its computer software to make sure errors on the cargo list don't happen again, Davis said.

## **A Second Evacuation**

The San Bernardino derailment and evacuation shook residents.

More than 300 people were ordered to leave their homes about 8:40 p.m.

A police official lifted the evacuation at 4 a.m. April 5 without consulting the San Bernardino Fire Department or Union Pacific, accordi report. When the mistake was caught, residents were rushed back out of their homes and kept out until 2:40 a.m. April 7.

City fire Battalion Chief Howard Bennett said the evacuation was never formally lifted before the wreckage was moved away. He said residents who wanted to return for medication or other urgent needs.

Residents said the evacuation was disorganized.

"They didn't tell people where to go or what to do," said Ray Torres, a longtime resident whose family was evacuated.

Several residents complained that police officers issuing orders from squad cars and a helicopter spoke English to the largely Spanish

"The Mexican people were saying, 'Que pasa, que pasa?' " resident Esther Hernandez recalled. "They know we're all Hispanics here.

<http://www.pe.com/digitalextra/metro/trains/inland.html>

3/9/2009



Letter 7 (cont'd)  
Mark Hansen  
May 17, 2010

PE.com | Trains

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the information."

Lt. Diane Holmes said some of the evacuation orders were given in Spanish. But she acknowledged that only one or two bilingual officers

The scramble of evacuees attempting to leave as emergency crews tried to get in created a bottleneck on Macy Street, the only road jam would be worse in the event of a more serious accident, residents fear.

Had chlorine leaked from a tank, response crews would have evacuated a larger area and could have fogged it with mist to help contain it. Be done to stop gas escaping from a major rupture, she said.

"Once you have a catastrophic puncture, there is nothing you can do."

The cracked tank car was considered so volatile that hazmat crews had to wait seven months, until Nov. 12, for a specialized pump truck

Los Angeles-based chemical manufacturer Occidental Petroleum Corp. owns the tank car, which had been inspected in February, company

"The important point is the car did not leak," she said.

### Tank Car Scrutiny

About 60 percent of pressurized tank cars now in use were built before 1989, including the 1977 model found to have a crack after the tank cars are made with steel that is less likely to fracture.

The NTSB said a 1989 requirement for tougher steel made all tank cars safer, but several experts said the older cars' risk of failure remains

Use of the older cars "poses an unquantified but real risk to the public," the NTSB said in its 2004 report on the Minot derailment.

In that accident, seven pre-1989 tank cars, made more brittle by the severe cold, released about 200,000 gallons of anhydrous ammonia

The safety board wants the railroad industry to examine tank cars built before 1989, test metal samples and determine which ones are

Joseph H. Boardman, head of the Railroad Administration, said in a telephone interview that the agency has agreed with an industry group that are being retired. The NTSB says such test results wouldn't represent the current fleet.

The safety board officials also want the Railroad Administration to set fracture standards for the steel used in the cylinder-shaped tank cars built before 1989.

The Railroad Administration responded that more research is needed, a strategy the NTSB found "unacceptable."

Three fatal accidents involving tank cars since the NTSB recommendation in 2004 underscore the need for action, not research, said the board's chairman.

"I am pounding my fist and stamping my feet for a new standard for steel in tank cars to mitigate these catastrophic accidents ..." Boardman said, "Research, but what are (they) doing today?"

Boardman said imposing a regulation isn't the only way to make tank cars safer.

Working with an industry group, his agency secured a voluntary commitment from manufacturers to start using better steel next year

Chicago-based Union Tank Car Co., a principal tank-car manufacturing and leasing firm, is among the companies that will start using the new steel, spokesman Bruce Winslow said.

"We are very, very safety conscious," Winslow said. "If there is something to be done to enhance safety, we jump right in there."

The railroad industry says it has a long history of making tank cars safer, both of its own accord and in response to new regulations. Tank cars that are most likely to be punctured are most likely, have been fortified with extra metal. Insulation added to tank cars carrying flammable materials reduces



Letter 7 (cont'd)  
Mark Hansen  
May 17, 2010

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But change can be slow. Disagreements between the safety board and the railroad administration sometimes drag on for years.

After a tank car ripped open in Mississippi 13 years ago, spilling propane that incinerated the train yard, an investigation found the cause was rust.

Forty of 108 tank cars tested around the country had cracks in the same place. A similar accident in Washington two months later reinforced the findings.

The safety board recommended periodic testing to make sure cracks are caught.

Thirteen years later, the railroad administration and the railroads' trade association are still researching the idea.

"In this case, it is getting to be a long time," said Robert Chipkevich, head of the NTSB's Pipeline and Hazardous Materials Board.

The Railroad Administration points out that tank car ruptures are relatively rare. Of the 7,902 hazardous-material tank cars involved in accidents, about 0.6 percent, according to the administration.

### Uneasy Neighbors

Of the 2.8 million Inland residents who live within 3 miles of a rail route, more than 825,000 are within a half-mile, the ESRI analysis shows. Decades of government-approved development that has pushed residents, schoolchildren and businesses to the railroads' front door.

Davis, the Union Pacific spokesman, said railroad companies oppose residential development near rail lines because new residents often don't know what we can do to suggest." Riverside County planners said they don't consider train-wreck hazards in approving new construction.

Trains pulling tank cars cut through most of Riverside, near a veterans hospital in Loma Linda, less than a block from a Colton elementary school and Interstates 10 and 215.

Materials are shipped in tank cars marked with warning placards or in placarded boxcars.

Local officials say they typically receive hazardous-materials warnings only in rare cases when radioactive cargo, military weapons or other dangerous materials are involved.

"You just have to be prepared for anything," Brierty said.

Like residents of Minot and Graniteville, most Inland residents are largely unaware of the risk and what to do in a chemical emergency.

Teresa Rich of Loma Linda said that when her family bought a house near the tracks seven years ago, escrow papers warned of six train accidents in the area, she said.

"I've wondered about what would happen if there was a derailment," Rich said.

Bill Cooper, who has lived near the tracks in Riverside for 25 years, said he is more concerned about an accident now because of a nuclear power plant nearby.

"What happens if there is a derailment?" Cooper asked. "If something does happen, it would be nice to know what we should do."

Reach Phil Pitchford at (951) 368-9475 or [ppitchford@pe.com](mailto:ppitchford@pe.com), David Danelski at (951) 368-9475 or [ddanelski@pe.com](mailto:ddanelski@pe.com), Brian Bagoad at [bagoad@pe.com](mailto:bagoad@pe.com), or Mark Kawar at (909) 806-3052 or [mkawar@pe.com](mailto:mkawar@pe.com)

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**Response to Letter 7****Mark Hansen****May 17, 2010**

- L7-1. See Master Response #4 – Hazardous Materials Transport and Master Response #5 – Freight Operations. As stated in the Draft EIR in Section 4.7.4: “As a commuter rail line, PVL service is passenger only. As such, there would never be an occasion when hazardous materials would be transported on the commuter trains.” The frequency and quantity of materials shipped via freight, as with all freight operations, is completely dependent on customer demand. One known freight delivery is chlorine which is used by MWD for the water treatment facility. Overall the PVL project will improve track conditions so that both Metrolink and freight trains can operate with increased safety along the alignment. Therefore, less than significant impacts are anticipated for this issue area and no mitigation measures are required. Since there are no new impacts as a result of this comment, the Draft EIR has not been changed.
- L7-2. See Master Response #5 – Freight Operations and Master Response #3 – Derailment (General). The Draft EIR in Section 2.4.13 discussed how freight operations are linked to local economic conditions, which are independent of the PVL project. The PVL project will improve overall track conditions so that both Metrolink and freight trains can operate with increased safety along the alignment. It should also be noted that the PVL project is a commuter train and thus would not transport freight or cargo of hazardous materials.
- L7-3. See Master Response #7 – Emergency Planning and Response. RCTC does not currently have operation or maintenance responsibilities for the ROW. BNSF currently, under agreement with RCTC, has a responsibility for operation and maintenance for the existing ROW. Once the PVL project is initiated, SCRRRA will have operation and maintenance responsibilities for the ROW. It should be noted that SCRRRA has a higher standard of rail maintenance because of the different standards between passenger and freight requirements. As a result, maintenance of the rail will improve. Furthermore, the ROW is a controlled industrial area where debris can be inadvertently left behind after maintenance.

This comment states that a “coordinated disaster plan” should be developed for the PVL project. Though unlikely and unanticipated, if an emergency were to occur near the PVL corridor, the Riverside County Emergency Operations Center (EOC) and/or the City of Riverside Emergency Management Office would be activated and trained professionals would be in place to manage and coordinate the appropriate Emergency Operations Plan (EOP). Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

Note: Attached behind the comment letter are a series of newspaper articles from The Press Enterprise Special Section dated November 20, 2005. The articles provide a regional overview of freight train traffic in southern California and a discussion of hazardous materials transported on by rail. The article is not specific to the SJBL/RCTC ROW, nor does it bring up any new environmental issues that were not addressed in the Draft EIR, and therefore no response is necessary.



Letter 8  
Martha Offeney  
May 17, 2010

May 17, 2010

TO:  
Ms. Edda Rosso, P.E.  
Capital Projects Manager  
Riverside County Transportation Commission  
4080 Lemon Street, 3<sup>rd</sup> Floor  
Riverside, CA 92501

RECEIVED  
MAY 24 2010

RIVERSIDE COUNTY  
TRANSPORTATION COMMISSION

FROM:  
Martha Offeney  
300 Hillandale Court  
Riverside, CA 92507  
951-781-5480 work [8:00 – 5:00]

SUBJECT: 92666/SD19R104 EIR04.05.2010  
Environmental Impact Report - Perris Valley Line

Our home is below the railroad track and near the large curve in the track -  
Many times we hear the squealing noise from the train trying to slow down for the curve.  
We were surprised to find out there are no provisions behind our home.

With all the incidents that occurred, we feel these needs to be reviewed for our safety  
and for noise.

} L8-1

SUBJECT: 92666/SD19R104 EIR04.05.2010

After review of the Environmental report, I have the following questions:

NOISE MEASURING PROGRAM

They told us they setup a sound monitoring device behind our home.  
I have an issue with their test.

First of all, our property is below the tracks and no one tested in our backyard area.

With a 4 month old, and a 4 year old, we would like to know how they are going to stop  
all the noise from being a nuisance to our family when they start all the train traffic?

Also, when will they monitor from our home? It makes a huge difference when you sit  
below the tracks.

} L8-2



Letter 8 (cont'd)  
Martha Offeney  
May 17, 2010

SITES OF ENVIRONMENTAL CONCERN

I did not see anything on the report in regard to the accident that occurred behind our house.

When will they test the ground water from the last derailment behind our house?

There was an oil spill from the tractor that fell over on its side. We have pictures of the 55 gallon drum and the oil on the ground.

We notified the railroad company and the tractor company and gave them a bill for our broken fence. The tractor company gave us a check [so did the railroad company – which I returned the check] to repair the broken chain link fencing.

They also had a statement on the check that they did not want us to bring up this issue again, and they are not responsible for anything else in regard to this oil spill.

Also, no one notified us of this spill. We happened to notice that some of our trees were broken and we went up our hill to discover the oil spill ourselves.

L8-3

CHEMICAL EXPOSURE

Are there plans for sensors to be placed in our area to set off an alarm to warn us of a chemical leak and notification of authorities to handle the accident?

L8-4

TRAIN DERAILMENT

There have been 2 train derailments in back of our home.

Why is there no wall in the plans for sound and for some type of barrier protection?

The box cars came very close to falling into our back yard.

When they made the statement of how few train derailments there are, I was quite surprised since we have lived in our home since 1989 and have had 2 derailments.

L8-5

LAND MOVEMENT

After one of the derailments and during cleanup, the tractors filled in the large drainage ditch behind our home.

When the rains came all the rock and dirt came into our backyard because they filled in the ditch which made the water flow to the side of the hill.

Our pool had rocks and mud 3 feet or more deep.

No one wants to take responsibility to repair our pool.

L8-6



Letter 8 (cont'd)  
Martha Offeney  
May 17, 2010

The water and rocks would have never been in our yard if the railroad company had not filled in the ditch that helped the water flow deviate to the side of the hill.

It amazed us how the railroad company said they did not cause the problem, yet the tractors came back and changed the terrain...again.

They tried to play a game that there was a natural stream into our backyard. Then why has there not been any landslide since 1960, when the house was build, into the backyard?

When they start working on the tracks, what type of earth movement are they going to perform behind us? We don't want any additional landslides into our backyard.

L8-7

FIRES

We have cleaned up the debris behind our home, but next to us NO ONE has cleared all the thick weeds.


We contacted the Fire Department many times and it seems no one knows who is responsible for the removal of all the weeds. The railroad company claims the County is responsible.

This is a huge fire hazard. With all the train traffic, who will be responsible for clearing out the area behind our home 300 Hillandale and next door neighbor 290 Hillandale? It is not clear as to which agency is ultimately responsible.

L8-8

Thank you for reviewing my concerns and safety issues. You may contact me if you have questions.

Respectfully submitted

  
Martha Offeney  
300 Hillandale Court  
Riverside, CA 92507





**Response to Letter 8**  
**Martha Offeney**  
**May 17, 2010**

L8-1. See Master Response #6 – Noise. While noise impacts from SCRRA/Metrolink train operations were not predicted in the area of the PVL alignment referenced by the commenter (see Draft EIR, Tables 4.10-9 to 4.10-11), the area includes several short-radius curves at which noise from wheel squeal can be produced. However, the wheel squeal from the trains on these curves will be reduced by the use of wayside applicators. Wayside applicators apply lubrication to the wheel, so that the contact between the inside flange of the wheel and the track is reduced. These wayside applicators are proposed for the curves in the Box Springs area near Hillandale Court to reduce wheel squeal. Thus, the commenter is incorrect in saying that there are no provisions for noise control near their home.

For safety concerns and the project, the commenter should review Master Response #3 – Derailment and #7 - Emergency, Planning and Response.

L8-2. Noise measurements were taken near 396 East Big Springs Road which is close to 300 Hillandale Court and thus is representative of existing noise in the local area (see Response to Comment L8-1).

L8-3. See Master Response #8 – Derailment. There is no public information available regarding the mentioned spill. If the spill was not reported, then it would not appear in the government databases. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

L8-4. See Master Response #4 – Hazardous Materials Transport. The PVL project is proposing the introduction of commuter rail service in the corridor. The PVL project is independent of the existing freight operations, and does not include alterations to freight operations. The PVL project does not anticipate a chemical spill because it is a commuter rail project that will not transport hazardous materials. Therefore, the PVL project is not proposing to install chemical sensors that would sound an alarm in the event of a chemical spill in the area because the project will not include the transport of any chemicals. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

L8-5. See Master Response #3 – Derailment and Master Response #6 – Noise. A detailed noise assessment was conducted for project Metrolink trains at representative sensitive properties along the entire project rail alignment (FTA Manual, page 3-10). Where impacts were predicted, noise mitigation including noise barriers and sound insulation were proposed at specific locations (see Draft EIR, Table 4.10-16) to reduce impacts to less than significant levels. For the property at 300 Hillandale Court, no impacts were predicted to occur. As a result, no noise mitigation measures were proposed at that location.  
([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))

The principal source of noise near the curved area would be wheel squeal. Therefore as part of the project, wayside applicators are proposed to significantly reduce the



noise from wheel squeal at all tight radius curves along the entire length of the project alignment (see Response to Comment L8-1 and Draft EIR, Section 4.10.4).

- L8-6 See Response to Comment L8-3. This comment does not relate to the PVL project or the Draft EIR. Accordingly, no response is required for the purpose of CEQA.
- L8-7. The construction that would occur along the tracks near the commenter's house includes replacing wooden ties as needed and adding new ballast (see Draft EIR, Section 2.4.1). Based on the work proposed for the Hillandale Court area, no increased risk of landslides to the commenter's properties are expected. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L8-8. It is difficult to distinguish between "behind our home" and "next to us" to properly identify the appropriate parcel of land and therefore the appropriate landowner. RCTC is the landowner of the existing rail ROW, but the City of Riverside owns Islander Park (north of Hillandale Court) and the County of Riverside owns Box Springs Mountain Reserve (east of the RCTC ROW). Landowners are responsible for conditions on their property and to comply with fire department standards. It should be noted though, that currently RCTC has an agreement with BNSF for ROW operation and maintenance. Also, prior to project initiation SCRRRA will become responsible for operation and maintenance of the corridor. The Draft EIR, Section 4.7.4 analyzed potential impacts involving fires and found less than significant impacts with mitigation incorporated for this issue area. Therefore, no additional mitigation measures or further analysis is required. There are no new impacts as a result of this comment and the Draft EIR has not been changed.



Letter 9  
Espana Velez  
May 17, 2010

May 17, 2010

RECEIVED  
MAY 24 2010  
RIVERSIDE COUNTY  
TRANSPORTATION COMMISSION

Ms. Edda E. Rossa, P.E.  
Riverside County Transportation Commission  
PO Box 12008  
Riverside, CA 92502-2208

SUBJECT: Perris Valley Line Environmental Impact Report

Dear Ms. Rossa:

I am a mother of students at Hyatt/Highland Elementary School. I am concerned about the impact of the proposed Perris Valley Line in the safety of students at the school. } L9-1

The Perris Valley Line Metrolink project will bring increased train traffic to the railroad lines adjacent to the Hyatt and Highland Elementary School sites. With the increased rail traffic comes the increased possibility of a derailment in locations where derailments have already been known to occur. The draft EIR does not adequately address the increased possibility of a derailment. } L9-2

The high pressure pipeline within the railway easement adjacent to Highland Elementary School is an additional concern. At points, this pipeline is only buried two feet deep. The construction that will take place to improve the tracks increases the risk of an accidental rupture of the line. The EIR does not address how the safety of the students will be ensured during construction. The EIR also does not address the risk of rupture of the line during a derailment. } L9-3

I am very concerned about the safety of students crossing the railway going to and from school. Some of the proposed train travel times coincide with times that students will be walking to school, and parents and student drivers will be crossing the line. } L9-4

Sincerely,

Espana Velez -> mother  
Alberto Gonzalez -> Father  
1133 W. Blaine Street  
Riverside, CA 92507



**Response to Letter 9**  
**Espana Velez**  
**May 17, 2010**

- L9-1. See Master Response #10 – Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment). Safety is a primary concern of both RCTC and SCRRRA (the operators of the Metrolink service) for implementation and operation of the project. The Draft EIR found no significant, unmitigable impacts as a result of the PVL project. The project does not increase safety risks. Instead, the PVL project would upgrade the existing physical condition of the rail line, which would result in a stronger infrastructure, a higher level of maintenance, and enhanced safety.

As no specific concerns were raised, a more specific response is not required (Browning-Ferris Industries v. City of San Jose (1986) 1818 Cal. App. 3d 852 [where a general comment is made, a general response is sufficient]). Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L9-2. See Master Response #3 – Derailment (General) and Master Response #10 – Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment). The PVL project is proposing to improve track conditions along the project alignment. These improvements include tie replacement, welded rail, ballast replenishment where necessary. These improvements will provide for a safer operating environment for both the Metrolink commuter and freight trains. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L9-3. See Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School, and Master Response #3 - Derailment. The existing Kinder Morgan jet fuel line is located within the ROW, however, the PVL project is not planning to relocate or alter the pipeline as it currently exists.

It should also be noted that Kinder Morgan requires on-site monitoring when work is being conducted near their pipelines. So for any construction activities near the pipeline including track work, or wall foundations, an experienced Kinder Morgan inspector will be present. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L9-4. See Master Response #8 – Grade Crossings and Master Response #9 – Highland and Hyatt Elementary Schools (Increased Train Traffic). The majority of PVL trains will pass both Highland and Hyatt Elementary Schools either before the start of the school day, or after the end of the school day. Additionally, it should be noted that the PVL project plans to improve the grade crossings along the entire corridor.

As required by the CPUC, the project will make modifications to several existing grade crossings to ensure public safety and to facilitate safe train movements. Improvements include flashing warning devices and gates, raised center medians, striping, signage and pavement markings, crossing safety lighting, signalization, and pedestrian safety improvements. There are no new impacts as a result of this comment and the Draft EIR has not been changed.



Letter 10  
Lenita Kellstrand  
May 19, 2010

Lenita Kellstrand  
242 East Campus View Drive  
Riverside, CA 92507

RECEIVED  
MAY 24 2010  
RIVERSIDE COUNTY  
TRANSPORTATION COMMISSION

May 19, 2010

Ms. Edda Rosso, Capital Projects Manager  
Riverside County Transportation Commission  
PO Box 12008  
Riverside, CA 92502-2208

RE: Comments on Draft Environmental Impact Report for the Perris Valley Line

Dear Ms. Rosso,

I have lived at 242 East Campus View Drive in Riverside for 32 years. While I once considered the trains on the BNSF tracks that pass my house charming and a source of enjoyment, recently I have suffered greatly from the increasing night-time train traffic so well described by commenters at your public hearings. Too many nights I am awakened by the thunderous noise of passing trains. I find the proposal to add 12 daily Metrolink trains to this route unconscionable, especially given the inadequate noise remediation efforts proposed in the Draft Environmental Impact Report and the fact that four of these trains will run between the hours of 4:00 a.m. and 7:00 a.m.

L10-1

My house sits at the end of the wide, steep curve just east of the Mt. Vernon Avenue crossing. The noise, wheel squeal, and vibrations generated by trains rounding this hazardous curve are extremely dramatic, and there have been several derailments near this site during the years that I have lived there. I was astonished, therefore, to note the inadequacy of the track improvements cited for this section of the route, and I feel strongly that this issue should be revisited.

L10-2

Regarding train noise, the sound walls cited in the DEIR are a beginning, but they should be planted with clinging vines, lest our neighborhood become plagued with graffiti. Additionally, all the houses seriously impacted by train noise along the route should receive sound insulation, as was included in a prior plan, not just the seven houses currently targeted in the DEIR.

L10-3

While the average person might possibly be able to fall back to sleep after being awakened by the rumble of a passing train, anyone who has been jarred awake by the incredible decibels produced by a train horn will find themselves pumping adrenaline for quite some time. This means that my neighbors and I will be up every weekday at 4:15 a.m., unless Quiet Zones are added to your plans. I do not

L10-4



Letter 10 (cont'd)  
Lenita Kellstrand  
May 19, 2010

accept the assertion that responsibility for establishment of Quiet Zones must fall to the City of Riverside. It is incumbent upon the Transportation Commission to take responsibility for facilitating this process as part of the Perris Valley Line project.

} L10-4 (cont'd)

To summarize, I believe the following issues are inadequately addressed in the Perris Valley Line Draft Environmental Impact Report:

- Track condition and safety along the wide, steep curve east of the Mt. Vernon Avenue crossing.
- Graffiti prevention on the planned noise walls.
- Sound insulation for all homes seriously impacted by train noise.
- Creation of Quiet Zones.

} L10-5

Additionally, due to the severe quality-of-life implications for our neighborhood, I assert that the any increase in the number of trains scheduled for this route should trigger an additional environmental impact report.

The Riverside County Transportation Commission owes consideration to all residents of the County, not just to those who have chosen to live far from their places of employment. It is patently unfair that Riverside homeowners and the City of Riverside should bear the costs—both in dollars and in quality of life—of this project. If the budget for the Perris Valley Line is inadequate to fund all necessary mitigation, the project should not proceed—it is indeed that simple.

} L10-6

Respectfully,

Lenita Kellstrand

cc: Councilman Andy Melendrez



**Response to Letter 10**  
**Lenita Kellstrand**  
**May 19, 2010**

- L10-1. See Master Response #6 – Noise. Several Metrolink trains would be running very early in the morning near the property at 242 East Campus View Drive. As defined by the 2006 FTA Manual, this is a period of heightened noise sensitivity for residential uses. As a result, the FTA noise prediction model takes into consideration these early morning hours by accentuating project noise levels occurring between the hours of 10 PM and 7 AM (FTA Manual, Table 6-4).

A detailed noise assessment was conducted for project Metrolink trains at representative sensitive properties along the entire project rail alignment (see FTA Manual, page 3-10). Where impacts were predicted, noise mitigation including noise barriers and sound insulation were proposed at specific locations (see Draft EIR, Section 4.10.5) to reduce impacts to less than significant levels. As per the FTA Manual (FTA Manual, page 6-43), sound insulation was proposed at seven homes and one church along the alignment where the use of a noise barrier would not be feasible. For the property at 242 East Campus View Drive, noise barriers are an effective mitigation measure that will reduce noise impacts to below a level of significance (FTA Manual, Section 6.8.3).

([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))

- L10-2. See Response above to comment L10-1.

See Master Response #3 – Derailment (General). Welded rail is specified for the proposed PVL alignment. Proposed wheel squeal treatments, in the form of wayside applicators will significantly reduce the squeal noise at short radius curves along the proposed alignment including the curves near 242 East Campus View Drive (see Draft EIR, Section 4.10.4). A vibration assessment for SCRRRA/Metrolink trains determined that impacts for this area would be less than significant (see Draft EIR, Table 4.10-12).

- L10-3. See Response L10-1. Additionally, with regard to covering the noise barriers with landscape material, a watering system would be needed which is not available within the RCTC ROW. As the noise barriers are located at the outer edge of the RCTC ROW, the adjacent property owners would have the opportunity to landscape the noise barriers as they may or may not desire. Even without landscaping, there is no substantial evidence of any potentially significant aesthetic impacts from graffiti. Nonetheless, if any graffiti appears on the barriers after they are built, SCRRRA will have the responsibility of removing it promptly.

The selection of eight properties (seven homes and one church) for sound insulation was based on the fact that these particular properties would either not be fully protected by noise barriers or the existing terrain would make the use of noise barriers infeasible (FTA Manual, page 6-43). All eight properties are located near grade crossings. Because these grade crossings naturally create noise barrier discontinuity (since the barrier cannot traverse the intersection), properties near the crossings are either unprotected or under-protected by noise barriers, thus the need



- for sound insulation at these properties. Where this discontinuity occurred, sound insulation was recommended.  
([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))
- L10-4. See Master Response #1 – Quiet Zones. Horns represent one of the loudest noise elements with respect to train operations. Based on guidance from the FTA, the Metrolink horns will not be as loud as the existing freight train horns. RCTC is without power to itself initiate quiet zones, but has collaborated with the City of Riverside in this regard. The noise analysis (Draft EIR, Section 4.10) accounts for the early morning sound of horn blowing, and the FTA Manual methodologies also have provision for the disturbance horns can cause in early morning hours. There are no impacts as a result of this comment and the Draft EIR has not been changed.
- L10-5. Master Response #1 – Quiet Zones, Master Response #3 – Derailment (General), and Master Response #6 – Noise, and Responses L10-1 through L10-4. If ridership increases in the future, RCTC might build additional stations to meet this demand. RCTC has committed to conducting additional environmental reviews for new stations that would be added in the future. There are no new impacts as a result of this comment, the Draft EIR has not been changed.
- L10-6. The mitigation proposed for the project has been identified as appropriate to reduce the level of impact to below a significance threshold. The project related mitigation measures will be considered during the Commission's review and potential certification of the EIR document. By certifying the EIR, RCTC would be accepting responsibility to enforce the identified mitigation measures. Accordingly, the City of Riverside is not being asked to bear significant impacts nor to bear the financial cost of the project's mitigation. There are no new impacts as a result of this comment, the Draft EIR has not been changed.





Letter 11  
Diane E. Elton  
May 21, 2010

May 21, 2010

Ms. Edda Rosso, P.E.  
Capital Projects Manager  
Riverside County Transportation Commission  
P.O. Box 12008  
Riverside, CA 92502-2208

RECEIVED  
MAY 25 2010  
RIVERSIDE COUNTY  
TRANSPORTATION COMMISSION

Dear Ms. Rosso:

I write in response to the Public Notice on the Draft Environmental Impact Report for the extended Perris line of Metrolink.

} L11-1

In answer to the posed question, "Have the potential impacts been addressed?" I emphatically say, "No."

As owner/resident at the Casa de Oro Condominiums, the mitigation plan is completely insufficient for quality of life and sustainability of housing value due to noise and vibration. Currently trains, especially heavy trains, shake windows. The noise at the crossings can be heard one to two stops away on either side of Spruce. As the Perris segment comes on-line, the need for sound barriers on both sides of the tracks has been continuously suggested at public hearings. As the final report is prepared, it is time to acknowledge this fuller mitigation requirement.

} L11-2

Needed remedy:

1. Ensure and insist that **sound walls be built on BOTH the east and west side** of the tracks. Building just on the east side, will only enhance the bounce back toward housing on the west. The notion that "just a drainage ditch is to the west" is to ignore condo-owners and others on the west side. The project must be mindful of **all residents. The span between Spruce Street and Blaine Street is especially critical. Certainly funds can be found for this portioned second wall.**

} L11-3

2. The security of the gas line running parallel to the tracks needs to have the latest and best emergency mechanisms for the "unthinkable." The wall could help contain the extent of such an event.

} L11-4

3. The tracks are generally old. The vibration is severe at this time. With increased and continual use, the degradation will be rapid. They need a positive and best engineering system upgrade.

} L11-5

**Thank you for ensuring that the ERA acknowledges responsibility for all impacted landowners and residents by requiring full sound walls and improved track engineering.**

Sincerely,

*Diane E. Elton*  
Diane E. Elton, owner/resident Unit 60, Casa de Oro Condominium complex  
2891 Canyon Crest Drive, Riverside, CA 92507



**Response to Letter 11**  
**Diane E. Elton**  
**May 21, 2010**

- L11-1. This comment is introductory. No response is necessary.
- L11-2. See Master Response #6 - Noise. Both the noise and vibration assessments for the PVL project considered sensitive properties in the Riverside area. With respect to the Casa de Oro Condominiums, impacts relative to noise from Metrolink trains were predicted to be less than significant. However, with respect to vibration from Metrolink trains, the analysis predicted that vibration impacts would occur in the area of Casa de Oro Condominiums. As a result, mitigation was proposed that would reduce these predicted vibration impacts to less than significant levels (see Draft EIR, Section 4.10.5).

The commenter states that heavy trains “shake windows”. Vibration from locomotives is the main determinant for rail vibration. Existing vibration in this area is based on freight traffic, with each train containing several older locomotives that include suspension systems that are in general stiffer than the newer Metrolink passenger locomotives. Rigid locomotive suspension systems often translate into higher levels of vibration (FTA Manual, Section 7.2.1). This stiffer suspension in turn causes more vibration. In addition, although no noise mitigation is required at the Casa de Oro Condominiums, new welded rail proposed for the PVL project will result in the reduction of both noise and vibration levels from existing freight traffic.

With respect to horn noise, based on technical guidance from the FTA, the Metrolink horns will not be as loud as the existing freight train horns.  
([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))

- L11-3. See Master Response #6 – Noise. The mitigation plan proposed for the PVL project was developed based on the results of the PVL noise and vibration assessment. The noise and vibration assessment methodology and the subsequent mitigation recommendations were based on FTA procedures (FTA Manual, Section 6.8). Noise barrier locations were based on the location of impacted properties that would be representative of neighboring properties in terms of their general topography and existing noise exposure. The use of noise barriers would mitigate noise impact levels at sensitive properties to less than significant (FTA Manual, Section 6.8.4). The noise assessment did not result in any predictions of noise impacts at the Casa de Oro Condominiums, as represented by the Watkins Drive properties which are located between Spruce and Blaine Streets (see Draft EIR, Table 4.10-9). As a result, noise mitigation was not proposed, as noise impacts would be less than significant.

For projects where sound reflections off noise barriers are of concern, sound absorptive materials are often proposed for use on noise barriers. However, it is not expected that reflections off noise barriers in the area of the Casa de Oro Condominiums would result in any significant increases in noise levels because the Metrolink alignment would not be close to any of the proposed noise barriers (FTA Manual, page 2-12). In the area near Casa de Oro Condominiums, noise barriers proposed on the western side of the track alignment would be located approximately



50 feet from the train.

([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))

- L11-4. See Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School and Master Response #3 – Derailment (General). The existing Kinder Morgan jet fuel line is located within the ROW, however, the PVL project is not planning to relocate or alter the pipeline as it currently exists. However, for any project work that is occurring near the Kinder Morgan pipeline, a company representative will be onsite to monitor construction and ensure that proper construction protocols are followed.
- L11-5. See Master Response #3 – Derailment (General). Welded rail in addition to ballast replenishment are the track improvements proposed for the entire length of the PVL project alignment. This will reduce the noise and vibration generated by both the freight and commuter trains (see Draft EIR, Section 4.10.3).



**Letter 12**  
**Kevin Dawson**  
**May 24, 2010**

May 24, 2010

Ms. Edda Esther Rosso, P.E.  
Project Manager, RCTC  
P.O. Box 12008  
Riverside, CA 92502-2208

[erosso@rctc.org](mailto:erosso@rctc.org)

Dear Ms. Rosso,

Please include the following comments a part of the Public Comment for the PVL DEIR.

Thanks,

Kevin Dawson  
269 Goins Ct.  
Riverside, CA 92507

951-781-0386 h  
kevindaw@aol.com

Comments to the PVL DEIR:

-RCTC needs to provide "quiet zone crossings" at the three street crossings in our neighborhood. Because of the slow speed of the trains (which won't change due to the grade and curve) it takes as long as fourteen minutes for a train to rumble through the entire neighborhood. Because of the increased number of trains, we need every effort to be made to reduce all noise, and especially horns blowing. These quiet zones need to be paid for by RCTC and not the City of Riverside. This is a RCTC project and they need to pay the cost of mitigating the impacts of their project. Quiet zones should be in addition to sound walls.

} L12-1

-The Kinder-Morgan high pressure fuel line needs to be buried deeper and protected by a concrete barrier. Greater assessment needs to be give to the risk of this line. Investigation needs to be made into the age and state of repair of this line. Lines of this vintage are usually of metal construction and are known to suffer from oxidation. This oxidation causes the piping to become brittle and thin, increasing the possibility of failure. We have seen numerous failures of natural gas piping in the UCR neighborhood (which should be of similar vintage as the KM pipe) due to age related oxidation.

} L12-2

This shallow buried fuel line was punctured by some workers digging in the back yard of a home near Watkins Dr. about 8 years ago. It is not unreasonable to have concerns regarding this fuel line.

} L12-3

In the weeks after the current Gulf of Mexico oil catastrophe, it has been found that the Federal Government had relied up on the assurances of the energy company BP, that such a accident could never happen, and that if an unfortunate incident were to occur, BP was more than capable of dealing with it. This government policy has been proven a dramatic failure.

} L12-4

RCTC should not rely upon Kinder-Morgan for assurance that this fuel line posses no risk.



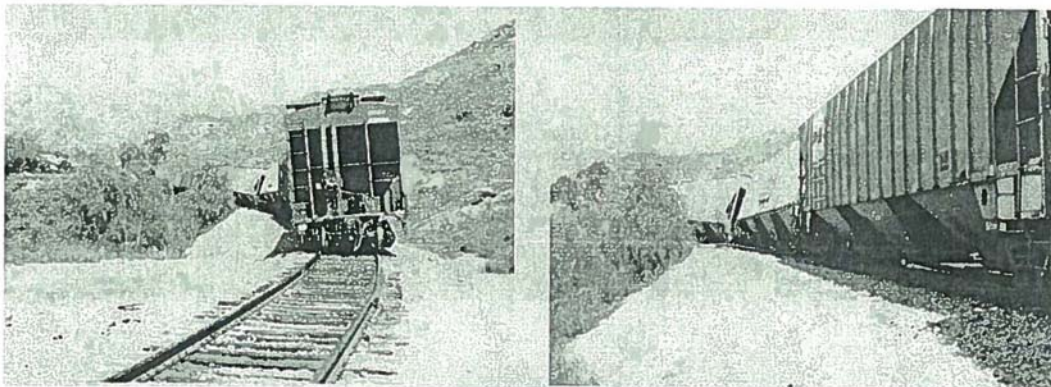
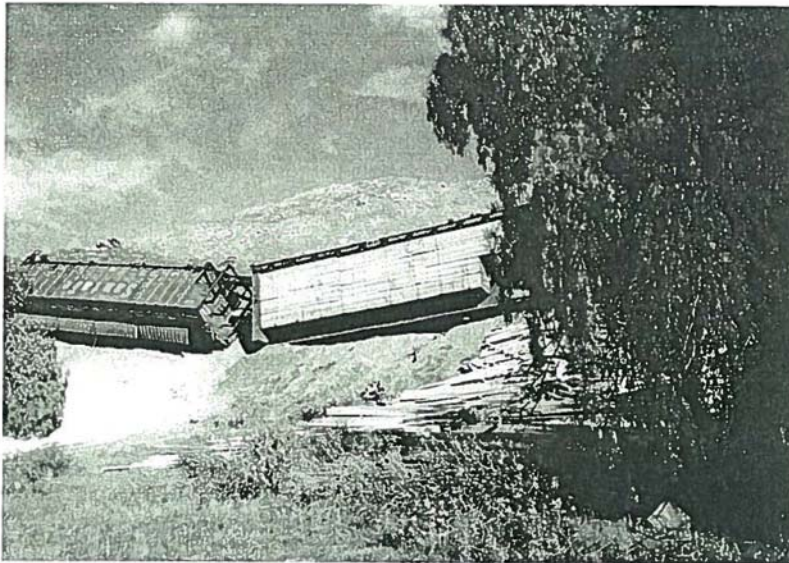
Letter 12 (cont'd)  
Kevin Dawson  
May 24, 2010

-RCTC's claim that the risk of derailment is only once every 124 years is flawed as we have had a couple of derailments in recent memory. Given the dangerous cargo now being transported along this line, it is important that rail line right-of-way be constructed to contain derailments or spills where the rail is elevated above schools (like Hyatt elementary) and residences. A three foot berm or block wall fence is inadequate to contain a 30 ton locomotive or cargo.

L12-5

Here are some photos of two different derailments on the San Jacinto/PLV that occurred in the last 20 years in the UCR neighborhood, demonstrating that concerns regarding risks are not unfounded. Cargo being hauled along this rail line is no longer just grain and lumber, but dangerous products such as tanks of chlorine gas.

L12-6





**Letter 12 (cont'd)**  
**Kevin Dawson**  
**May 24, 2010**

- RCTC needs to develop with partnering agencies a master emergency plan for derailments and spills. This plan should be reviewed annually with partnering agencies, adjusting for changing cargo risks and operations. } L12-7
- RCTC needs to develop a plan to address the possible situation of all three crossings being blocked by a parked freight train. We have seen this situation occur before and it is a public safety issue as it blocks Police and Fire from a major portion of our neighborhood. } L12-8
- RCTC should provide one grade separation into the University Neighborhood. } L12-9
- RCTC should provide pedestrian crossings for people to get to the county Box Springs Mountain Park. There are long established trails, such as the historic "C" that require access over the rail line. There needs be a safe crossing at key points into the park, such as at the east end of Big Springs Rd. RCTC consultants have stated that the answer is "easy, those people would be trespassing." We should not have to trespass to access our parks. } L12-10
- RCTC needs to develop a system to warn pedestrians along the Right Of Way. The rail line bisects a City and County Park, an area long established for hiking. The proposed public education program will not be adequate to ensure public safety. Currently, freight trains through this area travel at slow enough speed, rumbling and making enough noise to warn pedestrians of the train's approach. With the proposed grading of the track bed and rail to reduce noise and vibration, and the addition of Metrolink trains, which travel more than twice the speed of the freight trains, a new and substantial new risk to pedestrian safety is being introduced. A new public safety warning system should be developed for the section of track between Spruce St. and above Hyatt Elementary. This system could be a series of strobe lights mounted on or along the rail track, which would be activated by approaching trains. The strobe lights would point up and down the line to warn pedestrians, and not out into the adjacent neighborhoods. It might be possible to mount the strobe lights down between the tracks. It has been observed on Main St. in the City of Corona, blinking strobe lights embedded in cross walk markers warn drivers of pedestrians crossing the street. It could be that such a new warning system could be developed with Federal grant money. } L12-11
- Landscaping and hardscapes proposed for the Right of Way in our area need to conform to the University Neighborhood Specific Plan, developed by the University Neighborhood, the City of Riverside, UCR and others. } L12-12
- Sound walls need to be landscaped with clinging vine to discourage graffiti. } L12-13
- RCTC should provide manned crossing guards for school children as an ongoing commitment to public safety in regard to RCTC's project. } L12-14
- RCTC should install air quality monitoring equipment at the two elementary schools to establish pre- and post- project data concerning rail related airborne particulate matter and pollution. } L12-15
- AQMD has the authority to regulate mobile source pollution along publically owned transportation lines like the PVL. RCTC should request help in regulating exhaust from BNSF locomotives to protect residents from particulate matter. While BNSF has started using newer locomotives, equipped with the latest emissions controls on trains along the Main line. Locomotives used on side spur lines such as the San Jacinto line, tend to be older more polluting models. Given the slower speeds of rail traffic through



**Letter 12 (cont'd)**  
**Kevin Dawson**  
**May 24, 2010**

- the University Neighborhood, the sensitive receptor uses are receive a long duration exposure to harmful diesel pollutants. } L12-15 (cont'd)
- Land use planning guide lines (which can be found at the WRCOG and AQMD web sites) and statues call for sensitive receptor uses (such as day care, playgrounds, parks, etc.) should not be located within 500' of transportation corridors, such as freeways and rail lines. There is many such sensitive receptor uses located along the San Jacinto line in the University neighborhood. The science up on which these guidelines and statues are based should apply to an existing corridor where there is a wish to expand its use. The principal is the same but situation reversed. } L12-16
- RCTC should charge BNSF for using this publicly owned rail line. Metrolink has to pay BNSF for their privately owned line; what's good for one should be good for the other. } L12-17
- Any cost/benefit analysis must consider not only the cost of the current proposed improvements, but that of the original cost to acquire the San Jacinto line, the lost rents or fees from RCTC's failure to charge the private, for profit national corporate freight company, BNSF, for use the past 17 years. RCTC failed to protect and manage public resources. The removal of the San Jacinto line from public tax rolls should be considered as a cost of this project. } L12-18
- RCTC could collect an impact fee from BNSF that could be used to mitigate future growth of freight traffic. Such a fee could be collected into a fund which could pay to relocate impacted schools at a future date. } L12-19
- This project should have a stated upper limit for rail traffic, beyond which should trigger additional environmental review. In other words, additional expansion should require additional mitigation. } L12-20
- In an earlier Environmental Assessment, done with a project description including fewer trains, it identified 111 homes as being impacted. Currently only seven homes are proposed for noise insulation. If 111 homes are impacted, RCTC needs to insulate 111 homes. } L12-21
- The 2008 Wilbur Smith Associates study is flawed and without use. The study failed to contact Riverside County Economic Development, March Global Port, or any number of developers seeking to develop the I-215 corridor, in which this project runs and acquire information about any development requiring rail service, expanding freight traffic on the PVL. In the months after the report was submitted to RCTC, Smerfit Stone and a major steel fabricator, announced they had signed contracts to build large manufacturing facilities along the PVL. These two businesses intended to receive raw material and ship finished goods via the PVL. } L12-22
- RCTC needs to require BNSF to provide retime data as to what hazardous materials are being transported down the publically owned PVL. As the real property owner, RCTC has a right to monitor the use of this valuable public property. } L12-23
- While attending a RCTC ad hoc committee meeting, a consultant gave a briefing on RCTC's application to the Federal Transportation Commission for grant money. The overall score of the application was based in part upon location of stations and ridership projections. The inclusion of a UCR station was included specifically because of boost it would give to the application score, not because of an actual public need. RCTC commission members were observed } L12-24



**Letter 12 (cont'd)**  
**Kevin Dawson**  
**May 24, 2010**

instructing staff members to “get the ridership numbers up.” Staff replied that they had “boosted the numbers” as far as they dared. This seemed to indicate there was an open effort to falsify data on a federal application.

} L12-24 (cont'd)

In a response to a California Public Records Request, UCR confirmed that current campus ridership of Metrolink was 22-26 persons per day, depending which day was being examined. Such low actual ridership numbers hardly justifies the proposed public expenditures.

} L12-25





**Response to Letter 12**  
**Kevin Dawson**  
**May 24, 2010**

L12-1. See Master Response #1 – Quiet Zones.

The existing and future freight service is not a part of the proposed PVL project, and so existing freight train noise may not be reduced significantly as a result of the proposed project. However, the proposed project would indeed result in some reduction in existing freight train noise for certain residences. These reductions would result from the proposed mitigation measures for Metrolink trains (i.e. noise barriers and sound insulation) as well as the replacement of rail with welded rail for the entire length of the alignment. In addition, future PVL Metrolink trains would be traveling at higher speeds and would be shorter in length than the existing freight trains; as a result, the exposure time for noise sensitive properties will be significantly less (trains will pass by in seconds not minutes) than for the freight trains.

L12-2. See Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School. The pipeline within the RCTC ROW is considered an existing condition of the local environment and was not evaluated as part of the Draft EIR. As an existing condition, it is assumed that the pipeline is operated and maintained to the current industry standards, including evaluation for oxidation and corrosion. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

L12-3. See Master Response #2 - Kinder Morgan Pipeline Segment Near Highland Elementary School and Response to Comment L12-2. The PVL project complies with applicable regulations. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

L12-4. The comment expresses an opinion but does not contain a comment on the environmental analysis contained in the Draft EIR, and therefore no response is necessary. See also Master Response #2 - Kinder Morgan Pipeline Segment Near Highland Elementary School.

L12-5. See Master Response #3 – Derailment (General). The track improvements proposed by the PVL project include welded rail, tie replacement, and ballast replenishment where necessary along the alignment. These improvements will improve the overall safety of both Metrolink and freight trains. Since there are no impacts to this issue area as a result of the PVL project, mitigation measures are not required. Additionally, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

L12-6 See Master Response #3 –Derailment (General) and Master Responses #4 – Hazardous Materials Transport and #5 – Freight Operations. The PVL project is a commuter rail project that will not transport hazardous materials along the route. However, hazardous materials will continue to be shipped along the RCTC ROW by freight operations. Regardless freight will continue to ship materials into the corridor whether the PVL project moves forward or not. The frequency and quantity of



materials, as with all freight operations, is completely dependent on customer demand. The track improvements mentioned above in L12-5 as part of the PVL project would also reduce the noise and vibration from the freight trains, and improve overall safety along the corridor. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L12-7 See Master Response #7 – Emergency Planning and Response. This comment states that “RCTC needs to develop with partnering agencies a master response plan...” Though unlikely and unanticipated, if an emergency were to occur near the PVL corridor, the Riverside County Emergency Operations Center (EOC) and/or the City of Riverside Emergency Management Office would be activated and trained professionals would be in place to manage and coordinate the appropriate Emergency Operations Plan (EOP).

Furthermore, the PVL project’s trains would be commuter trains of only a few cars. These trains are too short to block more than a single crossing. Thus, even in the unanticipated event that a project train stops in the neighborhood, there would be no significant impact because only one of three ingress/egress locations would be affected.

Additionally, with the implementation of the PVL project, the corridor will become a shared corridor with the Metrolink and BNSF under the responsibility of SCRRRA. Due to the shared nature of the operations, it is not anticipated that trains would be allowed to stop in areas of single track (including the UCR neighborhood) because this would block other trains from passing through. Instead, trains would stop in the areas where there is a bypass track (between MP 7.50 to MP 16.90) and not in the UCR neighborhood. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L12-8. See Master Response #12 – Grade Separations. Grade separations, where roadways go under or over railroad tracks, require a specific approach distance to maintain the appropriate roadway grades and clearance heights for the tracks. For grade separations to be possible within the UCR neighborhood at any location, many homes would lose vehicle and driveway access. Accordingly, a grade separation into the University Neighborhood is infeasible. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L12-9. The rail ROW has been in existence for over 100 years and the City of Riverside and the County of Riverside developed these parks without considering access across private property (the SJBL/RCTC ROW). If unauthorized people enter the ROW, even to “just” cross the tracks to get to the other side, they are trespassing.

The PVL project does not include adding additional track in this area and will not affect existing access to parks in any way. The existing track will remain in its current location. CEQA requires agencies to address their project’s impacts not to remedy conditions in the existing environment that are unrelated to the project. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.



- L12-10. See Master Response #8 – Grade Crossings. RCTC is proposing safety improvements at the existing grade crossings along the project alignment. These grade crossing improvements are fully compliant with CPUC regulations and no further improvements are required. Additionally, Metrolink will be providing rail safety awareness both for schools and for the general public as discussed on Section 2.4.14 of the Draft EIR. This safety awareness training is designed to teach people about the safety hazards of being too close to the trains and the hazards of trespassing on active rail ROW. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L12-11. There is station area landscaping proposed for the PVL project. The comment that the RCTC must conform to the University Neighborhood Plan is incorrect. As a railroad owner, RCTC is not required to conform to local specific plans because of the potential to limit commerce; RCTC is protected by the Interstate Commerce Clause, as are all railroads in the United States. This clause allows the railroads to conduct business throughout the country without having to comply with the local planning requirements through which the ROW passes. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L12-12. With regard to covering the noise barriers with landscape material, a watering system would be needed which is not available within the RCTC ROW. As the noise barriers are located at the outer edge of the RCTC ROW, the adjacent property owners would have the opportunity to landscape the noise barriers as they may or may not desire. Even without landscaping, there is no substantial evidence of any potentially significant aesthetic impacts from graffiti. Nonetheless, if any graffiti appears on the barriers after they are built, SCRRA will have the responsibility of removing it promptly.
- L12-13. See Master Response #8 – Grade Crossings and Master Response #9 – Highland and Hyatt Elementary Schools (Increased Train Traffic). The PVL proposed train schedule as indicated in the Draft EIR in Table 2.4-2 has a majority of the trains passing the schools prior to school starting and after the school day ends. Additionally, with the exception of one of the morning trains and two mid-day trains, commuter rail movements would occur early in the morning and later in the afternoon, outside of school operating hours. The morning train would not impact students arriving at Hyatt Elementary School because the nearest grade crossing, Mt Vernon Avenue, is over 0.75 miles away. Students arriving at Highland Elementary School may be required to wait no more than 45 seconds at the grade crossing at W. Blaine Street. Students leaving either school in the afternoon would not be significantly impacted because there are no scheduled trains during that time. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

Additionally, the current warning signs and signals are being upgraded and will provide for an up-to-date warning system. Since there are no significant impacts as a result of this issue area, no mitigation measures are required. Additionally, there are no new impacts as a result of this comment and the Draft EIR has not been changed.



- L12-14. CARB and SCAQMD operate an ambient air quality-monitoring network throughout the state that monitors air pollutants. This network encompasses every county in the state (including Riverside County where the proposed PVL would operate) and the most current and relevant data from these monitoring stations was used in the air quality analysis. The SCAQMD operates three air quality-monitoring stations in Riverside and one in Perris that measure the local air quality on a continuous basis.
- L12-15. The air quality analysis for the PVL accounted for all relevant project parameters and conditions. Where applicable, the analysis was done in compliance with the most up-to-date local, state, and federal air quality regulations and guidance from the SCAQMD, CARB, and the USEPA. The diesel locomotives that will be used to implement the proposed PVL schedule (as well as those currently being used by SCRRA/Metrolink) are bound by federal air quality regulations and must meet their emissions criteria. As noted in Table 4.3-12 of the Air Quality section of the Draft EIR, SCRRA/Metrolink will operate the PVL schedule by using six diesel-electric locomotives that meet the USEPA stringent Tier 2 emissions standards (*Emissions Factors for Locomotives, EPA-420-F-09-025, April 2009*). By comparison, Tier 2 locomotives restrict pollutant emissions to 90 percent of Tier 1 standards that were restricted to approximately 60 percent of Tier 0 or uncontrolled locomotive emissions. By the operating year of the PVL, all new locomotives will be required to meet Tier 3 emissions that require an approximately 50 percent reduction of Tier 2 emissions. As noted in Table 4.3-12, the expected emissions of the locomotives will be completely offset by the reduction in emissions from diverted vehicular traffic.
- As noted in Table 4.3-12, the expected emissions of the locomotives will be completely offset by the reduction in emissions from diverted vehicular traffic. It should also be noted that the existing air quality monitoring stations provide data from a consistent location over many years. The introduction of new monitoring locations, or additional data collection, should be coordinated with the SCAQMD to fall within the regional monitoring and not just one local project.
- L12-16. The existing rail ROW has been in use for over 100 years. The regulations mentioned in the comment are identified in the Draft EIR, Section 4.7.2. These regulations were established in 1998 and are for the siting of new schools so that incompatible land uses are identified prior to a school being constructed. These regulations are not applicable to new projects near existing schools. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed. (See also discussion in Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School).
- L12-17. This comment is not related to the PVL project or the Draft EIR, but it should be noted that RCTC has an operating agreement with BNSF to operate and maintain the SJBL ROW.
- L12-18. This comment states that the cost/benefit analysis must consider “the lost rents or fees from RCTC’s failure to charge the private, for profit national corporate freight company, BNSF, for use the past 17 years.” This comment is incorrect. RCTC did not have operational or maintenance responsibilities over the ROW before



purchasing it from BNSF. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L12-19. See Master Response #5 – Freight Operations. The PVL project is a commuter rail project and would have no significant impact on freight operations. Therefore, no mitigation measures are required. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L12-20. Freight trains are not a part of the project and RCTC is not responsible for freight traffic. If ridership increases in the future, RCTC may build additional stations to meet this demand. RCTC has committed to conducting additional environmental reviews for any new stations that would be added in the future. There are no new impacts as a result of this comment, the Draft EIR has not been changed.
- L12-21. See Master Response #6 – Noise. As provided in the Draft EIR, noise analysis has predicted that 83 residential units would be impacted by noise from the proposed PVL project mitigation in the form of noise barriers is proposed. Noise barriers are recognized by the FTA as an effective mitigation option (FTA Manual, Section 6.8.3). Sound insulation is proposed for the properties at which noise barriers would not be fully protected by the noise barriers. All properties selected for sound insulation were located near grade crossings in the UCR area (see Draft EIR, Section 4.10.5). ([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))
- L12-22. See Master Response #5 – Freight Operations. This comment states that the “2008 Wilbur Smith Associates study is flawed and without use.” This comment supports this claim by saying that the study failed to contact developers that might want to utilize freight service in the future. This comment is misleading. Interviewing developers that might want to utilize freight service in the future is unnecessary because the PVL project has no significant impact on freight usage. As stated in Draft EIR, Section 2.4.13, freight operations are dictated by customer demand; in turn, customer demand is a function of economic conditions. The relationship between track improvements and increased freight operations is tenuous, at best. The business decision to provide freight service along the alignment is profit driven. As long as the customer demand for freight service is low, there is no reason to assume BNSF would increase operations on the SJBL, regardless of the PVL project (see Draft EIR, Section 2.4.13).

The 2008 Wilbur Smith Associates study is not flawed. In turn, the Draft EIR, which utilized the freight study to evaluate potential environmental impacts, is also not flawed. The analysis in the Draft EIR is correct - there are no significant impacts and no mitigation is required for this issue. No new impacts as a result of this comment were raised and the Draft EIR has not been changed.

- L12-23. This comment is not related to the PVL project or the Draft EIR. BNSF is not required to make public the materials that are transported via BNSF rail cars. Additionally, BNSF is only a transportation company, so there is not necessarily a consistent type or quantity of materials being shipped. As stated previously, the materials being shipped by freight operations are a result of customer orders only, not rail conditions.



No new impacts as a result of this comment were raised and the Draft EIR has not been changed.

- L12-24. The UCR Station was not evaluated for impacts in the Draft EIR, see Section 2.2. It should be noted that consideration of that station was specifically removed from the project after the IS/MND was circulated. Additionally, the General Plan for the City of Riverside does identify a station in the UCR neighborhood. RCTC has committed to a new environmental review should any new stations be proposed in the future. There are no new impacts as a result of this comment and the Draft EIR has not been changed. The projected ridership for the UCR Station is assumed to have transferred to the Hunter Park Station. No new impacts as a result of this comment were raised and the Draft EIR has not been changed.
- L12-25. As stated in the Draft EIR, Section 2.2, the UCR Station is not part of the PVL project. No new impacts as a result of this comment and the Draft EIR has not been changed.



Letter 13  
Robert Hice  
May 24, 2010

89055

To: Ms. Edda Rosso, Capital Projects Manager  
Riverside County Transportation Commission  
P.O. Box 12008  
Riverside, CA 92502-2208

RECEIVED  
MAY 25 2010  
RIVERSIDE COUNTY  
TRANSPORTATION COMMISSION

From: Robert Hice  
232 E. Campus View Dr.  
Riverside, CA 92507

Dear Ms. Rosso,

This letter is in response to the environmental impact report for the Perris Valley Metrolink Line. I believe there are several shortcomings in the report, and that the impacts of these very early trains on residents of the UCR area, and my family in particular, are much more severe than presented in the report. I live on East Campus View Dr., and my house was one of the study sites for both noise and vibration. We have lived in this house since 1987, and so we have a long history with the trains and issues associated with them.

L13-1

Here are my issues with the report:

1. Safety. The report suggests derailments are very rare, but several incidents have occurred in the neighborhood. There was a derailment directly behind Hyatt elementary, as well as the derailment above Big Springs road where a large load of corn spilled. The wheels of one car also came off directly behind my house, cutting quite a number of ties in half- a situation that could have readily led to derailment. So, derailments aren't really so rare. Also, 2 elementary schools are directly adjacent to the tracks, and the middle school is very close. The UCR and other child-care centers are also quite close to the tracks. The berms and walls proposed for making the trains less visible from the schools will not stop the trains in the event of a derailment. The fuel line going out to March reserve base is also a huge concern, and needs to be buried much deeper and covered with concrete. The huge explosion in the San Bernardino area provides an excellent example of what can happen.
2. Noise. The trains are slated to run very early in the morning- while many, including myself, will be trying to sleep. The study lists my house as being severely impacted for sound levels. While a sound wall is proposed behind my house, as well as behind others along E. Campus View, this will not mitigate the early morning noise. Sounds next to the hills echo extensively, with the curve of the Box Springs Mountains basically acting like a parabolic reflector. My house is line-of-sight with the trains for nearly a mile, and so the sound walls will be a necessity, and will help some, but will not block enough of the noise. Contrary to standard practice when the noise studies were done, the conductors now always blow their horns much further from the Mt.

L13-2

L13-3



Letter 13 (cont'd)  
Robert Hice  
May 24, 2010

Vernon crossing, when the trains are directly pointed at my house, and so this sound will not be blocked by a wall. Metrolink regulations will require that this practice will continue. Quiet zones should be provided by RCTC for the crossings at Mt. Vernon, Blaine, and Spruce. The noise coming off the wheels as the trains go around the very tight curve is also extensive, and I believe that multi-paned windows and sound insulation should be provided by RCTC to mitigate the impact of these frequent trains, so that this neighborhood will still be livable. Also, we have a huge graffiti problem in Riverside, and you will just be putting up a huge target with these sound walls. Build the walls, but build them with vines on them so they won't turn into even larger eyesores.

L13-3 (cont'd)

3. Vibration. The study seems to say that vibration is not an issue at my location, and I can say with great certainty that this is nonsense. Every time a train goes by the walls of my house shake, and things on the walls rattle. My house is experiencing structural damage to the foundation as well as cosmetic damage from the shaking caused by the current freight trains. This problem will just worsen with the many more trains per day. The occurrence of these strong vibrations very early in the morning will be a great detriment to our quality of life, and the tracks all through the residential parts of the UCR neighborhood should be built with vibration-absorbing technology.

L13-4

4. Park access. Islander Park is surrounded by the railroad tracks, and for the past 50 years that I know of people use this area, along with the adjacent Box Springs Mountain Park directly on the other side of the tracks, for hiking, walking their dogs, riding horses, etc.. The issue of park access and safe crossings between our park areas was brought up at a meeting with the RCTC when the project was just beginning. This community need has obviously been ignored by RCTC to save money, but it is unacceptable to block our access to the parks. Safe crossings from Islander Park into the county park across the tracks need to be provided.

L13-5

Thank you for your consideration of my points.

Sincerely,

Robert H. Hice





**Response to Letter 13**

**Robert Hice**

**May 24, 2010**

- L13-1. This comment is introductory. The specific issues the commenter has with the Draft EIR are addressed in the following Responses L13-2 through L13-5. Therefore, no response is necessary here.
- L13-2. See Master Responses #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School and #3 – Derailment (General). There are several concerns regarding existing conditions and operations of the current ROW. It should be noted that the track improvements as part of the proposed PVL project will improve safety and train noise for both Metrolink and freight trains. The EIR does not identify significant safety impacts at schools adjacent to the alignment (Highland and Hyatt Elementary Schools) and thus, by inference at the more distant school (University Middle School, approximately 0.3 miles away). There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L13-3. See Master Response #1 – Quiet Zones and Master Response #6 – Noise. The Metrolink trains will be running very early in the morning near the property at 232 East Campus View Drive. As defined by FTA Manual, this is a period of heightened noise sensitivity for residential uses. As a result, the FTA noise prediction model takes into consideration these early morning hours by accentuating project noise levels occurring between the hours of 10 PM and 7 AM (FTA Manual, Table 6-4).

The FRA horn rule was taken into account when designing the noise barriers at the 232 East Campus View Drive location. The proposed noise barriers would block the line-of-sight with the oncoming Metrolink trains.

Concerning noise reflections off the Box Springs Mountain, 232 East Campus View Drive is located almost 1,000 feet from the foot of the mountain. As the face of the mountain is not a smooth surface and slopes away from properties in the general area, reflections of train noise attributable to the PVL trains, though audible, would be sufficiently dispersed so as not to add significant noise or create significant impacts.

A principal source of noise near the Box Springs curved area would be wheel squeal. Therefore as part of the project, wayside applicators are proposed to significantly reduce the noise from wheel squeal at this and all other tight radius curves along the entire project alignment (see Draft EIR, Section 4.10.4).

The mitigation plan proposed for the PVL project was developed based on the results of the PVL noise and vibration assessment. The noise and vibration assessment methodology and the subsequent mitigation recommendations were based on procedures outlined in the FTA Manual, Section 6.8. The selection of seven homes for sound insulation was based on the fact that these particular homes would either not be properly protected by noise barriers or the existing terrain would make the use of noise barriers infeasible. All seven homes are located near grade crossings. Because these grade crossings naturally create noise barrier discontinuity



(since the barrier cannot traverse the intersection), homes near the crossings are left either unprotected or under-protected by noise barriers, thus the need for sound insulation at these properties. The implementation of noise barriers would mitigate interior noise levels to less than significant (FTA Manual, Section 6.8.4). Noise barrier locations were based on the location of impacted properties that would be representative of neighboring properties in terms of their general topography and existing noise exposure (see Draft EIR, Section 4.10.1). Calculations based on formulae contained in section 6.3.2 of the FTA Manual were applied to determine barrier height requirements that would eliminate the specific impacts. The length of the noise barriers was based primarily on where the proposed PVL locomotives would begin blowing their horns (see Draft EIR, Section 4.10.1), in addition to the position of the horns on the trains and existing site topography and constraints.

The landscaping of the noise barriers as a way to reduce the potential for graffiti (an illegal act) along the corridor was considered but rejected because first, there is no substantial evidence in the record to support that graffiti is reasonably foreseeable and second, the barrier location makes landscaping infeasible. The barriers are proposed at the edge of the ROW, closest to the impacted properties to provide the maximum reduction in noise. With the noise barriers at the edge of the ROW, there is no way for RCTC to provide irrigation for any landscaping. Any landscaping of the noise barriers may be provided by the adjacent landowner. It should be noted that SCRRRA is responsible for ROW maintenance. Any graffiti will be removed promptly by SCRRRA personnel. ([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf)).

L13-4. A vibration assessment based on FTA vibration criteria (see Draft EIR, Table 4.10-6) was performed for the PVL project. The results demonstrated that the proposed PVL project rail operations would not result in any vibration impacts in the area of East Campus View Drive (see Draft EIR, Table 4.10-12). Existing vibration in this area is based on freight traffic. Vibration from locomotives is the main determinant for rail vibration. Each existing freight train contains several older locomotives that include suspension systems that are generally stiffer than the proposed newer Metrolink passenger locomotives. Rigid locomotive suspension systems often translate into higher levels of vibration (FTA Manual, Section 7.2.1). In addition, the proposed project would also eliminate old rail and use new welded rail and ballast material along the entire PVL corridor, which would have the added benefit of reducing vibration from existing freight traffic. Efficient vibration propagation is also not indicated from the types of soil conditions observed in the geotechnical study (see Draft EIR, Section 4.6). ([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))

L13-5. The rail ROW has been in existence for over 100 years and the City of Riverside and the County of Riverside developed these parks without considering access across private property (the SJBL/RCTC ROW). If unauthorized people enter the ROW, even to “just” cross the tracks to get to the other side, they are trespassing.



## FINAL ENVIRONMENTAL IMPACT REPORT

### 0.3.3 OTHER INTERESTED PARTIES

#### 0.3.3.1 OTHER INTERESTED PARTIES LETTERS

The PVL project does not include adding additional track in this area or affecting existing access to parks in any way. The existing track will remain in its current location. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.



Letter 14  
Robert J. Dobry  
May 17, 2010

Perris Valley Line Public Hearing 17 May 2010

Comment of Bob Dobry

RECEIVED  
MAY 17 2010

RIVERSIDE COUNTY  
TRANSPORTATION COMMISSION

I'm Bob Dobry. I have been a resident of Riverside for 36 years.

My profession is Systems Engineer which qualifies me to generate the functions, requirements, and architectures for transportation systems.

The world reached the peak oil plateau in 2004 and peak oil itself in 2005. We are now about 15% post peak oil and every four months that pass adds another 1%. This has resulted in strong rises in energy prices with negative consequences to our economies.

When we fall off the peak oil plateau in the not too distant future, fuel prices compared to individual purchasing power parity will rise far higher than today with devastating consequences to international, national, state, and local economies.

A large segment of our population will lose their personal mobility – they will no longer have the income to own a car or to purchase the fuel to drive one.

Yet today American society has been designed so that the individuals, services, and enterprises are highly distributed physically.

This situation will require that the government provide transportation that is equally distributed and flexible to fill this need. Only innovative bus systems using hybrid and electric vehicles of various sizes can do this.

In the present distributed environment, trains for passenger mobility will prove to be highly inflexible, non cost-effective, and of very limited utility compared to the need. Plus, there will simply not be the resources of money or time to build such systems out.

The Perris Valley Line is a huge misallocation of resources. When you add to this the destruction of the environment from noise and commotion, blockage of roads by trains, and risk of derailment caused by steep grade and friable roadbed substructure, this system cannot be justified and so I am absolutely opposed to it.

L14-1

L14-2

*Robert J. Dobry*  
Robert J. Dobry



**Response to Letter 14**

**Robert J. Dobry**

**May 17, 2010**

L14-1. The Alternative Analysis evaluated a bus alternative but the bus alternative was rejected because of the existing traffic on the I-215 corridor. Existing traffic volumes were too high to accommodate buses moving back and forth to HOV lanes, and a reliable schedule could not be assumed.

L14-2. See Master Response #1 – Quiet Zones, Master Response #3 – Derailment (General), Master Response #6 – Noise, and Master Response #7 – Emergency Planning and Response. This comment states that “The Perris Valley Line is a huge misallocation of resources. When you add to this the destruction of the environment from noise and commotion, blockage of roads by trains, and risk of derailment caused by steep grade and friable roadbed substructure, this system cannot be justified.” This comment is also incorrect, for the following reasons:

With regard to “noise and commotion”: as stated in the Draft EIR, Section 4.10.5, impacts to ambient noise levels will be mitigated to less than significant levels.

With regard to “blockage of roads by trains”: the PVL project’s trains would be commuter trains of only a few cars. These trains are too short to block more than a single crossing. Thus, even in the unanticipated event that a project train stops in the UCR neighborhood, there would be no significant impact because only one of three ingress/egress locations would be affected. Additionally, with the implementation of the PVL project, the corridor will become a shared corridor with the Metrolink and BNSF under control of SCRRA. Due to the shared nature of the operations, it is not anticipated that trains would be allowed to stop in areas of single track (including the UCR neighborhood) because this would block other trains from passing through. Instead, trains would stop in the areas where there is a bypass track (between MP 7.50 to MP 16.90) and not in the UCR neighborhood.

With regard to “the risks of derailment caused by steep grade and friable roadbed substructure “: Master Response #3 – Derailment (General) discusses how the PVL project includes track improvements throughout its length because a commuter train would be added to the track (see Draft EIR, Section 4.2.1). These track improvements would upgrade the existing physical condition of the rail line, which would result in a stronger infrastructure, a higher level of maintenance, and enhanced operational safety. Therefore, not constructing the PVL project poses a much higher risk of train derailment exposure than constructing the project would.

Therefore, the analysis in the Draft EIR is correct - there are no significant impacts and no mitigation is required for this issue. The Draft EIR was changed to further clarify this issue. No new impacts as a result of this comment were raised and no mitigation measures are required.



**Letter 15**  
**Robert A. Phillips**  
**May 23, 2010**

May 23, 2010

Robert A. Phillips  
3511 Watkins Drive  
Riverside, California 92507-4654

Edda Rosso, P.E.  
Capital Projects Manager  
County Regional Complex  
4080 Lemon Street, 3<sup>rd</sup> Floor  
Post Office Box 12008  
Riverside, California 92502-2208

Dear Ms. Rosso,

Following are my comments on several aspects of the draft Environmental Impact Report (EIR) for the proposed Perris Valley Line (PVL) project.

**2.2—PROJECT AREA BACKGROUND**

**UCR Station**

Page 2-4 indicates, "... further input from the neighborhood during the public review and comment period for the IS/MND resulted in the removal of the UCR Station as part of the PVL." During the public hearing held on May 17, members of RCTC commented that the UCR Station would not be part of the initial construction but might be added later. My suspicion that RCTC fully intends to build the UCR station in the not-too-distant future is borne out by the fact that Figure 4.10-6, "Noise Barrier Locations," and Table 4.10-14, "Proposed Noise Barrier Locations," show a gap in the noise barriers of 1,100 feet, from Station 311+00 to 322+00. That gap is precisely at the site of the proposed UCR Station.

RCTC needs to abandon, once and for all, the idea of a UCR Station. All of the reasons for dropping the station, cited by neighborhood residents in response to the IS/MND, remain valid:

- The last morning Metrolink train would reach the station over an hour before the campus opens. Would UCR be willing to provide for the shelter and safety of Metrolink passengers while they waited for the campus to open?
- The UCR Station would deposit passengers at the extreme northeast corner of the campus, the site of a maintenance yard, intramural fields, and dormitories. Passengers would have to walk at least a mile to reach the academic core. In the process, they would have to cross Watkins Drive, which boasts heavy traffic volumes during the morning and evening commutes. I live at the corner of Watkins Drive and Valencia Hill Drive and continually see careless motorists running the all-way stop at that intersection. The pedestrian traffic generated by a train station would certainly result in serious vehicle-versus-pedestrian collisions.
- Vehicles visiting the station to drop off and pick up passengers would transform the already horrific traffic on Watkins Drive into an utter nightmare. During the morning

L15-1



**Letter 15 (cont'd)**  
**Robert A. Phillips**  
**May 23, 2010**

commute, westbound traffic is so heavy that I cannot exit my driveway without pulling out in front of someone and executing a series of illegal maneuvers. During the evening commute, eastbound traffic on Watkins Drive sometimes backs up all the way from Valencia Hill Drive to Blaine Street. To add Metrolink-related traffic to this congested mess would create an untenable situation for both neighborhood residents and commuters.

- The UCR Station would be in the middle of a residential neighborhood, a few feet from houses and directly across the street from UCR’s Child Development Center (CDC). Trains stopping, idling, and accelerating at the station would dump diesel particulates directly on homes and the CDC.
- In addition, the braking, idling, and accelerating trains at the UCR Station would generate unbearable noise for nearby residents, and no measures to mitigate that noise are shown in RCTC’s plans.
- The station is unnecessary, because anyone coming to UCR could disembark at the proposed Hunter Park (or Highgrove) Station and be transported to UCR’s academic core by one of the shuttles that UCR operates. The shuttle trip would be short and would deliver the passengers where they need to be, not to the maintenance yard.

L15-1 (cont'd)

The EIR needs to state unequivocally that the proposed UCR Station is being abandoned permanently. Then, the noise barriers need to be extended for the entire length of Watkins Drive that abuts the project, on both sides of the tracks, to protect residents on Campus View Drive and Watkins Drive.

**Highgrove Option**

It does not surprise me that RCTC was able to commission a study that confirmed its intention not to build a station in Highgrove. For many years, I worked for a traffic engineer whose job was to craft such studies to produce the results desired by those who hired him. The “sciences” of traffic engineering, civil engineering, environmental engineering, etc., are far from exact, and it is not difficult to manipulate data and choose guidelines to arrive at any foregone conclusion. The problems identified for the Highgrove location exist at other station locations proposed by RCTC and could be mitigated. At public meetings that I attended, Eric Haley and other former and current members of RCTC made it plain why RCTC has fought tooth and nail against a Highgrove station: The station would allow easy connection with trains into San Bernardino County, and RCTC does not want to spend its money on something that might benefit another jurisdiction. This mindset is in direct conflict with RCTC’s stated goal to “promote a seamless regional transit system” (page 2-6). San Bernardino may not be in Riverside County, but it is definitely part of our region. Many people live in Riverside and work in San Bernardino. RCTC’s refusal to consider connecting the PVL to a larger regional system gives rise to a very obvious question: Is the PVL’s purpose really to move people throughout our area via Metrolink, or is it to enhance the movement of freight from the Interstate 215 corridor to the ports of Los Angeles and Long Beach?

L15-2

**2.4—PROJECT DESCRIPTION**

**2.4.6—Grade Crossings**



**Letter 15 (cont'd)**  
**Robert A. Phillips**  
**May 23, 2010**

The draft EIR includes no provision for a grade separation at any of the three crossings in the UCR neighborhood (Spruce Street, West Blaine Street, and Mount Vernon Avenue). The trains that pass through the UCR neighborhood are sometimes over 100 cars long and block all three crossings simultaneously, completely preventing emergency access to the neighborhood north and east of the tracks. This is an extremely dangerous situation that can be mitigated only by installing at least one grade separation. (I have counted the train cars, so I know firsthand that the train-length statistics quoted in the EIR—typically three diesel locomotives and 25 freight cars (page 4.10-7)—are a gross underestimation.)

L15-3

**2.4.8—Noise Barriers**

Referring to the Watkins Drive portion of the project, this section indicates, “In some cases the new barrier would replace the current boundary fencing between the private residences and the ROW.” In other words, residents’ rear fences would be replaced by solid walls, thereby denying them the ability to exit the rear of their property.

L15-4

**2.4.13—Freight Usage**

RCTC has again trotted out the useless Wilbur Smith Associates 2008 study to support its contention that there will be negligible increase in freight traffic as a result of the PVL project. That study is based on inquiries of a few existing businesses and totally ignores the inevitable upswing in construction and industry that will occur along the Interstate 215 corridor when the economy improves. The preparers of the study did not ascertain what commercial developments are proposed for March Air Force Base or at numerous other locations in that rapidly growing area, nor did they consider RCTC’s desire eventually to connect the PVL to the Temecula area, which would certainly increase the volume of rail traffic.

In addition, use of the tracks for Metrolink during the day would shift freight usage to nighttime hours. Currently, several trains rumble through the UCR neighborhood each night, awakening residents with whistles, noise, and vibration. Any increase in nighttime freight travel through the neighborhood would be intolerable.

Years ago, the freight hauled on the track consisted mainly of grain and lumber. Now, increasing amounts of toxic materials are being transported on the tracks, including tankers of chlorine for the new water treatment plants south of Perris. A derailment or spill from a damaged car could be deadly for neighborhood residents. The EIR contains no indication that RCTC has developed a master emergency plan for derailments and spills. RCTC and partnering agencies need to develop such a plan and revise it as conditions change.

RCTC needs to establish an upper limit for freight traffic, beyond which further environmental review and mitigation will be mandated. Despite the dismissive statements in the EIR, everyone knows that the freight traffic on the proposed PVL will increase, creating hazardous situations and further degrading the quality of life for those who live near the tracks. As the authors of the project that creates such hazards and degradation, RCTC is responsible for continued monitoring, assessment, and mitigation as the conditions of track usage change over time.

L15-5





**Letter 15 (cont'd)**  
**Robert A. Phillips**  
**May 23, 2010**

**3.2—DESCRIPTION OF ALTERNATIVES**

**3.2.1—No Project Alternative**

Of course, the traffic on Interstate 215 and State Route 60 is congested, but in its summary rejection of the no-project alternative, RCTC fails to provide any information to demonstrate that Metrolink service on the PVL would provide any noticeable relief to that congestion, particularly any relief that would justify the enormous cost of the project. (For instance, at what traffic volumes do the specified roadways reach Level of Service E or F? Would Metrolink actually reduce the traffic volume to a more desirable level of service, or would it remain E or F?) The ridership projections are purest conjecture and should not form the basis for the expenditure of huge amounts of taxpayers' money.

} L15-6

**3.2.2—Express Bus Alternative**

This alternative makes the most sense. Although the buses must use the congested freeways, if there is truly a demand for commuter service along the Interstate 215 corridor, the buses should noticeably reduce the traffic volume on the freeways, which will facilitate the buses' movement across the mixed-use lanes to the HOV lanes. This alternative should be implemented first, and then the demand for commuter service can be assessed. If the demand is minimal, then the tremendous expense of building the PVL can be avoided.

} L15-7

**4.1—AESTHETICS**

In the UCR area, the landscaping and hardscapes should conform to the University Neighborhood Specific Plan.

} L15-8

**4.3—AIR QUALITY**

The proposed PVL is directly adjacent to elementary schools and the UCR Child Development Center. The addition of 12 daily Metrolink trains and untold numbers of freight trains will increase the concentrations of diesel particulates and other pollutants at these facilities. This poses a serious danger to the health of the children, staff members, and nearby residents. RCTC needs to pursue whatever means are available, no matter how expensive, to reduce the pollution from these trains.

} L15-9

**4.6—GEOLOGY AND SOILS**

**Seismicity and Faulting**

The EIR fails to mention the earthquake fault located at the intersection of Watkins Drive and Valencia Hill Drive. This fault is identified in UCR's Long-Range Development Plan. I am well aware of its existence, because it emitted a sound like a rifle shot and created a large dust cloud at the onset of the Landers quake. This fault's location at the proposed PVL poses a significant danger to the UCR neighborhood. It is conceivable that, during a major earthquake, a train

} L15-10



**Letter 15 (cont'd)**  
**Robert A. Phillips**  
**May 23, 2010**

carrying toxic chemicals could derail on the curve at the UCR Child Development Center and within a few feet of numerous residences. Of course, the possibility of such disasters already exists, but increased freight traffic will dramatically increase their probability. It would be equally disastrous if a rupture of the fault caused a Metrolink train to derail.

} L15-10 (cont'd)

**4.7—HAZARDS AND HAZARDOUS MATERIALS**

The discussion of the Kinder Morgan jet fuel transmission pipeline on page 4.7-11 fails to mention that it is immediately adjacent to schools. Since the pipeline is only a few feet below the surface, a derailment could easily cause it to rupture and endanger the lives of children. The pipeline needs to be buried much deeper than it is.

} L15-11

Page 4.7-11 concludes with a calculation that, on the San Jacinto Branch Line (SJBL), a derailment should occur about once every 124 years, based on Burlington Northern Santa Fe's current usage of that track. This creative math is rendered irrelevant by the fact that, within recent memory, three derailments have occurred within the UCR neighborhood. Obviously, the addition of Metrolink trains and freight trains will increase the probability of derailments in my area.

} L15-12

**4.10—NOISE AND VIBRATION**

Only seven homes and a church in the UCR neighborhood are identified as needing noise insulation as a result of the PVL project. In the IS/MND, 111 homes were identified as needing such mitigation. Obviously, data are being manipulated to excuse RCTC from paying for the problems that its project will create. Regardless of the sea of data (most of it outdated) in the EIR, I know that, when the trains pass by on the SJBL, my house shakes and my windows rattle loud enough to wake me up. I have to raise my voice to converse with others in my home, and it is difficult to hear the television. The train whistles are alarmingly loud. As currently written, the EIR indicates no noise barriers between the tracks and my home. Clearly, quiet zones are required in the UCR neighborhood, and RCTC should pay for them. Where noise barriers are erected, they should be covered with vines to discourage graffiti.

} L15-13

Sincerely,  
  
Robert A. Phillips  
(951) 788-1694



**Response to Letter 15**  
**Robert A. Phillips**  
**May 23, 2010**

L15-1. The UCR Station was not evaluated for impacts in the Draft EIR (see Section 2.2) and is not part of the proposed project. It should be noted that consideration of that station was specifically removed in response to public comments after the initial IS/MND was circulated. However, the General Plan for the City of Riverside does identify a station in the UCR neighborhood. RCTC has committed to new environmental review should the UCR station be proposed in the future. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

L15-2. This comment states that the Highgrove Station was not included in the PVL project because "RCTC does not want to spend its money on something that might benefit another jurisdiction." This comment is incorrect and speculative. The Draft EIR in Section 2.2 provides a description of the Highgrove Station and reasons why it is not considered as part of the proposed project. These reasons include "projected ridership and revenue; operational requirements; geographic spacing in relation to other stations; right of way requirements and availability; local conditions such as surrounding land use and traffic circulation; and rail configuration" (see Draft EIR, Section 2.2). The Highgrove Area Station failed to adequately meet these considerations and therefore was not included as a component of the PVL project.

This comment also implies that the PVL project's purpose is to "enhance the movement of freight from the Interstate 215 corridor to the ports of Los Angeles and Long Beach." This comment is incorrect. As the Draft EIR, Section 2.4.13 and Master Response #5 – Freight Operations state, the PVL project would have no significant impact on freight usage. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

L15-3. See Master Response #7 – Emergency Planning and Response and Master Response #12 – Grade Separations. Grade separations, where roadways go under or over railroad tracks, require a specific approach distance to maintain appropriate roadway grades and clearance heights for the tracks. For grade separations to be possible within the UCR neighborhood many homes would lose vehicle and driveway access. This comment also expresses concern regarding the fact that freight trains can block every grade crossing in the UCR neighborhood. The project's trains would be commuter trains of only a few cars. These trains are too short to block more than a single crossing. Thus, even in the unanticipated event that a PVL train stops in the neighborhood, there would be no significant impact because only one of three ingress/egress locations would be affected.

Additionally, with the implementation of the PVL project, the corridor will become a shared corridor with the Metrolink and BNSF under control of SCRRA. Due to the shared nature of the operations, it is not anticipated that trains would be allowed to stop in areas of single track (including the UCR neighborhood) because this would block other trains from passing through. Instead, trains would stop in the areas where there is a bypass track (between MP 7.50 to MP 16.90) and not in the UCR



neighborhood. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L15-4. Residents that currently exit the rear of their properties and cross the ROW are putting themselves at great risk by trespassing on an active rail corridor. There is no existing right of entry to the ROW from individual properties and with the proposed project this condition would be maintained.
- L15-5. See Master Response #4 – Hazardous Materials Transport, Master Response #5 – Freight Operations, and Master Response #7 – Emergency Planning and Response. The Draft EIR discusses freight operations in Section 2.4.13. This comment states that the Wilbur Smith Associates 2008 study is “useless” and seeks to support this claim with several examples. This claim and the supporting examples are incorrect. Interviewing developers that might want to utilize freight service in the future is unnecessary because the PVL project has no significant impact on freight usage. As stated in Draft EIR, Section 2.4.13, freight operations are dictated by customer demand; in turn, customer demand is a function of economic conditions. The relationship between track improvements and increased freight operations is tenuous, at best. The business decision to provide freight service along the alignment is profit driven. As long as the customer demand for freight service is low, there is no reason to assume BNSF would increase operations on the SJBL, regardless of the PVL project (see Draft EIR, Section 2.4.13).

Therefore, the Wilbur Smith Associates 2008 study is not flawed. In turn, the Draft EIR, which utilized the freight study to evaluate potential environmental impacts, is also not flawed. The analysis in the Draft EIR is correct - there are no significant impacts and no mitigation is required for this issue. No new impacts as a result of this comment were raised and the Draft EIR has not been changed. In response to the request that RCTC “establish an upper limit for freight traffic ...,” this is not feasible. The freight is delivered by BNSF as part of interstate commerce. This cannot be constrained on a local level. It should also be noted that freight will not be shifted to the night because there is time available during the day for freight deliveries.

- L15-6. In the *San Jacinto Branchline/I-215 Corridor Study Alternatives Analysis* (STV Incorporated, 2004), included as Technical Report A to the Draft EIR, it is described that the major transportation facilities in the corridor, I-215 and State Route 60 (SR-60), are currently experiencing unsatisfactory levels of services, a measure based on factors such as travel times and speed, and evidenced by increasingly poor volume/capacity (V/C) ratios. As stated in the Alternatives Analysis, between 1997 and 2025 traffic volumes are forecasted to increase up to a 68.8% increase on the combined segments of I-215; a 91.4% increase on SR-60 (East Junction to Gillman Springs Road); and an 85.1% increase on I-215 (East Junction to Perris/Romoland) further increasing congestion on the roadways. Similarly, the V/C ratios are expected to range from 1.02 to 1.3 on I-215/SR-60, from 1.2 to 1.44 on I-215 and are predicted to increase by up to 0.59 on some segments of SR-60. V/C ratios are a measure of traffic demand on a facility (expressed as volume) compared to its traffic-carrying capacity so that a V/C ratio over 1.0 indicates that a facility is over capacity. These facilities are forecasted to continue with unsatisfactory levels of service even with



programmed roadway improvements over the coming years, including additional lanes and the implementation of HOV lanes. With most major highways in the corridor having limited expansion potential, this study proposes public transit investments to accommodate, at least in part, current and future mobility needs.

The Draft EIR discusses the No Project Alternative in Section 3.2.1 of the Draft EIR. However, the No Project Alternative was eliminated from further evaluation as it did not meet any of the identified project goals and objectives (shown in Section 3.1.2 of the Draft EIR) and would not provide a different mode of passenger transportation between Riverside and Perris.

- L15-7. Neither the No Project Alternative nor the Express Bus Alternative would reduce highway congestion in the SJBL/I-215 corridor as automobile and bus modes would still be tied to the congested roadway network. However, all three commuter rail alternatives would allow commuters to decrease their travel time in the corridor and decrease personal vehicles used in the corridor reducing congestion. Therefore, a commuter rail option was selected to provide mobility through the corridor without relying on or adding to the congestion of the area highways.

The ridership projections for this study were developed using the forecasting for the Alternatives Analysis that was performed by the Southern California Association of Governments (SCAG) utilizing the existing and approved SCAG regional travel demand model. The model was run for different scenarios at different time intervals, base year, start-up year, and forecast year. The forecast year for the study was 2025. Please refer to Technical Report A (Chapter 4) for a discussion of ridership for the proposed alternatives. Exhibit 25 in Chapter 4 depicts the boardings by stations for the Express Bus Alternative and three commuter rail alternatives. The selected commuter rail option shows a ridership in 2025 (7,472 boardings) which is slightly more than double the ridership for the Express Bus Alternative (3,705 boardings).

- L15-8. The landscaping proposed for the PVL project is in the station areas, none of which are in the UCR neighborhood. RCTC is not required to conform to local specific plans because of the potential to limit commerce; RCTC is protected by the Interstate Commerce Clause, as are all railroads in the United States. This clause allows the railroads to conduct business throughout the country without having to comply with the local planning requirements through which the ROW passes. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L15-9. The addition of freight train service is not in the scope of the PVL project and is not a reasonably foreseeable consequence of the project and thus is not analyzed here. Section 4.3 of the Draft EIR (and the accompanying Air Quality Technical Report) outlines the extensive methodologies used to calculate the expected emissions due to the implementation of the PVL project. The air quality analysis for the PVL accounted for relevant project parameters and conditions and ensured that the analysis was done in compliance with the most up-to-date local, state, and federal air quality regulations and guidance. Tables 4.3-7 to 4.3-12 of the Draft EIR show that emissions projected for criteria pollutants, local intersections (CO hotspots), greenhouse gases, mobile source air toxics, construction activities and locomotive



and parking operations fall below local thresholds of significance and state and federal emissions standards.

More specifically, Table 4.3.9 in the Draft EIR (supported in Appendix C of the Air Quality Technical Report) outlines the health risk assessment conducted to measure the impacts of mobile source air toxics (including diesel particulate matter) in the immediate vicinity of the proposed PVL alignment. As shown in Table 4.3-9, the Mobile Source Air Toxics emissions from the operation of the proposed PVL would have less than significant impact on the surrounding neighborhood and along the corridor.

- L15-10. See Master Response #5 – Freight Operations. The Draft EIR discusses freight operations in Section 2.4.13. As stated in the Draft EIR freight operations are not part of the PVL project but would benefit from it by improving the rail, ties, and ballast. Freight operations are tied to local economic conditions and would increase or decrease as a result of goods shipment, not the PVL project or track condition.

It should also be noted that the City of Riverside, General Plan does not identify an earthquake fault at the intersection of Watkins Drive and Valencia Hill Drive.

There are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L15-11. See Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School, Master Response #3 – Derailment (General), and Master Response #10 – Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment). This comment claims that the Draft EIR “fails to mention that it (the Kinder Morgan pipeline) is immediately adjacent to schools.” This comment is incorrect; Section 4.7.1 of the Draft EIR states “a portion of the Kinder Morgan pipeline within the PVL corridor, runs parallel to Highland Elementary School, within approximately 50 feet to the west.” Though the existing Kinder Morgan jet fuel line is located within the RCTC ROW, the PVL project is not planning to relocate or alter the pipeline as it currently exists. The PVL project will not significantly increase the safety risks in the vicinity of Highland Elementary School and the Kinder Morgan pipeline near that school, there are no new impacts as a result of this comment. The Draft EIR has not been changed.

- L15-12. See Master Response #3 – Derailment (General). The PVL project is proposing to improve track conditions along the project alignment. These improvements would include tie replacement, welded rail, ballast replenishment where necessary. These improvements will provide for a safer operating environment for both Metrolink and freight trains.

- L15-13. See Master Response #1 – Quiet Zones and Master Response #6 – Noise. The Draft EIR has predicted that 83 residential units would be impacted by noise from the proposed PVL project. This does represent a reduction in the number of impacted homes from the previous 2004 study. However, the most recent study includes the use of more up-to-date noise monitoring data, more detailed engineering revisions in the proposed train schedule and improvements in the way “wheel squeal” will be



handled at short radius curves (see Draft EIR, Section 4.10.4). The Draft EIR also proposes sound insulation at more properties than the previous 2004 report.

A detailed noise assessment was conducted for project Metrolink trains at representative sensitive properties along the entire project rail alignment (FTA Manual, page 3-10). This includes several locations near 3511 Watkins Drive. Where impacts were predicted, noise mitigation including noise barriers and sound insulation were proposed at specific locations (see Draft EIR, Section 4.10.5) to reduce impacts to less than significant levels. Locations of proposed noise barriers were based on the project as defined in the Draft EIR. Nonetheless, the locations of grade crossings in the UCR area, and the FRA horn blowing requirement (see Draft EIR, Section 4.10.1), indicate that horns from PVL trains would not be sounded between the gap in question between stations 311 and 322. As a result, the assessment results indicated that predicted future noise levels at 3511 Watkins Drive would not trigger the requirement for noise barriers.

A vibration assessment based on FTA vibration criteria (see Draft EIR, Table 4.10-6) was also performed for the PVL project. The results demonstrated that the proposed PVL project rail operations would not result in any vibration impacts in the area of 3511 Watkins Drive (see Draft EIR, Table 4.10-12). However, as part of the PVL project, the tracks along the entire alignment will be improved to all welded rail that will reduce wheel vibration from both future PVL trains and existing freight traffic. ([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))

With regard to covering the noise barriers with landscape material, a watering system would be needed which is not available within the RCTC ROW. As the noise barriers are located at the outer edge of the RCTC ROW, the adjacent property owners would have the opportunity to landscape the noise barriers as they may or may not desire. Even without landscaping, there is no substantial evidence of any potentially significant aesthetic impacts from graffiti. Nonetheless, if any graffiti appears on the barriers after they are built, SCRRRA will have the responsibility of removing it promptly.



Letter 16  
Ramona Batista  
May 24, 2010

From: Batista Family  
350 W. Campus View Drive  
Riverside, California 92507

RECEIVED  
MAY 25 2010  
RIVERSIDE COUNTY  
TRANSPORTATION COMMISSION

To: Edda Rosso FAX #(951) 787-7920

Reference: Deadline May 24<sup>th</sup>, 2020  
Comments for the Perris Valley Line

Attended the meeting of May 17<sup>th</sup>, on a Monday night from 6p.m. to 8:30p.m.  
did not speak at the hearing, but would like to submit comments in writing.

Thank You.

*Ramona Batista*  
Signed

Encl:  
Number of  
Pages Enclosed of comments (3)

P.S. Could someone call me and  
confirm you received this on  
behalf of Edda Rosso.  
(951) 333-6533.

CALLED AND SPOKE  
WITH MS. BATISTA  
ON MAY 25, 2010  
AT 1:47 PM. SKEEL

Thanks.





Letter 16 (cont'd)  
Ramona Batista  
May 24, 2010

PERRIS VALLEY LINE  
DRAFT ENVIRONMENTAL IMPACT REPORT  
COMMENT CARD

Ramona Batista  
350 W. Campus View Drive  
Riverside, California 92507  
E-Mail: [Mona.batista@gmail.com](mailto:Mona.batista@gmail.com)  
Phone: 951.333.6533

To: Edda E. Rosso May 18, 2010  
RCTC  
4080 Lemon Street  
3<sup>rd</sup> Floor  
Riverside, California 92502

I live in the neighborhood and my house sits on Campus View Drive, And the backyard, master bedroom, dining area, kitchen, sliding patio doors, and patio all face Watkins where the train tracks are presently located.  
My neighbors and I have all the same concerns regarding the safety of our neighborhoods, and the impact on the local environment should a high-speed train be installed. Although, you should understand that it would be our wish that you not approve this project and it concerns us that elected officials would take the initiative to attempt to forge ahead with the installation of a high-speed train even when you have so many citizens voicing loudly in protest against this project and vehemently opposing it.  
I was born and raised in the Riverside, California and being a native I have a real vested interest in my community, surrounding communities and local government. I have lived in the UCR and Belvedere Heights area for over thirty years. I worked for The University of California, Riverside for over twenty years. Additionally I have been employed with the Riverside Unified School District for over eleven years. My family including my sisters, cousins, nieces and nephews have attended and are still currently attending classes at UCR. Our family has produced counselors, board members, teachers, early-childhood educators, mechanical, chemical and architect engineers, a lawyer, and my own son whom is working on a PHD studying marine and atmospheric sciences. My family, my friends, and my neighbors are all committed to protecting our safety and environment by providing an enhanced lifestyle for posterity and we do not want our surroundings to be ruined and /or deal with the negative impacts that this project would bring in order to accommodate the wants of a bureaucratic government. What we want is to preserve a good quality of life for present and future generations.  
With that said, I would like to remind you that you are my representative, and should you vote in favor

} L16-1  
} L16-2  
} L16-3  
} L16-4

5/24/2010

RB Page # 1 of 3



Letter 16 (cont'd)
Ramona Batista
May 24, 2010

of installing the high-speed trains in my neighborhood and UCR area then you need to progress in a responsible manner. You need to consider what your constituents are pleading with you to do. At the recent hearing my neighbors addressed the council and our hopes are that you all will accommodate our requests.

L16-4 (cont'd)

First, be mindful of the noise pollution already in effect by passing trains and that the increase in traffic of the high-speed trains will inevitably increase the sound levels and cause a serious disturbance to us residing within the pathways of the proposed train routes. Something our neighborhood is not willing to endure without a proper plan for noise reduction. You should not install this project prior to a vote from your constituents in regards to a noise mitigation plan. And or needs should be met as compensation for having to accommodate the installation of this project, such as: We need to receive compensation for the installation of dual pane windows for all one hundred and eleven homes within the pathways of the proposed trains, we need block walls to be installed high enough to serve as sound barriers, and protect the people from cutting across a dangerous path, we need vines to be planted that will grown to cover the block walls which would assist to muffle the noise pollution and serve as a prevention of graffiti. Next, you need to focus on public safety and the hazards that will be enhanced by the installation of the high-speed trains in a densely populated area that already has a propensity for hazardous conditions by annual brush fires, consider other concerns listed below:

L16-5

L16-6

L16-7

L16-8

L16-9

The hazardous materials that will be transported by these trains
Derailments are a concern to all of us

L16-10

L16-11

L16-12

We are concerned of accidents that might occur because of the high concentration of our pedestrian traffic. We do have a higher numbers than most neighborhoods because of the location to a University/or College Town environment and the lifestyles of this particular area. The area along Watkins has a high number because of the Athletes associates who use the sports field and the public who attend those intramural sports. There is heavy traffic generated by bicyclists, joggers, walkers, and a lot of retirees and students of all ages that walk and cross the train tracks as a thoroughfare to and from campuses and schools to cut the distance to their destinations. I see it every day from my kitchen, bedroom or dining room windows. The neighbors, the UCR students especially cut across the easement from the back of their properties and walk across the railroad tracks to get to the UCR campus. Remember that we have in our area 2 elementary schools, a middle school, a high school, 3 childcare centers, and a University, and all who have to study and perhaps have to traverse the rail road tracks to access their destinations.

L16-13

I know Marion Ashley, County Board Member, cited the fact that he had only witnessed one incident in all his years living in Romoland (estimated population, 4500?)some years back, when an elderly gentleman was at a bar, became drunk, and slipped away through a hole in a fence and cut across the path of a train and was hit by it. It was the only incident he every recalled of a person being hit by a train. Well, times have changed and our population at UC Riverside has practically doubled in size from approximately 4500 population in 1977 to the present population of about 11,000 students and will continue to grow. Riverside's population is what about over 1/4 of million people. So we cannot mix apples with oranges. And it needs to be noted that the University Student population does a lot of celebrating at the end of quarters, and at graduation times, during breaks, and anytime they have parties, these students drink, what a lethal combination, drinking

RB (#283)



**Letter 16 (cont'd)**  
**Ramona Batista**  
**May 24, 2010**

and fast trains. And could you see a small curious child crawling out through a hole in a fence. And just like everyone else I am concerned about the air quality and the particulates released by the trains going by. I would also like to make sure that our concerns about gas lines being buried deep in the ground are addressed. It seemed to be the consensus of our neighborhood that we oppose having a UCR Train Station in our backyards for a myriad of reasons. One of my particular objections is because it might allow the opportunity for undesirables to be dropped off by these trains in our neighborhoods, among other reasons for our oppositions. Another real concern of ours was the fact that trains might stop on the tracks and remains there for hours, and hemming us in our neighborhoods. All of these issues could invariably increase the complexity of rescue efforts by emergency responders and puts peoples lives at risk, especially because the trains trail paths can obstruct the access to us and immobilize our efforts to leave the immediate area in case of a disaster.

L16-13 (cont'd)  
L16-14  
L16-15  
L16-16

I sincerely hope that the commission will consider each and every single comment and to listen effectively to their constituents and make a responsible decisions that will protect our natural habitat, and to protect and meet the environmental, health, and public safety needs of the community at large. I know that these are highly complex issues but I hope that you will appropriately consider our comments in the final decision process.

L16-17

I thank you for allowing us to make these comments to the commission in regards to the implementation of the proposed Perris Valley Lines.

Sincerely,  
  
Ramona Batista  
mona.batista@gmail.com

RB (#393)



**Response to Letter 16**  
**Ramona Batista**  
**May 24, 2010**

- L16-1. This comment is introductory. No response is necessary.
- L16-2. See Master Response #3 - Derailment and Master Response #8 – Grade Crossings to better understand RCTC’s response to safety concerns. Additionally, the project proposes to extend Metrolink commuter rail service into the existing SJBL corridor. The project does not propose to introduce high-speed trains into the corridor.
- L16-3. This comment is introductory. No response is necessary.
- L16-4. See Response L16-2 with regard to high-speed train service.
- L16-5. See Master Response #6 – Noise.
- L16-6. See Master Response #11 – Recirculate EIR and the CEQA Process. RCTC intends, as they have from the start of this project, to listen to residents’ concerns and/or mitigate the identified impacts from the project. RCTC also intends to take action to approve or deny the project without taking a public vote.
- L16-7. See Master Response #6 – Noise. Compensation for sound insulation at all homes along the corridor is not a feasible option since not all properties would be impacted by PVL train noise. In addition, the Draft EIR proposed mitigation for noise impacts through the installation of noise barriers and sound installation at selected properties. A total of eight properties would be provided sound insulation as mitigation. The identification of eight properties for sound insulation was based on the fact that these particular properties would either not be properly or fully protected by noise barriers or the existing terrain would make the use of noise barriers infeasible (FTA Manual, page 6-43). This actually represents more than twice the number of properties recommended for sound insulation in the 2004 EA. All eight properties are located near grade crossings. Because these grade crossings naturally create noise barrier discontinuity (since the barrier cannot traverse the intersection), homes nearby the crossings are often left either unprotected or under-protected, thus the need for sound insulation at these properties. Where this discontinuity occurs, sound insulation was recommended.  
([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))
- L16-8. With regard to covering the noise barriers with landscape material, a watering system would be needed which is not available within the RCTC ROW. As the noise barriers are located at the outer edge of the RCTC ROW, the adjacent property owners would have the opportunity to landscape the noise barriers as they may or may not desire. Even without landscaping, there is no substantial evidence of any potentially significant aesthetic impacts from graffiti. Nonetheless, if any graffiti appears on the barriers after they are built, SCRRRA will have the responsibility of removing it promptly.



- L16-9. The threat of potential brush fires is highest at the urban/wildland interface. These areas would be in the Islander Park/Box Springs Park area and south to the I-215/SR-60 interchange. The discussion of protection in these areas is provided in the Draft EIR on page 4.7-14. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L16-10. See Master Response #4 – Hazardous Materials Transport. The PVL project is a commuter rail project that will not transport hazardous materials along the route. Hazardous materials will however, continue to be shipped along the RCTC ROW by freight operations. The frequency and quantity of materials, as with all freight operations, is completely dependent on customer demand. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L16-11. See Master Response #3 – Derailment (General). The PVL project is proposing to improve track conditions along the project alignment. These improvements include tie replacement, welded rail and ballast replenishment where necessary. These improvements will provide for a safer operating environment for both the Metrolink and freight trains. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L16-12. See Master Response #8 – Grade Crossings. The PVL project proposes to improve the grade crossing warnings to provide safety controls for pedestrians and vehicles and provide for safer passage of commuter trains. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L16-13. Noise barriers are proposed along the RCTC ROW boundary in the UCR neighborhood. These noise barriers will be continuous and not allow residents to exit out the back fence and trespass into the rail ROW. The overall safety of the residents will be improved by not providing gate access into an active rail corridor. Noise barriers were specifically proposed to reduce noise impacts to less than significant levels. They were not provided to address any specific safety issues with respect to persons accessing or crossing the rail line. Also see Response to Comment L15-4.
- L16-14. The Draft EIR evaluated the potential air impacts from the project and presented the results in Section 4.3. Table 4.3-12 of the Draft EIR shows the results of this analysis. It should be noted that SCAG determined that the PVL was not a POAQC (project of air quality concern) with respect to particulate matter. A copy of the TCWG review form is shown in Air Quality Technical Report B, Appendix F.
- L16-15. See Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School. The existing Kinder Morgan jet fuel line is located within the ROW, however, the PVL project is not planning to relocate or alter the pipeline as it currently exists. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L16-16. See Master Response #7 – Emergency Planning and Response. The UCR Station was not evaluated for impacts in the Draft EIR, see Section 2.2 and is not part of the proposed project. It should be noted that consideration of that station was specifically removed after the IS/MND was circulated. However, the General Plan for the City of



Riverside does identify a station in the UCR neighborhood. RCTC has committed to new environmental review should the UCR Station be proposed in the future.

This comment also expresses concern that trains can block every grade crossing in the UCR neighborhood. The project's trains would be commuter trains of only a few cars. These trains are too short to block more than a single crossing. Thus, even in the unanticipated event that a PVL train stops in the neighborhood, there would be no significant impact because only one of three ingress/egress locations would be affected.

Additionally, with the implementation of the PVL project, the corridor will become a shared corridor with the Metrolink and BNSF under control of SCRRA. Due to the shared nature of the operations, it is not anticipated that trains would be allowed to stop in areas of single track (including the UCR neighborhood) because this would block other trains from passing through. Instead, trains would stop in the areas where there is a bypass track (between MP 7.50 to MP 16.90) and not in the UCR neighborhood. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

L16-17. This comment is informational. No response is necessary.



**Letter 17**  
**Gurumantra S. Khalsa**  
**May 24, 2010**

May 24, 2010  
Draft of Comments on Perris Valley Line Draft Environmental Impact Report

My comments are largely in regard to the failure to mitigate for the possibility of a long freight train blocking the three access points into the majority of our neighborhood. }

This is not an unforeseen circumstance. We have all been on either one side of the tracks or another when our access has been blocked by an 80 to 100 car freight train. Since there are no assurances or guarantees this will not happen in the future, we can reasonably expect additional occurrences in the future. }

As the possibility of a long freight train exists, it is also foreseeable that we could experience an earthquake, a train derailment or a rupture of the high-pressure jet fuel line adjacent to the tracks and Hyatt Elementary School. }

Should any of these disasters occur while a long train is blocking access to the neighborhood, thousands of lives would be at immediate risk, and with no possibility of first responder assistance. }

Should a chlorine tank for example, rupture and explode with the wind blowing in the wrong direction, we have an instant mega disaster, one that that should have been anticipated and mitigated for. }

Yet the DEIR offers no mitigation of any kind for the very real possibility of just such an event happening in the future. There is no plan for a grade separation. This mitigation measure would at the very least, give our first responders a shot of getting to a neighborhood crisis. }

We have all witnessed the costs and impacts from poor planning, lack of oversight and arguing for the cheapest possible solution. Mine explosions in WV, the Gulf oil spill, or any of the recent Metrolink accidents, all showcase a criminal lack of due diligence and assessment of the true costs of the project's impacts. }

As neighbors and taxpayers, we expect our public safety and survival to be foremost in any planning process. One of the ways we expect to see evidence of that if from doing an adequate environmental review. It's unfortunate that this concept has missed its mark on this project. }

Gurumantra S. Khalsa  
Co Chair, University Neighborhood Assn.  
4108 Watkins Dr.  
Riverside CA 92507-4701



**Response to Letter 17  
Gurumantra S. Khalsa  
May 24, 2010**

L17-1. This comment expresses concern that freight trains can block every grade crossing in the UCR neighborhood. The project's trains would be commuter trains of only a few cars. These trains are too short to block more than a single crossing. Thus, even in the unlikely event that a PVL train stops in the neighborhood, there would be no significant impact because only one of three ingress/egress locations would be affected.

Additionally, with the implementation of the PVL project, the corridor will become a shared corridor with the Metrolink and BNSF under control of SCRRA. Due to the shared nature of the operations, it is not anticipated that trains would be allowed to stop in areas of single track (including the UCR neighborhood) because this would block other trains from passing through. Instead, trains would stop in the areas where there is a bypass track (between MP 7.50 to MP 16.90) and not in the UCR neighborhood. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

L17-2. See Master Response #3 – Derailment (General), Master Response #2 - Kinder Morgan Pipeline Segment Near Highland Elementary School, and Response to Comment L17-1. The PVL project is proposing to improve track conditions along the project alignment. These improvements include tie replacement, welded rail, ballast replenishment where necessary. These improvements will improve the safety of both the Metrolink and freight trains. The improved operating conditions are anticipated to reduce the risk of derailment. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

L17-3. See Master Response #7 – Emergency Planning and Response. Currently, the RCTC ROW is used exclusively by BNSF freight trains. With the implementation of the PVL project, the corridor will become a shared corridor with the Metrolink and BNSF under control of SCRRA. Because of the shared nature of the operations, it is not anticipated that any trains would be allowed to stop in areas of single track and thus block other trains from passing. The added benefit of this is that BNSF trains would only stop in the areas of bypass track along the I-215 corridor and not in the UCR neighborhood. Therefore, response by emergency personnel would not be impeded by the proposed project. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

L17-4. See Master Responses #4 – Hazardous Materials Transport and #5 – Freight Operations. The PVL project is a commuter rail project that will not transport hazardous materials along the route. However, hazardous materials will continue to be shipped along the RCTC ROW by freight whether the PVL project moves forward or not. The frequency and quantity of materials, as with all freight operations, is completely dependent on customer demand. The track improvements provided as part of the PVL project would also reduce the noise and vibration from the freight trains, and improve overall safety along the corridor. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.





- L17-5. See Master Response #7 – Emergency Planning and Response and Master Response #12 – Grade Separations. Grade separations, where roadways go under or over railroad tracks, require a specific approach distance to maintain appropriate grades and clearance heights for the tracks. For grade separations to be possible within the UCR neighborhood, many houses would lose vehicle and driveway access. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L17-6. See Responses L17-1 through L17-5. Additionally, public safety was analyzed in the Draft EIR, Section 4.7. As no specific concerns were raised, a more specific response is not required (*Browning-Ferris Industries v. City of San Jose* (1986) 1818 Cal. App. 3d 852 [where a general comment is made, a general response is sufficient]). Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.



Letter 18  
Marcia McQuern  
May 19, 2010



MONDAY MORNING GROUP  
Advocating for Western Riverside County

May 19, 2010



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APPOINTED/ELECTED

Congressman Ken Calvert

Honorable Bob Buster  
Chairman  
Riverside County Transportation Commission  
4080 Lemon Street, 3<sup>rd</sup> Floor  
Riverside, CA 92502

Dear Chairman Buster:

Our organization of Western Riverside County civic leaders wholeheartedly supports development of the Perris Valley Line Metrolink extension. It is a project that is long overdue and the service it will provide delivers important benefits for our county.

MMG has taken a keen interest in the project for a number of years and has monitored the environmental approval process that the Riverside County Transportation Commission (RCTC) is in the midst of conducting. MMG commends RCTC for the proactive approach it has taken to address concerns, and its outreach to community, business and educational interests, to the extent of holding more public meetings than legally required.

Since its inception, Metrolink commuter rail service has proven to be an efficient alternative to freeways. However, it has primarily served local residents who work elsewhere. By extending Metrolink service to Perris along the I-215 Corridor it will be accessible to more residents of Riverside County as an alternative to freeway travel, especially for those who both live and work in the county. And while it will benefit current employers in the county, it will also prove attractive to employers considering relocation into Riverside County, particularly in development areas such as March JPA.

Monday Morning Group views the Perris Valley Line Metrolink extension as an important community and economic development asset that also addresses a number of quality of life concerns. Expanded availability of train service will reduce individual car trips, which will mitigate both freeway congestion and air pollution. RCTC has planned mitigation (e.g., sound walls) to the rail line that would be otherwise unattainable without this project.

Although some local challenges remain, the overall benefit of the project far outweighs the few concerns. The Monday Morning Group looks forward to the commencement of Perris Valley Rail service in 2012 and stands ready to support the Riverside County Transportation Commission in implementing the project.

Sincerely,

Marcia McQuern  
President

L18-1



**Response to Letter 18**  
**Marcia McQuern**  
**May 19, 2010**

- L18-1. The commenter expresses full support for the project and environmental evaluation. The comment does not raise specific environmental concerns. Therefore, no further response is necessary.



Letter 19  
Kenneth S. Alpern, MD – The Transit Coalition  
May 24, 2010



Southern California's Leading Transit Advocacy Group  
P.O. Box 567 \* San Fernando, CA 91341-0567  
Voice: 818.362.7997 \* Fax: 818.364.2508  
www.transitcoalition.org

The Transit Coalition (a project of SEE) is a nonprofit public charity exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code

Monday, May 24, 2010

Edda Rosso, Capital Projects Manager  
Riverside County Transportation Commission  
4080 Lemon Street, 3rd Floor  
Riverside, California 92502-2208

Re: Metrolink Perris Valley Line Environmental Impact Report

Dear Ms. Rosso:

Thank you for the opportunity to voice our concerns and recommendations for the Metrolink Perris Valley Line (PVL). The Transit Coalition has reviewed the project Environmental Impact Report (EIR) for the proposed commuter train line between Riverside and Perris.

} L19-1

We praise the Riverside County Transportation Commission (RCTC) for performing such a daunting task. While we support the vast majority of proposals presented in the EIR, we wish to share our concerns regarding the proposed service levels, stations, and the establishment of rail feeders.

} L19-2

**Corridor-based Metrolink Service Levels:**

We have noted that PVL trains will serve as an extension of 91-Line Metrolink trains, which will connect Perris to Los Angeles via Fullerton. While we support this proposal and believe that such an extension will provide for fast and productive regional transit between these regions, we also believe that select PVL trains should also address the major commuter and summer beach train demand between the Inland Empire and southern Orange County. PVL trains should also address the major commuter demand between Moreno Valley and San Bernardino. Such commuters should be given the option to travel on PVL in lieu of driving the congested I-215 freeway without having to transfer trains at Riverside.

} L19-3

With the Colton Crossing grade separation project fully funded, establishing a corridor-based rail network for Metrolink trains between Riverside and San Bernardino counties should be considered for the PVL as illustrated in *Attachment 1*.

We suggest RCTC work with the Orange County Transportation Authority and the San Bernardino Association of Governments for possible extensions of select Inland Empire/Orange County Line and San Bernardino Line trips to South Perris via PVL to address these travel demands.

**Highgrove/Hunter Park Station:**

While we praise the efforts of the community of Highgrove to improve public transportation for its area, we find, based on a field study and data from the EIR, that placing a Metrolink station along the BNSF main line south of the Citrus Connection is not feasible. We therefore support the proposal to develop the Highgrove station in the Hunter Business Park area as presented in the EIR. We suggest RCTC work with RTA

} L19-4



Letter 19 (cont'd)  
Kenneth S. Alpern, MD – The Transit Coalition  
May 24, 2010

so that the existing local bus line can be improved to better connect to trains at the Riverside Downtown Station to address the needs of the Highgrove community. } L19-4 (cont'd)

**University of California Riverside Station:**  
While we find it unfortunate that local residents object to a Metrolink station adjacent to U.C. Riverside, the transportation needs of the university students and staff still must be fulfilled. RCTC should retain ownership of the station property and negotiate an agreement with area residents and the City of Riverside so that the station can be developed at a later time. } L19-5

We also urge that RCTC work with the university and RTA so that timed feeder service can be established from the Highgrove/Hunter Park Station as in interim. Attachment 2 illustrates a possible line. } L19-6

**Moreno Valley/March Field Station:**  
RCTC should work closely with RTA so that the transition of Moreno Valley's main current transit hub from the Moreno Valley Mall to the proposed station is seamless and does not result in negated transit mobility nor increased bus travel times. RCTC is to be praised for coordinating this multi modal transit station with RTA and the March Joint Powers Authority. } L19-7

**Perris Station Transit Center:**  
We suggest that this station serve as the primary transfer hub between PVL and connecting express and regional buses in lieu of the South Perris Station for better productivity. This station is the central transit hub for the region. } L19-8

**South Perris Station/Maintenance Yard:**  
Feasibility studies support long term extensions of PVL east toward Hemet and south toward Temecula. We urge that these facilities are developed in ways that would support such extensions. } L19-9

**Southwest Riverside County Rail Feeders:**  
Commuter express rail feeders should be developed to connect Temecula and Hemet to PVL at the Perris Station Transit Center. The existing commuter bus service via the I-215 should also be coordinated with PVL. RCTC should work closely with RTA so that productive and seamless travel can be maintained between Temecula, Hemet, U.C. Riverside and Downtown Riverside. } L19-10

We hope that these and other issues will be addressed thoroughly during the finalization of plans for PVL.

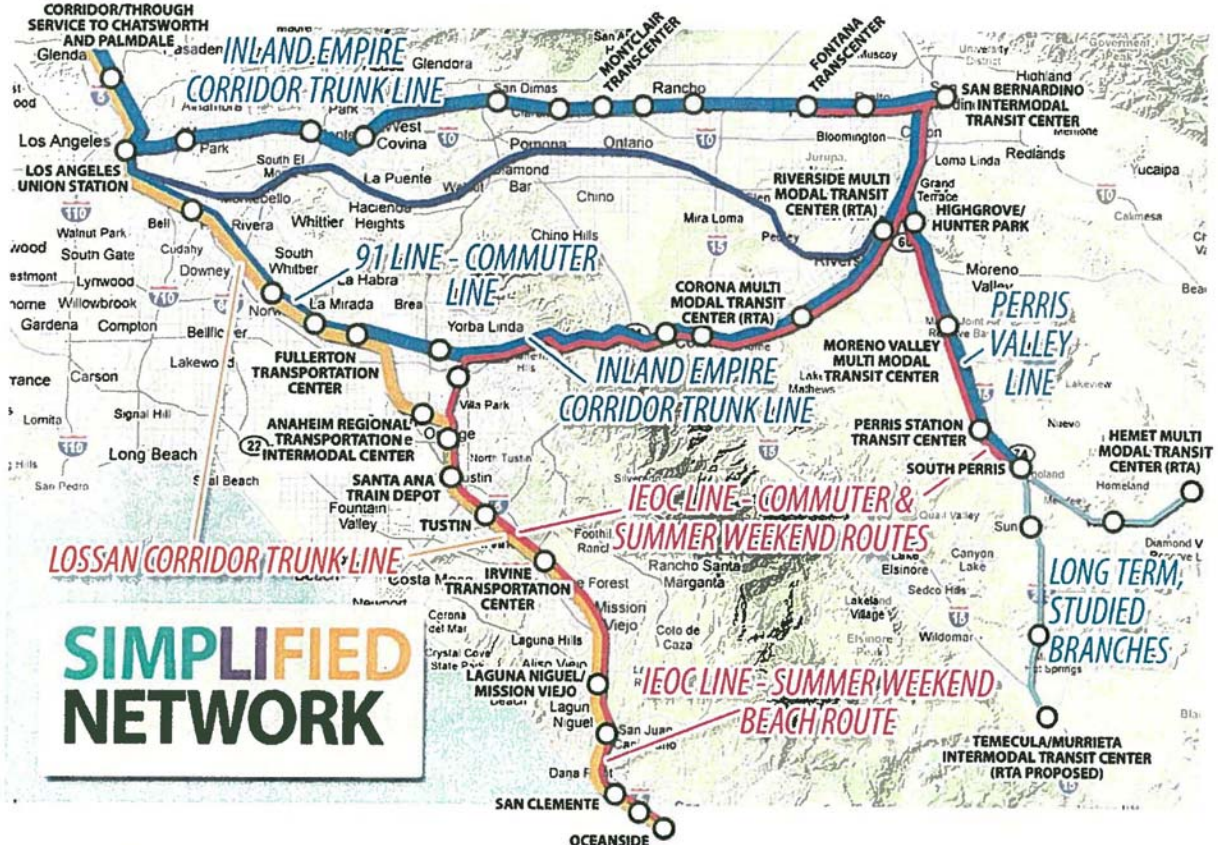
Sincerely,

Kenneth S. Alpern, M.D.  
Chair, Advisory Board



Letter 19 (cont'd)  
Kenneth S. Alpern, MD – The Transit Coalition  
May 24, 2010

Attachment 1 – Simplified Metrolink Network  
Corridor-based Metrolink system with the Perris Valley Line:



PVL trains should address the major commuter and summer beach train demand between the Inland Empire and southern Orange County. PVL trains should also address the commuter demand between Moreno Valley and San Bernardino. These trips should offer direct service without the need to transfer trains at Riverside.

TC-Letter2Person-157-2010-05-24-Letter2RCTC-RegardingPerrisValleyLineEIR-final-02.pdf



Letter 19 (cont'd)  
Kenneth S. Alpern, MD – The Transit Coalition  
May 24, 2010

**Attachment 2 – Suggested Rail Feeder Service between Hunter Park and U.C. Riverside**



TC-Letter2Person-157-2010-05-24-Letter2RCTC-RegardingPerrisValleyLineEIR-final-02.pdf



**Response to Letter 19**  
**Kenneth S. Alpern, MD – The Transit Coalition**  
**May 24, 2010**

- L19-1. This comment is introductory in nature and does not raise specific environmental concerns. Therefore, no response is necessary.
- L19-2. This comment is introductory and generally identifies concerns related to service levels, stations, and rail feeders. See specific responses to these concerns below in Responses L19-3 through L19-10.
- L19-3. This comment requests that RCTC expand the project and project description to include rail service between the Inland Empire and Orange County as well as between San Bernardino and Riverside Counties (a map depicting the proposed route was included). As explained in Section 2.1 of the Draft EIR, the proposed project is intended to extend community rail service from Downtown Riverside to the Cities of Perris and Moreno Valley. RCTC does not currently have plans to extend service to Orange or San Bernardino Counties. The project description will not be revised in this regard. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L19-4. The Draft EIR in Section 2.2 provides a description of the Highgrove Station and reasons why it is not being considered as part of the proposed project. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L19-5. The UCR Station was not evaluated for impacts in the Draft EIR, see Section 2.2. It should be noted that consideration of that station was specifically removed after the IS/MND was circulated. Additionally, the General Plan for the City of Riverside does identify a station in the UCR neighborhood. RCTC has committed to new environmental review should the UCR Station be proposed in the future. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L19-6. RCTC is committed to working with RTA to best link the modal systems. A map was provided to suggest extending the PVL project to Orange County. This attached map does not raise environmental concerns. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L19-7. RCTC is committed to working with RTA to best transition and link the modal systems and provide a true intermodal system as envisioned for the station site. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L19-8. RCTC is committed to working with RTA to best link the modal systems and provide a true intermodal system as envisioned for the station site. There are no new impacts as a result of this comment and the Draft EIR has not been changed.





## FINAL ENVIRONMENTAL IMPACT REPORT

### 0.3.3 OTHER INTERESTED PARTIES

#### 0.3.3.1 OTHER INTERESTED PARTIES LETTERS

- L19-9. Any expansion of the PVL system would be based on the identified need in that area. Should future feasibility studies indicate a need to expand the system to the east, or south, an environmental review will be initiated to analyze the potential impacts. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L19-10. See Response L19-9 above.



Letter 20  
Richard E. Block  
May 24, 2010

May 24, 2010

To: Riverside County Transportation Commission  
From: Richard Block, for myself and for Friends of Riverside's Hills  
Re: Comments on Perris Valley Line Draft Environmental Impact Report

In general I favor improvements in public transportation, so it saddens me to write this letter. However, the DEIR is seriously deficient, with inaccurate information, inadequate analysis, especially on noise/vibration and on hazards, and inadequate mitigation. The DEIR needs to be recirculated after new information has been obtained.

L20-1

**Derailment hazards**

The DEIR (and RCTC staff who have trumpeted the figure) tries to convince us that the danger to the UCR neighborhood from derailment is negligible, one time in 124 years, a figure that is based on a convoluted and utterly fallacious analysis:

“It should be noted that the BNSF freight history has about 4.5 million freight train miles since 1993 (first full year of operation) and during this time, there have been only three freight train derailments. This equates to about one derailment per 1.5 million train miles or 0.000000667 (STV, 2009). On the SJBL, BNSF operates 11,440 train miles per year. The annual derailment risk is then the product of 0.000000667 (risk per train mile) and 11,440 miles, or 0.00801. This derailment risk equates to about once every 124 years. (STV, 2009).” (DEIR, 4.7-11)

The obvious fallacy here is that they are using freight train miles over a much larger portion of the BNSF system (to see that, multiply the 11,440 miles per year times the 17 years since 1993 to get 194,480 miles, far short of 4.5 million miles). There were in fact 13 BNSF derailments in Riverside County, according to the Federal Railroad Administration Office of Safety Analysis, as shown on their web page <http://safetydata.fra.dot.gov/OfficeofSafety/publicsite/query/inctmap.aspx>. The 3 derailments have been in the UCR neighborhood. Three derailments in 17 years is once every 5.67 years, which rounds to once every 6 years, not once every 124 years. Moreover, calculating the risk per train mile over even the whole SJBL, much less a larger BNSF system, is simply irrelevant because the danger of derailment is depends greatly on the local track conditions. In the UCR neighborhood, these conditions include the tight and long curves and steep grades to the east and south of the Mt. Vernon crossing, and the accelerated track and tie wear caused by freight traffic under such conditions

L20-2

(More detail on that below. I will add here that it doesn't take a mathematician to see the bogus nature of the “once every 124 years” claim and some of the other DEIR figures, but in fact I am a mathematician – I am Distinguished Professor of Mathematics, Emeritus at the University of California Riverside. I have lived in the UCR neighborhood for 42 years, including the past 40 years at my present home, which overlooks the large curve in the SJBL, discussed below, from about 2,000 feet to the north at an elevation about 100 feet higher, giving me a clear view and hearing of all the passing trains.)

L20-3



Letter 20 (cont'd)  
Richard E. Block  
May 24, 2010

Moreover, the DEIR's figure of 11,440 train miles per year on the SJBL appears to be a gross underestimate. We have been told that BNSF has refused to cooperate with the RCTC in giving data on numbers of freight trains using the line, so where did the 11,440 mile figure come from? The DEIR fails to give an explanation, although it appears to be related to the gross underestimate of 2 freight trains per day used in the noise/vibration analysis, as discussed below.

L20-4

Regarding the risks from derailment, in fairness it should be noted that a few years ago, the very old and too-light rail on the SJBL from about mile 3.5 on was replaced with still very old but heavier rail (but still not up to present standards) which did reduce vibration (less window rattling at my house) and likely reduced the derailment risk. BNSF apparently regarded the SJBL as not worthy of new rail at their expense, and so it was a suitable place to put used rail from another location where perhaps the rail was being upgraded. At the time, we were told that the rail was just for the interim and would be replaced with new better rail, ties and ballast if and when the Metrolink project was approved, although now it turns out that that is not going to be done. (I was especially aware of the rail because BNSF stored much of the replacement rail on my private property at the end of Big Springs Rd for a period until they installed it.)

L20-5

The present derailment risk appears to be impossible to calculate but not negligible, especially as it could involve extremely dangerous cargo like chlorine tank cars. The risk is likely to increase as the track ages unless there are major improvements to the ballast and ties and a vigorous maintenance program.

L20-6

**Jet Fuel Pipeline Hazards**

The jet fuel pipeline through the UCR neighborhood is discussed very briefly in the DEIR. At page 4.7-1 it is described as a

“six-inch jet fuel transmission pipeline operated by Kinder Morgan. A portion of the jet fuel pipeline extends from the Colton Terminal (2359 South Riverside Avenue) to the MARB (Cactus Avenue). Additional segments of the Kinder Morgan pipeline are located within the SJBL ROW from Service Road southward to Watkins Drive, and then reconnecting near Box Springs Boulevard to Cactus Avenue. A portion of the Kinder Morgan pipeline, within the PVL corridor, runs parallel to Highland Elementary School, within approximately 50 feet to the west. ... Kinder Morgan petroleum pipeline markers were observed along the railroad alignment to the north of Spruce Street, which indicated the petroleum pipeline was located within the Corridor, parallel to the east side of the railroad tracks. [site marked on plate 2]... Kinder Morgan petroleum pipeline markers were observed along the northern portion of the proposed UCR Station to Valencia Hill Drive [site not marked on Plate 2], where the pipeline appears to be redirected south of the alignment. ... A Kinder Morgan pipeline marker was observed along the east side of the Corridor near Poarch Road.”

L20-7

The DEIR states, at p. 5.2-6, that Kleinfelder [the DEIR's Hazards consultant] “submitted a written request to Mr. Don Quinn of Kinder Morgan requesting specific information pertaining to the Site and whether releases have occurred along the pipeline in the vicinity of the Site. In a June 5, 2008 letter from Mr. Don

L20-8



**Letter 20 (cont'd)**  
**Richard E. Block**  
**May 24, 2010**

Quinn, Manager of Pipeline Relations, Mr. Quinn provided pipeline alignment maps for Kinder Morgan's high pressure petroleum products pipelines in the vicinity of the Corridor. According to he letter, the pipeline is a 6-inch pipeline. Mr. Quinn indicated that there are no known environmental issues concerning the pipeline."

L20-8 (cont'd)

A search of the DEIR, including its Hazards Technical Report, found no such pipeline alignment map. More important, the DEIR takes at his word the assurances of a Kinder Morgan official to conclude the absence of hazard. Thus, at p. 4.7-11, the DEIR, in response to the question "Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment", states

"The pipelines located within the existing rail ROW were installed in accordance with the safety requirements of the owners. The pipelines are buried at a minimum of three feet below ground surface, or deeper if they are closer than 40 feet to the rail line, and/or are encased. There have been no reported leaks from the previously mentioned pipelines within or adjacent to the PVL corridor. There would not be an adverse affect on the environment, on-site workers, or the public during operation and maintenance of the PVL trains in these areas; therefore, there will be less than significant impacts through the implementation of the project from these pipelines."

L20-9

In other words, trust Kinder Morgan. But consider this: from the following web site <http://thetyee.ca/News/2005/08/23/KinderMorgan/> from Aug. 23, 2005

"Kinder Morgan, the company that hopes to take over the B.C. gas utility Terasen, is "the poster child for pipeline problems," according to Carl Weimer, executive director of the Bellingham, Washington--based Pipeline Safety Trust.

"Weimer says Kinder Morgan has a poor safety record, which he attributes to the company taking over a huge network of pipelines in a short time frame. "They've expanded rapidly and a lot of the pipelines they took over are older pipelines. And that has undercut some of the safety," he says.

"Weimer, whose trust is funded by a court-ordered endowment created after an Olympic Pipe Line Co. pipeline in Bellingham burst and then exploded in 1999, killing three and destroying Whatcom Creek, says ongoing internal inspection is the best way to stay on top of pipeline maintenance. Weimer adds that Terasen has a good record on this front. "Hopefully the personnel won't go through a dramatic change" during the takeover, he says, given Terasen staff's credible record.

L20-10

"According to Terasen, many of their pipelines are approaching 50 years of age, and some, particularly under Vancouver, are as old as 70 years. Many of the lines Kinder Morgan took over in the U.S. are around 50 years old, says Weimer, which has resulted in several failures on its network."

This is expert testimony by Mr. Weimer The Kinder Morgan jet fuel pipeline through the UCR neighborhood is also over 50 years old (going back to the heyday of the March SAC base and already here before most residences in the neighborhood were built), and thus also especially subject to failure. Indeed there has already been at least one

L20-11



Letter 20 (cont'd)
Richard E. Block
May 24, 2010

accident involving the pipeline in the UCR area (but not close to the railroad): a few years ago, a homeowner west of Watkins and south of Big Springs Rd had workers digging in his yard, and they ruptured the pipeline, with a bunch of Kinder Morgan trucks responding to the rupture. The depth of the pipeline there was only about two feet. Moreover, the Riverside Unified School District reported at the May 17, 2010 Public Hearing that the depth of the pipeline near Highland School is only about two feet and asked that it be buried there to a depth of 10 feet.

L20-11 (cont'd)

Thus the DEIR's statement that the "The pipelines are buried at a minimum of three feet below ground surface, or deeper if they are closer than 40 feet to the rail line, and/or are encased" is false, and the DEIR fails to properly analyze the hazards associated with the pipeline.

There are two types of hazard from the pipeline that the DEIR failed to analyze, both related to the fact that this is older pipe of uncertain integrity and questionable depth. One concerns hazards related to the proposed construction work on the tracks (replacement of rail, ties and ballast) in those places where the pipeline is close to the tracks, including near Highland Elementary School. The second type of hazard is the risk to the integrity of the pipe caused by the vibration from passing trains, including the vibration from the project's dozen Metrolink trains a day. A proper analysis requires precise information, obtained independently of Kinder Morgan, as to the age, depth, material, and condition of the pipeline. Appropriate mitigation measures include burying the pipeline at substantially greater depth and encasing it, in those locations where it is adjacent to the tracks and near a school, childcare center, residence, church or wildfire-prone area, and an ongoing independently-monitored internal inspection program for the pipeline.

L20-12

Noise and Vibration

The DEIR makes predictions for noise impacts from the project. These predictions are of course based on a mathematical model. But as with any such model, the validity of the predictions depends on the validity of the input data - "garbage in, garbage out". In the present case, at least three types of input information affecting the predicted noise levels for UCR area sites are invalid and/or lacking adequate verification: 1) the existing average number of trains passing per day; 2) the amount of wheel squeal noise reduction that will occur from wayside lubrication application along tight radius curves; and 3) the noise (other than horn noise) generated by passing Metrolink trains particularly as they negotiate the steep grades and tight radius curves in the Big Springs/Box Springs area east of the UCR campus.

L20-13

The predictions referred to here are the predicted noise level, shown as Predicted Ldn, dBA, in Table 4.10-9 (pp. 4.10-28, 29) (for residences) and Table 4.10-11 (p. 4.10-31) (for churches, etc.) for various locations in the UCR area of the SJBL. These Predicted noise levels are of course of crucial importance, since they are used in the DEIR's determination of significance of the noise impact at the various locations.

L20-14

1) Estimate of existing number of freight trains is too low

The DEIR fails to adequately describe the existing baseline conditions for noise and vibration in the UCR neighborhood related to freight trains. This invalidates the analysis of impacts of the project related to passage of 12 metrolink trains per day, since the

L20-15



Letter 20 (cont'd)  
Richard E. Block  
May 24, 2010

determination of whether there is a severe impact (after mitigation measures) from those 12 trains at a specific location depends on the preexisting noise level at that location. Thus, as shown in the DEIR's Figure 4.10-2, at an existing noise exposure level of 50, it takes an increase of 5 for the impact to be considered severe, but at 60 it takes only an increase of about 3, at 65 only an increase of just a tad over 2 and at 70 only an increase of less than 2.

L20-15 (cont'd)

The DEIR, at p. 4.10-7, states

"The SJBL alignment from Highgrove to Perris currently has about two freight trains traveling on it daily."

At 4.10-33 it states

"The SJBL alignment is an infrequently used rail corridor with about two freight trains per day."

These statements about only two trains (i.e., one in each direction) per day are false, as any nearby resident knows. In particular, as noted above, I am a long-time resident within full view and hearing of the tracks, and to my personal knowledge there are far more than two trains a day. This has been true even during the current/recent recession. During the recession some of these trains consist of long lines of empty cars, since BNSF uses the SJBL for storage of excess rail cars (from personal observation and verified at a public meeting of the University Neighborhood Association by Lena Kent, BNSF Regional Director Public Affairs). But for many years now, there has been an average of far more than two trains a day. It can happen that on some days there are two or fewer trains, but those days are unusual.

L20-16

The fact that there are far more than "about two freight trains per day" through the University neighborhood is borne out by the DEIR's tables of existing noise measurements. There are three such tables, for measurements taken in 2002 (Table 4.10-3 at p. 4.10-9), for 2005 (Table 4.10-4 at p. 4.10-12) and 2008/9 (Table 4.10-5 at p. 4.10-13, 14). Of these, only the 2005 table states the number of trains passing. Of the 12 measurement sites shown there, 8 were in the UCR area, Sites 3 through 6 with long term (24 hours or more) measurements and Sites 9 through 12 with short term (30 or 60 minutes) measurements.

The 2005 Table 4.10-4 and the DEIR's corresponding Noise and Vibration Technical Report (at its pages 31 and 33) show that at Sites 3 and 4 (2294 Kentwood/Spruce and 518 W. Campus View) there were 8 trains in the same 41 hour measurement period (as shown at that report's p. 82 et seq., it was actually 40 ¾ hours). Eight trains in 41 hours corresponds to  $8 \times 24/41 = 4.7$  trains per (24 hour) day. The measurements at the nearby Sites 5 and 6 (232 E. Campus View and 396 Big Springs) started several hours after the Sites 3 and 4 measurements were finished, each lasting exactly 24 hours and showing 2 trains. The 24 hours of the Site 6 measurement started 2 hours after that of the Site 5 measurement, with 2 trains passing during their combined overlapping hours. There were also 4 short term measurements in the UCR area, at Sites 9 (Church at Spruce & Watkins), 10 (Church at Mt. Vernon Crossing), 11 (Hyatt School/E. Manfield Rd), and 12 (Highland Park off Kentwood). The duration of these measurements was one hour each for two of them, and 30 minutes each for the other two, for a total of 3 hours, and as shown in the Table, 1 train passed during these measurements at each of 2 of the locations. Thus there were a total of  $8+2+1+1=12$  train passages (they were 12 different trains, as shown by the measurement dates and times) in a total of  $41+26+3=70$  hours, or  $12 \times 24/70 = 4.1$  trains per day.

L20-17



Letter 20 (cont'd)  
Richard E. Block  
May 24, 2010

Thus both the residents observations and the DEIR's actual measurement data give the lie to the DEIR's "about two freight trains a day". Therefore noise predictions for the UCR area based on 2 trains a day are factually unrepresentative and inappropriate. Clearly assuming more freight trains passing per day would increase the estimate (and that is all it is, since it is based on so few actual measurements) of existing Ldn at the various locations and thus the impact thresholds which are directly related, as is seen by a comparison of the Existing Ldn column with the Impact Threshold columns in Table 4.10-9.

L20-18

(The DEIR appears to hint that the 2005 measurements may be somewhat less representative than the 2008/9 measurements, stating in the Noise and Vibration Technical Report, at p. 15,  
"In general, the results of the 2008/2009 monitoring program were consistent with the existing noise environment during the monitoring programs for 2002 and 2005. There were however, several sites within the area of UCR which tended to exhibit lower noise levels for the 2008/2009 measurement program."  
While the latter statement might be misinterpreted to indicate that the existing freight traffic in 2008/9 was less than in 2005, examination of the tables shows that there were in fact only two sites (518 W. Campus View and 232 E. Campus View, these being exactly the sites with 8 trains passing in the 2005 measurements) in the UCR area with long-term measurements taken in both 2005 and 2008/9, and for both of those the distance of the measurement from the tracks was increased in 2008/9 versus that in 2005 (from 83 ft. to 117 ft. in one case). At any rate, freight traffic in general has since picked up with the improvement of the economy, replacing some of the empty freight cars that BNSF was shifting about on the SJBL with full cars. Moreover, any noise reduction might well have been due to a (maybe temporary) decrease in cut-through traffic on Watkins Dr. after the completion of nearby freeway improvements.)

L20-19

It is scandalous that RCTC has not obtained from BNSF precise figures on numbers of freight trains on the RCTC-owned SJBL, together with other data relevant to noise issues such as the number of engines and cars in those trains, which would allow accurate figures for average number of trains per day and reasonably accurate noise estimates. This project needs federal NEPA review, and if RCTC, as they allege, cannot obtain the data from BNSF then the FTA needs to intervene to obtain the data.

L20-20

**2) Prediction of reduction/elimination of wheel squeal on tight radius curves is over-optimistic and lacks adequate evidence**

The DEIR (at p. 4.10-20) states over-optimistically  
"operation of the PVL train corridor would include as part of the design plans, wayside applicators which would eliminate noise from wheel squeal for all tight radius curves."  
Seven of these tight radius curves are in the residential areas at the east end of the UCR area, as shown in the DEIR's Table 4.10-15 at p. 4.10-36. The DEIR and its Noise and Vibration Technical Report fail to show the precise locations of the these curves, the radius for each of the curves, the length of each curve (which relates to the duration of wheel squeal noise for a train rounding that curve – this is particularly significant for the very large curve between E. Campus View Dr. and Big Springs Rd.). The DEIR also needs to show the location and radius of other curves with somewhat larger radius than the quite restrictive 900 foot radius that the DEIR is using as its cutoff point in its definition of tight radius curve.

L20-21



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The DEIR at p. 4.10-36 (p. 308) states

"As wheel squeal noise can be significant, wayside applicators will be installed as part of project implementation in all areas of the corridor with short radius curves. Wayside applicators apply a friction control material to the top of the rail and the gage face to reduce the metal to metal friction that causes wheel squeal. According to the Transit Cooperative Research Program – "Wheel/Rail Noise Control Manual" (Transportation Research Board, 1997) a report which was sponsored by the FTA, the use of a petroleum lubricant would reduce squeal while the use of a water lubricant would eliminate squeal. These steps taken to reduce wheel squeal from the commuter rail operations would also reduce the existing wheel squeal from BNSF freight trains, which do and would continue to operate along the SJBL."

L20-21 (cont'd)

The DEIR fails to provide data as to how much of the existing freight train noise at affected UCR area residential locations (i.e., near tight radius curves) is due to wheel squeal. Hence there is no basis on which to estimate the reduction of that noise from future wayside lubrication applicators. Moreover, while reduction of such noise is welcome and needed, more recent research shows that the rather out-of-date 1997 report that the DEIR cites is overly optimistic. A more recent analysis, citing a great deal of research, all of it since 1997, is "Mitigation of Wheel Squeal and Flanging Noise on the Australian Rail Network", by D. Anderson and N. Wheatley, in B. Schulte-Werning et al. (Eds.): Noise and Vibration Mitigation, NNFM 99, pp. 399–405, 2008 (copy attached as Exhibit). They state that the more recent practice

"has been to differentiate between tonal "wheel squeal" and the more broad-band metal-on-metal rubbing noise termed "flanging". Although sharing some features, there are often differences in community response as well as possible differences in the underlying causes and treatments. ... Rail engineers consider "flanging noise" to arise due to wheel flange contact at the gauge face/gauge corner of the rail. Whether this is true remains to be seen [10], but it is clear that it is gaining recognition as a possible separate effect from squeal [2, 11, 12]. Researchers have discussed the frequency characteristics of the two effects [7, 12, 13], although not all agree on the frequency ranges.... In the remainder of this paper, the terms "wheel squeal" and "flanging" will be used to differentiate between the effects, while "curve squeal" will be used to describe the combination." (ibid., p. 400)

L20-22

The recent research cited by Anderson and Wheatley shows that the results of using wayside applicators is very much a mixed bag. For example, for various locations in Australia, the research shows

"Trackside applicators have been in service at Wollstonecraft since 1997, applying a friction modifier to the top of the rail. Squeal noise complaints are now infrequent here, but complaints continue to increase at other sites, even though friction modifier applicators are installed at many of these locations. Further investigations [19] indicate freight trains are the main squeal noise source in NSW and that friction modifier is only partially effective at mitigation" (ibid, p. 402)

while at a different site,

"Application of friction modifier to the top of the rail was successful." (ibid, p.402)





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while at still more sites,

“Trials with a top of rail friction modifier were not successful ...

“An Australian research project [13] has developed algorithms for detecting various types of wheel/rail noise, including wheel squeal and flanging. It was developed for on-train monitoring to identify track without effective lubrication, but the same algorithms are now processing wayside noise recordings from simple, low cost, portable battery-powered monitoring systems. This has allowed monitoring for extended periods for minimal cost, which is of particular benefit to studying curve squeal because events can vary randomly between trains, times of day, and meteorological conditions. Numerous studies have now exploited this approach [18], allowing the analysis of thousands of trains at curve sites. ...

“A temporary speed restriction (from 75 km/h to 40 km/h) on a 315 m radius curve (with 60 kg/m head hardened rail on concrete sleepers) gave a reduction in the number of squeal events, but this was countered by the increased duration of remaining events. At the same curve, extended monitoring was carried out over a 4-month period, spanning the installation, upgrade and duplication of a track-side applicator for top of rail friction modifier. 47% of freight trains generated “moderate” or “severe” squeal with no friction modifier, reducing to 35% with friction modifier, 29% with an improved applicator design, and 24% following the installation of an additional applicator at the mid-point of the curve.

“Monitoring was carried out at a complaint location approximately 25 m from a 240 m radius curve with a 1 in 33 grade. Following the installation of a top of rail applicator, squeal events above 100 dBA were eliminated in coal traffic and reduced by over 50% in container traffic. Flanging noise also reduced considerably, with events above 100 dBA eliminated for all traffic.

“In 2006 an extensive monitoring program over nearly six months involved five simultaneous recording locations spanning four tight reverse curves (300 to 560 m radius). Two track-side applicators for top of rail friction modifier had been installed at this location in 2001 and the tests were carried out during the installation of two additional units, intended to improve the coverage of product over the 2 km section. Results showed negligible difference in wheel squeal following the installation of additional applicators and gave a very mixed picture when analysed in terms of particular types of freight train. Some categories showed no change, others showed improvement, while others performed worse. Monitoring at a complaint location 33 m from the 300 m radius curve showed that around 20% of freight trains continue to generate noise levels exceeding 105 dBA.” (ibid, 402-3)

L20-22 (cont'd)

Thus, while wayside applicators for the PVL curves definitely should be used to reduce curve squeal, there can be no legitimate assumption as to the extent they will reduce, much less eliminate, curve squeal from either freight trains or Metrolink trains, absent extensive testing at the actual locations of the PVL curves. This applies not only to the curves in the UCR area, but also and especially to the to-be-constructed Citrus Connection curve. The DEIR fails to analyze the situation by imprudently and improperly claiming that wayside applicators “would eliminate noise from wheel squeal for all tight radius curves.”



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3) **Inadequate assessment of likely noise from Metrolink trains**

The DEIR, in its Noise and Vibration Technical Report, has lots of data on Metrolink train noise from places like Chatsworth and Santa Clarita. But this may not be representative of the noise that can be expected in the case of Metrolink trains on the SJBL, particularly on the rather unique segment southeasterly of E. Campus View drive, with its steep grade, many tight and long curves, and sound bouncing off the immediately adjacent Box Springs Mountain.

The DEIR fails to adequately assess the likely noise in the UCR area. It should be noted that in this area, there is no plan to replace the existing rail, but only to replace some wooden ties as needed. And, as noted above, that existing rail was old used rail, not of the heaviest weight, no longer good enough for its previous location, installed on this section of the SJBL a few years ago to replace even older and lighter rail. The DEIR fails to describe or analyze the weight and condition of the rail that is now there.

RCTC should have tested out the actual conditions in this area by running a test Metrolink train at various times, day and night, through this part of the line, and measuring the actual noise and vibration, and even better, also applying lubricant to the rails and measuring the curve squeal. They failed to perform such easily feasible tests, and so the DEIR fails to adequately analyze the likely noise from Metrolink trains in this area.

L20-23

**The DEIR's Predicted Ldn levels are unrealistic**

The DEIR, in its Table 4.10-9 and 4.10-11, lists Predicted Ldn dBA for a number of sites (or site clusters). One of the sites listed there is called Big Springs. This is the same as what is called the Box Springs Cluster in the Noise Receptor Maps, and consists of 4 residences southerly of the east end of Big Springs Rd, all adjacent to the SJBL ROW. The residence at the north end of the cluster is 396 E. Big Springs Rd, i.e., Site 6 in the 2005 Noise Measurements. The 2005 study lists a distance of 90 feet from the tracks, while Table 4.10-9 lists 120 feet, but Table 4.10-9 uses the same 62 dBA figure for its Existing Ldn as that in the 2005 measurements (Table 4.10-4).

The Metrolink train speed in Table 4.10-9 is listed as 30 mph for both inbound and outbound, versus 25 mph for the E. Campus View sites, which would have the trains actually accelerating up the steep grade around the long tight curve between the east end of E. Campus View and Big Springs Rd, which would mean increased noise levels.

L20-24

The Predicted Ldn for this Big Springs/Box Springs site is listed as 57.3 dBA, whereas from the 2005 study the Ldn without trains is 54 dBA and with 2 trains a day is 62 dBA. Thus the addition of 2 freight trains and 12 Metrolink trains a day is only projected to result in an Ldn increase from 54 dBA to 57.3 dBA, and the addition of 12 Metrolink trains a day to a supposed existent 2 freight trains a day is actually projected to result in an Ldn decrease from 62 dBA to 57.3 dBA. **What can account for such a modest Ldn increase in the no-freight scenario, and a significant decrease in the 2-freights-a-day scenario, each with the addition of 12 Metrolink trains?**

First of all, the Table lists an impact of "None" for this site, and no mitigation, i.e., no sound insulation or noise barrier. Indeed, the closest noise barrier is the E. Campus View sound wall, on the other side of the tracks, a considerable distance away but if



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anything reflecting noise to the Big Springs site (so tending to increase the dBA there rather than decrease it). Track improvements will not account for the any part of the mysteriously low predicted Ldn, since there is no planned rail improvement in this area – just replacing some wood ties as needed. Reduction of horn noise is not a factor since the DEIR does not propose quiet zones and anyway the site is about a half mile from the nearest grade crossing at Mt. Vernon. There are tight curves in the area, and hence existing curve squeal, but the contribution of that to the Ldn at this site has not been quantified, and anyway the reduction in such noise attributable to the planned wayside applicators is, as shown above, at best questionable.

So there is no explanation for the DEIR claim, in this Table, that the ADDITION of 12 Metrolink trains a day to the DEIR's estimated 2 freight trains a day will REDUCE the Ldn from the Table's Existing 62 dBA to 57.3 dBA. This shows that the Predicted Ldn figure for this site, and thus probably for other sites, is preposterous.

**This shows that something is very wrong with the calculation of the DEIR's Predicted Ldn figures and thus with its claimed Impact Thresholds. The calculations need to be redone after obtaining more realistic existing noise levels based on at least 4 freight trains a day and taking actual measurements on site of Metrolink train noise.**

L20-24 (cont'd)

Other issues

It would be extremely helpful to the UCR neighborhood to have quiet zones at the Mt. Vernon, Blaine, and Spruce grade crossings. Indeed this is a necessary measure to mitigate noise. The City is certainly willing to have these quiet zones. RCTC needs to pay for them as part of the PVL project. There should be no bureaucratic excuses about local government having to pay for them.

L20-25

I join the community in also saying that there needs to be not just a quiet zone but in fact a grade separation at Blaine. This would mitigate not only noise and traffic impacts, but would allow emergency access to and from the neighborhood, whose only access points (at Spruce, Blaine, and Mt. Vernon) could be simultaneously blocked by a single train. The PVL is a huge project moneywise, and there should be enough for funding such a grade separation. RCTC needs to be provide assurance that the neighborhood northeast of the tracks would not be cut off in the event of a disaster, such as a derailment involving a dangerous chemical spill.

L20-26

There needs to be assurance by RCTC that in connection with construction and maintenance for the project, there will be no trespassing (by employees of RCTC, BNSF or contractors) on adjacent property. (This has been an issue in the past.)

L20-27

There are pipe culverts through the portion of the ROW embankment between the end of E. Campus View Dr and Big Springs Rd. The more northerly of these culverts serves the blue line stream flow from the canyon at Two Trees Rd and other drainages to the north of the tracks. Riverside County Flood Control informed me in the past that the 100-year flood rate of flow there is about 1,000 cu. ft./sec. The small culvert there is inadequate, as shown by the fact that the in1969 flood (a fraction the size of a 100 year flood) there was a lake 4 feet deep on the north side of the railroad embankment. In a 100-year flood, the railroad embankment would be overtopped and likely washed out. The other culvert (actually a two-pipe culvert) is a little north of the end of Big Springs Rd, and

L20-28



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serves to drain the blue line stream of Big Springs Canyon. Riverside County Flood Control has informed me in the past that the 100-year fate of flow there is about 500 cu. ft./sec. This culvert would be inadequate in a 100-year flood, which would wash over (and out) the tracks here. Each of these culverts needs to be replaced by a larger culvert, actually a soft-bottomed arched culvert (these come precast in various sizes and are relatively inexpensive, although obviously more expensive than a pipe culvert) which would allow passage of wildlife and hikers.

L20-28 (cont'd)

For well over a half century there have been two well-used hiking trails crossing the tracks in the area of the above culverts. One of these trails crosses the tracks about 100 ft to the east of the first culvert mentioned. This trail joins the County's Box Springs Mountain Reserve and the City's Islander Park (and also the main portion of Box Springs Mountain Reserve to the north of the tracks with a smaller portion just south of the tracks), and is the only such connection. The other trail is near the second culvert mentioned, part of the trail to the "Big C" on Box Springs Mountain. The Big C was constructed in the late 1950s; the trail to reach it, which of necessity crosses the tracks, has been in continuous use since by generations of UCR students and others. (These trails show up on the old photos and maps in the DEIR appendices). The long-standing recreational use of these trails has established a prescriptive easement for this use. Installing soft-bottomed arched culverts of sufficient height for each of these two trails would mitigate the danger to hikers caused by the relatively fast Metrolink trains, as well as benefit wildlife.

L20-29

One other trail issue: for generations, people have been hiking along the railroad ROW in the segment between Big Springs Rd and Poarch Rd. The ROW in this segment is 200 feet wide, so there is plenty of room to construct a trail (perhaps with a non-obtrusive 3-wire fence separating it from the tracks) within the ROW along this segment. This would mitigate hazards to hikers (who will continue to come no matter what) along this segment. If a trail in the ROW is deemed not desirable or feasible, then RCTC should obtain enough land adjacent to it to accomplish this purpose.

L20-30

Thank you for your consideration.

Sincerely,  
Richard E Block  
424 Two Trees Rd, Riverside, CA 92507-3212  
phone 951-683-8762, email rblock31@charter.net

**Response to Letter 20****Richard E. Block****May 24, 2010**

- L20-1. See Master Response #11 - Recirculate EIR and the CEQA Process. This comment claims that the Draft EIR needs to be recirculated after new information is received. However, this is not the standard for recirculating an EIR. Instead, State CEQA Guidelines Section 15088.5 requires recirculation when significant new information is added to the EIR after notice of availability is given but before certification. New "significant" information within the meaning of the State CEQA Guidelines has not been presented; therefore, recirculation is not required. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L20-2. See Master Response #3 – Derailment (General). This comment appears to mix freight train data sets. This comment cites a "BNSF freight history of 4.5 million miles", which was presented as SCRRA's 17-year history of freight trains on all SCRRA lines (which includes both BNSF and Union Pacific operations). This comment also cites FRA data for 13 BNSF derailments in Riverside County, which we presume includes switching and yard derailments for a much larger and much busier segment of the BNSF than the PVL. The commenter continues to compute a risk of about one derailment in six years for the UCR neighborhood. This is the "before" condition. The Draft EIR presents of a much reduced derailment condition using the overall SCRRA data and is a projection based on past experience; however, it does indicate a factor reduced by about 40, as the commenter implies.
- The commenter correctly notes that the BNSF has made some improvements to the line, possibly in response to their derailment history, and that the PVL project would make further improvements. The commenter is also correct in concluding that the area from Mt. Vernon Avenue to the Poarch Road crossing is a higher risk than some other parts of any rail network due to the sharp curves and steep grades. However, the SCRRA service territory includes similar territory on the Antelope Valley line so the comparison is not an unreasonable approximation. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L20-3. The commenter explains his credentials in this comment and does not raise specific environmental concerns. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.
- L20-4. The figure of 11,440 train miles per year was determined using an estimate of about 38 miles per day for 300 days; this is a good representation of one round trip six days a week over a distance of 16 miles (to where most freight is destined) plus an occasional trip to Perris (23 miles). BNSF did not provide information regarding freight traffic on their line to RCTC because this information is rarely made public. Furthermore, BNSF does not dictate or control the freight traffic; they merely provide transportation services to the companies that ship or receive goods via trains. Therefore, even if BNSF did provide information regarding freight traffic, all it would be able to convey are statistics for past shipments, not estimates for future growth.



There are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L20-5. The entire length of the rail line that comprises the proposed PVL project would use welded rail (see Draft EIR, Section 4.10.4) In addition, for those areas where vibration impacts were identified as potentially significant, RCTC will install either ballast mats or resiliently supported ties in order to reduce vibration impacts to less than significant levels (see Draft EIR, Section 4.10.5). Whereas the commenter's house is located 1,900 feet from the proposed project alignment, no vibration impacts from PVL trains were predicted to occur.
- L20-6. See Master Response #3 – Derailment (General) and Master Response #4 – Hazardous Materials Transport. The commenter claims that the derailment risk for the PVL project is impossible to calculate. This comment is incorrect. It is possible to estimate the derailment risk based on statistics of past derailments. With regard to the commenter's claim that derailment risk will become greater as the track ages, commenter ignores that the fact that the PVL project would upgrade the existing physical condition of the rail line, which would result in an improved infrastructure, a higher level of maintenance, and enhanced safety. In addition, SCRRRA will become responsible for maintenance. Furthermore, as stated in the Draft EIR in Section 4.7.4: "As a commuter rail line, PVL service is passenger only. As such, there would never be an occasion when hazardous materials would be transported on the commuter trains." Therefore, less than significant impacts are anticipated for this issue area and no mitigation measures are required. No new impacts were identified by this comment and no new mitigation measures are required.
- L20-7. The commenter provides an excerpt from the Draft EIR regarding the jet fuel pipeline. The comment does not raise specific environmental concerns. Therefore, no further response is required.
- L20-8. The commenter provides an excerpt from the Draft EIR regarding the jet fuel pipeline. The comment does not raise specific environmental concerns. Therefore, no further response is required.
- L20-9. See Master Response #2 - Kinder Morgan Pipeline Segment Near Highland Elementary School. The commenter states that neither the Draft EIR nor the "Hazards Technical Report" contain a copy of the pipeline alignment maps for Kinder Morgan's high pressure petroleum products in the vicinity of the corridor. However, within Plate 2 of the Technical Report G – Hazardous Materials Corridor Study the Kinder Morgan pipeline markers are identified.
- L20-10. The commenter quotes a website which attacks Kinder Morgan's safety reputation. These comments were not made in the context of the PVL project and have no relation to the project. The comment does not raise specific environmental concerns about the PVL project and therefore no further response is required.
- L20-11. See Master Response #2 - Kinder Morgan Pipeline Segment Near Highland Elementary School. This comment claims that the Draft EIR's statement regarding pipeline depth is false. This claim is incorrect. The depth of the pipeline varies. In



some places it is as deep as 10 feet and in other places it is as shallow as 2 feet 4 inches. According to the pothole study conducted by RCTC in early 2010, the depth to the top of the pipeline in the area of Highland Elementary School ranges to 5'-2". The reason for this range of depths is that erosion and weathering slowly remove topsoil and therefore reduce the overall depth of the line.

As stated previously, although the pipeline was originally installed many years ago and is located within the RCTC ROW in some areas, and outside the RCTC ROW in others, the pipeline must still meet current safety requirements established by the CPUC. These safety requirements evaluate the overall pipeline integrity, including evaluating for corrosion and joint integrity. Furthermore, since the pipeline is an existing condition, the engineering and construction activities are expected to conduct work without impacting it. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

- L20-12. See Master Response #2 - Kinder Morgan Pipeline Segment Near Highland Elementary School. As stated previously, although the pipeline was originally installed many years ago and is located within the RCTC ROW in some areas, and outside the RCTC ROW in others, the pipeline must still meet current safety requirements. These safety requirements evaluate the overall pipeline integrity, including evaluating for corrosion and joint integrity. Furthermore, since the pipeline is an existing condition, the engineering and construction activities are expected to conduct work without impacting it. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

It should also be noted that there is no mechanism in place to provide a qualified, independent monitoring and inspection program for this pipeline. The government oversight by CPUC, which currently takes place, is designed to address safety of pipelines.

- L20-13. See Master Response #6 – Noise. The noise and vibration analysis conducted for the project followed the current FTA Manual guidance for conducting noise and vibration analysis. The analysis considered sensitive receptors, projected Metrolink train noise, and wheel squeal. Wheel squeal will occur because of the tight radius curves on the alignment regardless of whether it is a freight train or a commuter train. As part of the PVL project, RCTC will include wayside applicators to all short-radius curves (see Draft EIR, Section 4.10.4). Additional reduction of wheel squeal impacts can also be assumed at specific locations by the installation of noise barriers. The noise barriers are located primarily in the UCR neighborhood area where a large number of sensitive receptors are located.  
([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))

- L20-14. See Master Response #6 – Noise and Tables 4.10-9 and 4.10-11 of the Draft EIR.

- L20-15. Baseline noise levels are discussed in depth in the Draft EIR (see Master Response #6 - Noise). The commenter's characterization of Figure 4.10-2 in the Draft EIR is incorrect. At a 50dB existing noise level, the onset of moderate impact would occur with a 5dB increase from transit noise while the onset of a severe



impact would occur with a 10dB increase. The other existing noise examples, i.e. 50dB, 65dB & 70dB, would have allowable transit noise increases for severe impacts of 5dB, 3dB and 2dB, respectively.

- L20-16. See Master Response #6 – Noise. With respect to the existing freight train movements, although the number of freight trains and identified speeds would occasionally fluctuate up or down, based on field observations and information from local engineers familiar with the SJBL, the Draft EIR’s characterization of the average number of freight movements per day and the speeds identified within the Draft EIR are accurate. However, even if the average number of freight trains was shown to be as many as four per day (as indicated by the commenter’s estimation of daily freight train trips, which incorrectly utilizes freight trains from different days which are separated by a one month time period), it would not change the results of the noise assessment. Concerning the noise assessment, even if there were 10 freight trains per day, the only relevant fact with respect to existing freight trains would be the proposed project’s contribution to the baseline existing  $L_{dn}$  noise level (as the commenter states, these noise levels were collected and presented in the Draft EIR). In addition, Table 4.10-4 in the Draft EIR presents the number of trains passing during a particular measurement period; however, for the monitoring sites (#3 and #4) which experienced eight passing train trips, the number of trains given is over a 41-hour period. Another noise monitoring site had three train movements over a 44-hour period. Both instances are in line with the freight train trip estimates proposed in the Draft EIR which are based on a 24-hour period. Twenty-four hours represents the reference time period for which baseline noise monitoring data for residential properties is collected and assessed (FTA Manual, page D-2) and for which potential noise impacts are predicted (FTA Manual, Table 5-2). The existing 2005  $L_{dn}$  measurements reported in the Draft EIR were not altered based on an average number of daily freight trips.  
([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))
- L20-17. See Master Response #6 – Noise and Response to Comment L20-16.
- L20-18. See Master Response #6 – Noise and Response to Comment L20-16. In addition, the commenter states that the noise predictions are “under representative and inappropriate”. However, if the monitored 24-hour baseline noise levels were actually higher as the commenter suggests they should be (assuming that an increase in freight train volume over a 24-hour period would produce a higher  $L_{dn}$ ) the facts actually reveal that such a circumstance would actually lead to less conservative outcome for noise predictions. As shown in the FTA Manual, Table 3-1, as the existing noise level; increases, the allowable PVL project noise exposure would also increase. However the allowable increase in noise exposure above the baseline noise level decreases. Therefore, assuming the project noise exposure remains the same, the commenter’s desire to have an increase in the existing noise level would technically make it less likely that the project would result in an impact.  
([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))
- L20-19. Master Response #6 – Noise and Response to Comment L20-9. Concerning the change in monitoring location at 518 West Campus View Drive between the 2005 and 2009/2008 monitoring programs, the 2005 monitoring location was on the





alignment side of the ROW line and had to be repositioned to a location within the true boundaries of the residential property. The fact that 2008/2009 noise levels were lower than the 2005 measurements at a few sites did not lead to the conclusion in the Draft EIR that existing freight traffic had lessened. Measurement results were taken for what they were and used appropriately in the noise analyses. The Draft EIR never states that the 2005 noise measurements are less representative; it simply characterizes them and explains that they are lower at certain sites when compared to the 2008/2009 measurements.

- L20-20. The number of BNSF trains that use the SJBL depends on the pick-up or drop-off of goods along the rail corridor. The movement of goods is dependent on economic activity and is not on a consistent schedule. During the evaluation of the existing conditions along the alignment, the number of trains was counted as they passed. Subsequently, although the number of freight trains would occasionally fluctuate up or down, based on the best information available from RCTC along with field observations and information from local engineers familiar with the SJBL freight line, the Draft EIR's characterization of freight movement along the SJBL is considered accurate.

There is a separate NEPA document being prepared for the proposed project with the FTA as the lead agency. The FTA has specific guidelines for analyzing both noise and vibration impacts as outlined within the FTA Guidance document.

- L20-21. Master Response #6 – Noise. Wayside applicators will not eliminate wheel squeal, but they do act to reduce wheel squeal. The wayside applicators are a project design feature, not mitigation. The more detailed explanation of wheel squeal in Section 4.10.4 of the Draft EIR accurately describes the impact of wayside applicators (i.e., wheel squeal will be effectively reduced). Concerning the proper curve radius to use as a basis for addressing wheel squeal noise, as the Metrolink locomotive truck wheelbase is approximately nine feet, the use of a 900-foot curve radius is legitimate (FTA Manual, page 6-18). The locations of the short radius curves were obtained from the RCTC PVL Geometry Table Maps W-701 to W-709, (preliminary 30% design).  
([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))

- L20-22. Master Response #6 – Noise. The commenter has cited several reports within this comment. None of these reports have made definitive assessments regarding the effectiveness of wheel squeal mitigation; however, the wheel squeal issue presented in the Transportation Research Board (TRB) report is based on extensive research. In addition, although the TRB report is over 13 years old, it is still recognized as one of the standard references in the noise industry (see the 2006 "Transit Noise and Vibration Impacts Assessment," FTA [FTA Manual], page 6-45). The commenter also cited that in the "Mitigation of Wheel Squeal and Flanging Noise on the Australian Rail Network" report, it states that "trials with top of rail friction modifiers were not successful", however, the wayside applicators proposed for the PVL project would also include gage face lubrication (see Draft EIR, Section 4.10.4). As a result, the comparison is inappropriate because the techniques to be used are not the same (albeit they have similarities). This same scenario exists when comparing mitigation for the referenced "Australian Research Project" to the PVL mitigation with wayside



applicators. It should be noted that the wayside applicators proposed for the PVL project would include gage face lubrication while the Australian research project would not.

Finally as stated in the Draft EIR, Section 4.10.4, the “Citrus Connection curve” was assessed and impacts were predicted to occur, however, impacts surpassed the FTA criteria by only one (1) dB. This indicates that even at minimal effectiveness, the proposed mitigation using wayside applicators would be successful at eliminating noise impacts from PVL Metrolink trains in this area. This assertion is based on the dominance of wheel squeal noise at this location when compared to the other elements of train noise (i.e. horn, engine and wheel noise) at this location. Testing of wheel squeal noise is not proposed for any segment of the alignment, however, the FTA Manual shows that wayside applicators are effective at reducing wheel squeal noise (FTA Manual, Table 6-12). In all other areas with tight radius curves, wheel squeal would be reduced for Metrolink PVL trains and as an added benefit would also reduce wheel squeal noise for existing freight trains.

([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))

See also Response to L20-14.

- L20-23. Master Response #6 – Noise. The Draft EIR Noise and Vibration Technical Report and section do not refer to or utilize in any of its calculations noise data from Chatsworth or Santa Clarita and commenter does not indicate which data he believes is from Chatsworth or Santa Clarita. The proposed project would eliminate old rail and use new welded rail along the entire PVL corridor that would have the added benefit of reducing noise and vibration from existing freight traffic (see Draft EIR, Section 4.10.4). A detailed noise assessment was conducted for project Metrolink trains at properties along the entire project rail alignment. Where impacts were predicted, noise mitigation including sound insulation and noise barriers were proposed at specific locations to reduce impacts to less than significant levels (see Draft EIR, Section 4.10.5). The methodology utilized to assess noise impacts comes directly from the FTA Manual (see Chapter 6). The methodology uses reference noise levels that are already based on extensive noise testing by the FTA at similar representative train facilities. Concerning reflections off of the Box Springs Mountain, since the face of the mountain is not a smooth surface, it is assumed that train noise reflections although audible, would be sufficiently dispersed so as not to add significant noise or create significant impacts to future project operations.

Based on the FTA methodology, the running of sample trains for noise testing as indicated by the commenter is not a requirement when performing an analysis of train noise. However, the FTA noise prediction methodology utilized for the PVL project (FTA Manual, Chapter 6) was created so that it could be used effectively in various rail environments and configurations throughout the country. Conservative baseline noise emissions developed by the FTA are utilized to represent train horns, locomotive engines, rail squeal and grade crossing bells (FTA Manual, Section 6.2). As such, the procedures and criteria produce results that are more conservative than would be expected with the use of post-monitoring of PVL Metrolink train operations. ([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))



L20-24. The noise monitor for the 2005 noise measurement in the vicinity of 396 E. Big Springs Road was located at approximately 90 feet from the alignment. As such, this measurement was representative of the entire Box Springs Cluster that includes all of the typical elements of the community noise environment including traffic, trains and loud animals. Therefore, although distances from house to alignment may differ within the same cluster, the existing noise level would be seen as representative for each (FTA Manual, page 3-10). In addition, although the noise measurement was taken 90 feet from the alignment, the actual property at 396 E. Big Springs Road is located at approximately 120 feet from the alignment. As a result, this was the distance used in the actual noise assessment.

Speeds were based on engineering track speed chart estimates. However, for sites along East Campus View Drive, estimates of locomotive engine noise incorporate a higher throttle setting to account for the fact that locomotives work harder going up the incline.

At 396 E. Big Springs Road, the PVL project would not result in a decrease in noise levels from 62 dBA to 57.3 dBA. In addition, the direct comparison of these two noise levels by the commenter is incorrect. The 62 dBA noise level represents the overall existing noise from all sources within the area while the 57.3 dBA noise level is the estimated future noise contribution from proposed PVL Metrolink trains only. In other words, with the inclusion of the proposed PVL project, the actual overall noise level would be greater than 62 dBA. An example of the interaction between an existing noise level and projected noise level in a typical transit project is depicted in the Draft EIR (see Table 4.10-2). As shown in the table, the existing noise will not decrease, as the commenter infers would happen, as a result of the inclusion of a project rail noise component.

In addition, the proposed noise barriers along E Campus View Drive area are over 1,600 feet from the Box Springs Cluster. This is well beyond the distance where a 9 to 13 foot noise barrier would result in any noise reflections (FTA Manual, page 2-12). Welded rail will be added along the entire length of the PVL alignment. ([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))

L20-25. See Master Response #1 – Quiet Zones.

L20-26. See Master Response #1 – Quiet Zones, Master Response #3 – Derailment (General), Master Response #7 – Emergency Planning and Response, and Master Response #8 – Grade Crossings. Concerning the commenter's request for a grade separation at Blaine Street, based on the alternative put forward by RCTC, a detailed noise assessment was conducted for project Metrolink trains at properties along the project alignment. Where noise impacts were predicted, mitigation including sound insulation and noise barriers were proposed at specific locations (see Draft EIR, Section 4.10.5) to reduce impacts to less than significant levels. Grade separations, where roadways go under or over railroad tracks, require a specific approach distance to maintain the appropriate roadway grades and clearance heights for the tracks. For grade separations to be possible within the UCR neighborhood, many homes would lose vehicle and driveway access. The approach distance may reach



over 500 feet in which case the cross street intersections with Campus View and Kentwood would likely require reconfiguration.

- L20-27. RCTC, SCRRA and their contractors obey all state and local laws and regulations, including trespassing laws. The public is encouraged to contact RCTC or SCRRA officials if they document violation of trespass laws by RCTC or SCRRA employees or contractors.
- L20-28. An evaluation was conducted of all the culverts along the PVL alignment, including locations mentioned, and there was acknowledgment that the current culverts were not adequately sized to convey 100-year storm flows. The concern was that if the culverts were increased in size to convey the higher flow, downstream flooding would occur. Since the project did not require work on these culverts to initiate service, the decision to leave in the current condition was agreed to with the City of Riverside.
- L20-29. The rail ROW has been in existence for over 100 years and the City of Riverside and the County of Riverside developed the parks without considering access across private property (the SJBL/RCTC ROW). If unauthorized people enter the ROW, even to "just" cross the tracks to get to the other side, they are trespassing. There are signs in the park area indicating the ROW boundary and that trespassing is prohibited.

The PVL project does not include adding additional track in this area or affecting existing access to parks in any way. The existing track will remain in its current location. Therefore, there are no new impacts as a result of this comment, no mitigation is required, and the Draft EIR has not been changed.

- L20-30. See Response L20-29. The Draft EIR did not identify significant impacts to this issue area and therefore mitigation measures are not required. Furthermore, the area requested for a trail is within the MSHCP criteria cells 545, 635, and 721. Criteria cells are considered sensitive and disturbance in these areas should be limited. Additionally, these particular cells are identified because of the coastal sage scrub habitat, which is the known habitat of the federally endangered coastal California gnatcatcher. Therefore, there are no new impacts as a result of this comment, no mitigation is required, and the Draft EIR has not been changed.



Letter 21  
Len Nunney  
May 24, 2010

To: E.Echevarria, RCTC , 4080 Lemon Street, 3rd Floor, Riverside, CA 92502-2208

(e-mail: eechevarria@rctc.org)

Fr: Len Nunney, Secretary, Friends of Riverside's Hills

Re: Perris Valley Line DEIR.

24 May 2010

The Friends of Riverside's Hills has some concerns over several issues raised in the Perris Valley Line (PVL) draft environmental impact report (DEIR). In this letter we would like to document two that we believe need further attention.

L21-1

**Western spadefoot toad.** It was noted in the DEIR that the project has the potential to impact the western spadefoot toad; however the only mitigation proposed is BR9: "There is a potential to impact spadefoot toads with the work on the San Jacinto River Bridge and Overflow Channel Bridge. A pre-construction survey for toads will determine if toads are present within the designated construction area. Should spadefoot toads be identified within the construction area, an approved mitigation program will be implemented."

L21-2

Our concerns regarding this species are twofold. First, the DEIR asserts that Western spadefoot toads will only be impacted by work on the San Jacinto River Bridge and Overflow Channel Bridge. However, we can find no evidence referenced in the DEIR that any survey work was completed to identify breeding sites of this toad along the project route. Without this mapping, how can it be concluded that there is no impact? The toad does breed elsewhere within the ROW. Specifically, we have previously provided location data to the RCA of some breeding sites within the ROW in the MSHCP area defined by constrained linkage 7 and cells 545 and 635. It is stated (Table 4.4-2), without justification, that the track upgrades will not impact the conservation objectives of these cells; however, preserving spadefoot toad breeding sites is one of the objectives of the MSHCP. It is highly likely that track and culvert upgrades will impact these sites (which during the dry season typically look like depressions that it might be presumed to be OK to drive through or, even worse, to dump dirt or gravel on). Without mapping data, followed by an analysis of whether or not these sites will be impacted, the DEIR leaves open the possibility that the track upgrades could severely damage important breeding sites of this species. Our second concern is that the DEIR does not state what the mitigation program would be in the one area that they do acknowledge a potentially serious impact to the western spadefoot toad. The Habitat Assessment document suggests two mitigation steps (BIO4.1 & BIO4.2). BIO4.1 relates to the dry season and the potential for protecting burrows; however, a much more critical issue raised in the MSHCP is preserving the toad breeding sites. The proposed BIO1 mitigation provides no protection to the breeding site, which could be completely destroyed by construction (bearing in mind that this toad breeds in temporary pools that often have little or no riparian vegetation. Hence the location of the breeding pools is often difficult to determine during the summer). BIO4.2 is also inadequate, since these toads often breed in disturbed areas and typically adults are breeding for only a few days, and yet there is no mention of monitoring for eggs and tadpoles – which are the life stages most likely to be encountered.

L21-3

L21-4



Letter 21 (cont'd)  
Len Nunney  
May 24, 2010

**Culverts.** The upgrade of the culverts along the PVL could and should be a positive contribution to local conservation; however, there is no analysis of the before vs. after adequacy of the culverts being upgraded – this is especially important in the vicinity of the MSHCP core cells near the Box Spring Mountains. Specifically, will the new culverts be soft bottomed and wide enough to allow both the expected flow of water and the passage of non-aquatic animals? These data are not provided. If this is not the case then conservation objectives of the MSHCP cells, which include providing movement corridors across the area, are not being upheld. } L21-5

As a final note, I should point out that I am a Professor of Biology at UC Riverside with expertise in Conservation Biology and was a member of the MSHCP Scientific Advisory Panel. } L21-6

Thanks for your attention to these points.

**Response to Letter 21****Len Nunney****May 24, 2010**

- L21-1. This comment is introductory. No response is necessary.
- L21-2. This comment states that Mitigation Measure BR-9 was imposed to mitigate potential impacts to western spadefoot toad but does not raise specific environmental concerns. Therefore, no response is necessary.
- L21-3. Focused surveys for Western spadefoot toad were conducted by a biologist on March 9 and April 9, 2010. Areas of the RCTC ROW within Proposed Constrained Linkage Area 19 and near the San Jacinto River Bridge and Overflow Channel Bridge were surveyed for the purpose of evaluating the potential presence of Western spadefoot toad. Surveys were conducted during the known breeding season for this species. A potentially suitable breeding pond was present under the bridge near Case Road. On March 9, 2010, the pond measured approximately 0.01 acre (70 feet x 9 feet). Tadpoles for California Chorus Frogs (*Pseudacris cadaverina*) were observed in the ponded area. A night survey was performed and numerous calling California Chorus Frogs were identified. On April 9, 2010, the pond was considerably smaller but still contained adequate water to support tadpoles. No Western spadefoot tadpoles were observed on this survey. A query of the CNDDDB did not produce any occurrences of Western spadefoot toad within Proposed Constrained Linkage Area 19.

RCA was contacted on June 24, 2010 by Kleinfelder to obtain location data of breeding sites reported by Friends of Riverside's Hills to RCA, specifically within RCTC ROW within the MSHCP Proposed Constrained Linkage Area 7 and Criteria Cells 545 and 635. RCA conducted a review of 2005 - 2008 data and found no reported occurrences of Western spadefoot toad within these boundaries. A query of the CNDDDB did not produce any occurrences of the species with the Proposed Constrained Linkage Area 7. The MSHCP survey guidelines for Criteria Cells 545 and 635 do not require surveys for Amphibian species.

A preconstruction survey for western spadefoot toad (potentially suitable breeding pools, eggs, tadpoles, and adults) will be conducted within Proposed Linkage Area 19. No construction is planned within Proposed Constrained Linkage Area 7, with the exception of the replacement of the culvert located at MP 5.30.

- L21-4. A survey was conducted for western spadefoot toad near the San Jacinto River Bridge and the Overflow Channel Bridge in winter and spring of 2010. The survey was conducted in the appropriate season and no western spadefoot toads were detected.

Based on the survey results, no western spadefoot toads are anticipated to be present within the area where the bridge replacement work will occur (the San Jacinto River channel and its Overflow Channel). However, in the event that western spadefoot toad migrated into the project site during the time since studies were done and project commencement, the following plans will be implemented to mitigate



potential impacts: a preconstruction survey shall be conducted within thirty (30) days prior to site disturbance to determine if western spadefoot toads are present within the designated construction area; should western spadefoot toads be identified, the project biologists shall prepare a relocation program that would be approved by RCA prior to implementation; bridge replacement work shall occur during the dry season (no water in the River or Overflow Channel); and the project biologist shall monitor construction activities at a minimum of three days per week throughout the duration of the project and will be empowered to halt work activity if necessary. With the implementation of these mitigation measures, potential impacts to western spadefoot toads will be less than significant and no further mitigation will be required. It should be noted that the foregoing is not new mitigation. The above explanation merely clarifies and amplifies the discussion of this mitigation measure as originally proposed.

- L21-5. There are 8 culverts within Criteria Cells 545 and 635. Six culverts will remain with no modifications planned. One culvert at MP 5.20 will be extended 10 feet to the east. There will be no impacts to jurisdictional water bodies associated with the extension of this culvert. One wood box culvert located at MP 5.30 will be replaced with a concrete box culvert with two openings each measuring 3'6" x 3'6". Culverts will be the appropriate size to handle the expected flow of water. The replacement will not change the current conditions which allow small non-aquatic animals to cross over the tracks or under the tracks through existing culverts. Currently movement across the tracks by small animals is assumed to occur (Personal communication with Stephanie Standerfer, MSHCP, December 5, 2010). There is currently no corridor for non-aquatic animals to pass under I-215 because the one existing culvert under the I-215 does not meet the preferred dimensions for use as a wildlife corridor.

The improvements to select culverts are intended to mimic the existing conditions as closely as possible. The culverts were evaluated for overall condition and ability to convey the 100-year storm flow. The culvert work identified within the Draft EIR includes either replacement of a substandard culvert or extension of culverts where the bypass track is located. If non-aquatic animals are currently using the culverts to pass underneath the tracks, these animals will continue to be able to do so with the proposed new culverts in place.

- L21-6. This comment provides background on the qualifications of the commenter and does not raise specific environmental concerns. Therefore, no response is necessary.





Letter 22  
Cindy Roth – Greater Riverside Chambers of Commerce  
May 28, 2010



**GREATER RIVERSIDE  
CHAMBERS OF COMMERCE**

*The Chamber...building a stronger local economy*

May 28, 2010

The Honorable Bob Buster  
Chairman  
Riverside County Transportation Commission  
4080 Lemon Street, 3<sup>rd</sup> Floor  
Riverside, CA 92502

**RE: Perris Valley Line - SUPPORT**

Dear Supervisor Buster:

The Greater Riverside Chambers of Commerce supports the expansion of the Perris Valley Line. As our region seeks to redefine its economic outlook and proactively address its transportation needs, we consider the Perris Valley Line to be a strategic step towards that goal.

We understand that the Perris Valley Line runs parallel to the I-215 and potentially create four stations, including: Hunter Park Area Station, Moreno Valley/March Field Station, Perris Station, and South Perris Station. The Metrolink service would eliminate thousands of vehicle trips per day on the I-215 and SR-60, and will make the area more attractive to potential employers who will want to locate near vibrant rail stations.

The Greater Riverside Chambers of Commerce joins the Riverside County Transportation Commission, and looks forward to the commencement of Perris Valley Rail service in 2012.

Sincerely,

Cindy Roth  
President/CEO

CR/ar

L22-1



**Response to Letter 22**

**Cindy Roth – Greater Riverside Chambers of Commerce**

**May 28, 2010**

- L22-1. The commenter expresses its full support of the PVL project and does not raise specific environmental concerns. Therefore, no further response is necessary.



Letter 23  
Raymond W. Johnson – Johnson & Sedlack  
May 24, 2010

**Johnson Sedlack**  
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP	26785 Camino Seco, Temecula CA 92590	E-mail: EsqAICP@Wildblue.net
Carl T. Sedlack, Esq., <i>Retired</i>		
Abigail A. Broedling, Esq.		Abby.JSLaw@Gmail.com
Kimberly Foy, Esq.		Kim.JSLaw@Gmail.com
Sarah Krejca, Esq.		Sarah.JSLaw@Gmail.com
		Telephone: 951-506-9925
		Facsimile: 951-506-9725

May 24, 2010

RCTC  
4080 Lemon St. 3<sup>rd</sup>. Floor  
Riverside CA 92502

Via E-mail  
[eechevarria@rctc.org](mailto:eechevarria@rctc.org)

RE: **NOA Perris Valley Line**

Greetings:

I would like to submit the following comments on behalf of Friends of Riverside's Hills.

} L23-1

The DEIR does not consider the impact to freight usage of improving the track. The DEIR only considers two existing users and does not evaluate the impact of the tens of millions of square feet of warehouse construction in Moreno Valley and within the March JPA area, and the increased use of the freight lines due to this warehousing and the improved rail condition.

} L23-2

The Alternatives Section of the DEIR does not identify the proposed path of the New Connection to UP RIL. It is impossible for the public or decision makers to evaluate the relative impacts of this alternative when it is not accurately depicted on map or identified in text. It would appear that this is an environmentally superior alternative and should be evaluated in more detail. Also, evaluation of the alternative appears to only consider initial cost and does not consider long term costs or mitigation costs. The DEIR also states that this alternative does not adequately coincide with other project objectives without identifying which objectives and how it does not conform.

} L23-3

Section 4.0 discusses noise impacts and states that there are no sensitive receptors that will be impacted by noise from the addition of twelve trips per day. There is no support for this assertion and in fact it is inconsistent with other data in the DEIR. Among other things, the DEIR states that noise impacts are not additive since not more than one train at a time can use the track. This does not consider the fact that the number of trains, while not impacting  $L_{max}$  does increase the  $L_{eq}$  which is an important evaluative measure. In fact, the tables identifying existing noise levels for schools specifically identifies noise levels at these schools as  $L_{eq}$  rather than  $L_{dn}$ . There was no justification for the use of  $L_{eq}$  rather than  $L_{dn}$  for schools.

} L23-4



Letter 23 (cont'd)  
Raymond W. Johnson – Johnson & Sedlack  
May 24, 2010

Section 4.10 ignores Table 4.10-2 which notes that  $L_{eq}$  increases of 1 dBA can be significant in high ambient noise environments. } L23-5

Table 4.10-4 is inadequate in that it purports to identify the different noise levels with and without trains at times when there were no trains present on the tracks at locations 8-12. } L23-6

The noise analysis is also inadequate in that it relies upon the issuance of variances or exemptions from noise ordinance requirements to avoid exceeding noise standards. This does not affect the noise impacts to surrounding land uses, it merely changes the status of potential noise ordinance violations. The analysis also understates noise impacts, claiming they would be minimal because they would be only temporary in nature, up to 18 months. } L23-7

The noise analysis also is misleading in that it bases a determination of the significance of construction noise based solely upon whether it is consistent with the noise requirements of the City of Perris noise requirements which have the highest permissible noise levels. When the noise levels are evaluated for each component with the requirements of the jurisdiction within which the construction is occurring it becomes clear that the impacts are significant in all jurisdictions other than Perris. } L23-8

The analysis related to noise should be more detailed relative to school locations because of the potentially tremendous financial impact to schools. Sound walls should be provided to ensure that there are not significant impacts to area schools. } L23-9

The DEIR does not evaluate the impact of noise and vibration on the spadefooted toad. Noise and vibration have been shown to impact toads and an analysis based upon human impacts is not adequate to evaluate the impact on this species. } L23-10

Thank you for your consideration.

Sincerely,

Johnson & Sedlack

By:  
Raymond W. Johnson, Esq. AICP  
Attorneys for Petitioner



**Response to Letter 23**

**Raymond W. Johnson – Johnson & Sedlack**

**May 24, 2010**

L23-1. This comment is introductory in nature and does not raise environmental concerns. Therefore, no further response is necessary.

L23-2. See Master Response #5 – Freight Operations. The proposed PVL project is a commuter train project, not a freight train project. The proposed PVL project would not increase the amount of goods produced in the area and would increase the number of freight trains on the SJBL. Freight train frequency is market-driven and depends entirely on supply and demand of goods. Any increase in use of the SJBL for freight transportation to and from warehouses in Moreno Valley and March JPA are not impacts of the PVL passenger commuter rail.

Nevertheless, RCTC commissioned a freight study for the SJBL as described in the Draft EIR, page 2-47. The freight study surveyed existing businesses along the corridor in an attempt to quantify any anticipated growth that would require additional rail traffic. These surveys did not identify any increases in train service related to local business conditions.

L23-3. See Figure 3.2-2, which depicts the Commuter Rail with New Connection to UP RIL alternative. The Commuter Rail with New Connection to UP RIL alternative is described in Section 3.2.3 of the Draft EIR. The evaluation of this alternative is based upon the ability of this alternative to meet the goals and objectives of this project (see Draft EIR, Section 3.3). An extensive review of this alternative and its ability to meet locally defined goals and objectives, along with the consideration of capital and operating costs, can be found in Technical Report A – San Jacinto Branchline/I-215 Corridor Study Alternatives Analysis (STV Incorporated, 2004) which is referenced in Chapter 3.0 (Project Alternatives) in the Draft EIR and is provided as Technical Report A to the Draft EIR. Additionally, the RCTC Board will have to consider and make appropriate findings with regard to all alternatives prior to certifying the Final Environmental Impact Report for the PVL project (State CEQA Guidelines § 15091).

As stated in the Draft EIR, the proposed project has been identified as the environmentally superior alternative (see Draft EIR, Section 3.3). While the New Connection to the UP RIL alternative provides direct access to the Riverside Downtown Station with the shortest travel time, this alternative would have more significant impacts than the proposed project (see Draft EIR, Section 3.2.3). Specifically, the New Connection to the UP RIL alternative would have more significant vibration and displacement impacts than the proposed project. (Id.) In addition, the New Connection to the UP RIL alternative would require reconstruction of the RIL alignment and a new Rustin Avenue grade crossing, with signal protection. (Id.) Therefore, the New Connection to the UP RIL alternative is not the environmentally superior alternative.

In Section 3.2.3, the Draft EIR indicates that the UP RIL would have higher initial capital costs as compared to the other commuter rail alternatives because this alternative would require a reconstruction of the RIL alignment. In the Alternatives



Analysis, the operating and maintenance costs for this alternative (including the other alternatives evaluated in the Alternatives Analysis) are described along with the capital costs for construction and upgrade of necessary facilities. In addition, an average annualized capital cost to build and maintain the infrastructure for each alternative is provided. For the annualization assumptions, annualization factors, developed in accordance with FTA practice, were multiplied by total costs resulting in the cost per year for each alternative.

To determine whether or not the individual alternatives conformed to the project objectives, the alternatives were evaluated based upon criteria that measured the ability of the four transit alternatives to satisfy the goals and objectives of the study as laid out in the Alternatives Analysis. An evaluation matrix for the alternatives was developed to score each alternative and compare the relative performance of the alternatives with one another, based upon the following evaluation criteria: operational issues; railroad access; travel time; property needs; capital costs; operating costs; ridership; environmental; maximize under-utilized resources; and improve travel choices in the corridor. The evaluation criteria were used to identify the best performing alternative given the goals and objectives of the study as developed in the purpose and need statement. In April 2008, RCTC adopted the proposed project (Commuter Rail with New Connection to BNSF at Citrus Street Alternative) as the LPA because this alternative both closely met the goals and objectives established for the corridor while minimizing the impacts to the community.

- L23-4. See Master Response #6 – Noise. A detailed noise assessment was conducted for project Metrolink trains at representative sensitive properties along the entire project rail alignment (see the 2006 “Transit Noise and Vibration Impacts Assessment,” FTA [FTA Manual], page 3-10). Where impacts were predicted, noise mitigation, including sound insulation and noise barriers, was proposed at specific locations (see Draft EIR, Section 4.10.5) to reduce impacts to less than significant levels.

The noise mitigation plan proposed for the PVL project was developed based on the results of the PVL noise and vibration assessment, which was prepared in accordance with section 6.8 of the FTA Manual. The identification of seven homes and one church for sound insulation was based on the fact that these particular homes would either not be properly protected by noise barriers or the existing terrain would make the use of noise barriers infeasible. All seven homes and once church are located near grade crossings. Because these grade crossings naturally create noise barrier discontinuity (since the barrier cannot traverse the intersection), homes nearby the grade crossings are often left either unprotected or under-protected, thus, necessitating the sound insulation at these properties.

The Draft EIR does not state that there are no sensitive receptors that will be impacted by noise from the proposed project. Instead, the Draft EIR identifies several sensitive receptors that would be impacted by the proposed project (see Draft EIR, Section 4.10.4). According to the Draft EIR, severe impacts are analogous to significant impacts under CEQA (see Draft EIR, 4.10.1). Potentially significant noise impacts would be mitigated to less than significant levels with implementation of



Mitigation Measures NV-1 and NV-2 (see Draft EIR, Section 4.10.5; FTA Manual, Section 6.8.4).

Noise barrier locations were based on the locations where noise impacts are predicted to occur, and at which mitigation would be needed to reduce noise levels, as determined through the FTA Detailed Assessment methodology (see Draft EIR, Section 4.10.5). Calculations based on formulae contained in Section 6.3.2 of the FTA Manual were applied to determine noise barrier height requirements that would eliminate the specific impacts.

Noise terms,  $L_{dn}$  and  $L_{eq}$  were used in their proper context with respect to the proposed PVL noise assessment. The FTA categorizes noise assessment descriptors based on land use. The  $L_{dn}$  descriptor is used for residences and other buildings where people normally sleep and night-time sensitivity is particularly important.  $L_{eq}$  is specifically identified by the FTA as the proper noise evaluation descriptor for institutional land uses, such as schools, where daytime uses are prominent (FTA Manual, Table 3-2). The  $L_{eq}$  descriptor is also based on noise levels experienced over a 1-hour time period.

([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))

- L23-5. Table 4.10-2 explains the allowable transit noise level increases in  $L_{dn}$  and  $L_{eq}$  in dBA. In other words, Table 4.10-2 represents the cumulative allowable noise increase and not the actual project noise exposure level.
- L23-6. Table 4.10-4 provides a summary of noise measurements at twelve monitoring locations. This table represents conditions in the field. At the time of the readings, trains were present for and are represented in the  $L_{eq}$  measurements for measurement locations #10 and #11 in Table 4.10-4.
- L23-7. The Draft EIR does not rely upon the issuance of variances and exemptions from relevant municipal codes to mitigate environmental impacts from project operations. All predicted noise and vibration impacts can and would be mitigated to less than significant levels with implementation of Mitigation Measures NV-1 through NV-4 (see Draft EIR, Section 4.10.5). Therefore, Mitigation Measures NV-1 through NV-4 are sufficient and no further mitigation is required.

From the construction noise perspective, in the event that the proposed PVL project would require a variance or exemption from a relevant municipal code procedure (see Draft EIR, Section 4.10.2), RCTC would only request such a variance or exemption from the applicable local agency under circumstances where night-time work would be required. Such a procedure falls within the local police powers of each local government. The noise codes for Riverside, Moreno Valley and Perris include procedures for requesting exemptions from the noise provisions of their respective municipal codes. Variance and exemption procedures are not mechanisms to change the status of potential noise ordinance violations. Instead, variance and exemption procedures are designed to give local governments flexibility in land use regulation to permit reasonable and appropriate deviations from established regulation when it would be prudent and necessary under the circumstances to do so. Moreover, when considering a possible variance or exemption, the applicable



local agency would retain full authority to condition the night-time work in a way that would protect the health, safety, and welfare of the affected community.

The noise analysis does not understate noise impacts. A representative construction noise assessment determined that construction related noise impacts would not occur. However, it is important to understand that municipal ordinance noise levels typically use the  $L_{max}$  descriptor.  $L_{max}$  represents the maximum noise level for a discrete or single event and is not a descriptor that effectively indicates sustained public annoyance. Conversely, the  $L_{eq}$  hourly descriptor is much more representative of annoyance to humans. Therefore, since different municipalities may have differing maximum noise level ordinances and because there are no standardized criteria for assessing construction noise impacts, the FTA construction noise assessment procedure was used to determine potential impacts from construction. The assessment results showed that the  $L_{eq}$  noise level from project related construction activities would not surpass the FTA construction noise criteria and thus the impacts would be less than significant. The FTA identifies this procedure as a reasonable method to assess construction noise impacts.

Contractors are required to adhere to the local noise code and as a result typically implement standard construction noise control measures. Examples of these control measures include temporary construction noise barriers, low-noise emission equipment and the use of acoustic enclosures for particularly noisy equipment. RCTC will implement applicable standard construction noise control measures required by the affected local agency.

The 18-month PVL construction period mentioned in the Draft EIR is for the construction of the entire PVL project and is never referred to in the Draft EIR as a temporary impact. However, the exposure to noise described in the Draft EIR is based on individual construction segments that would only experience construction periods lasting 2 to 3 months (see Draft EIR, Section 4.10.4). This is a unique element of rail construction due to its linearity. This results in limited exposure time for discrete noise sensitive locations. The converse of this situation, which would represent a significant increase in noise exposure to a noise sensitive receptor, would be a large stationary construction project at which a single noise receptor would be exposed to construction noise for the entire 18 month period of construction. Therefore, the comment does not raise any new environmental impacts and does not require any additional mitigation. The Draft EIR is sufficient in this regard.

- L23-8. Municipal ordinance noise levels typically use the  $L_{max}$  descriptor. However,  $L_{max}$  represents the maximum noise level for a discrete or single event and is not a descriptor that effectively indicates sustained public annoyance. Conversely, the  $L_{eq}$  hourly, descriptor is much more representative of annoyance to humans. Therefore, since different municipalities' ordinances may have differing maximum noise levels and there are no standardized criteria for assessing construction noise impacts, the FTA construction noise assessment procedure was used to determine potential impacts from construction (FTA Manual, Section 12.1). While the Perris noise ordinance standards were not used in the assessment of PVL construction noise,





contractors for the PVL project are bound to adhere to the Perris allowable hours of operation.

The assessment was based on the examination of potential construction noise impacts at a representative worst case location. The criteria used for selecting a representative location included; the proximity of construction activities to noise sensitive receivers and the extent of construction-related activities in the area. The location at 228 C Street in the City of Perris was chosen because it is directly adjacent to the alignment and the proposed Perris Station. Therefore, it represents the only sensitive cluster location located adjacent to the alignment that would be exposed to both station- and track-related construction activities. The assessment showed that a noise impact from construction activities would not occur.

Since impacts were not projected at this location, impacts along other segments of the alignment that would not include station locations near sensitive noise receptors would be unlikely. The impact criteria used was from the FTA 2006 *Transit Noise and Vibration Impacts Assessment*, (FTA Manual).

A comparison of the predicted construction noise level with the Perris ordinance noise level was made in the Draft EIR. However, the comparison was provided only to show that the predicted 1-hr construction noise  $L_{eq}$  was below the ordinance  $L_{max}$  noise level. This was not meant to imply that the noise ordinance maximum level represents a significance threshold for construction noise. The construction noise significant impact determination used in the Draft EIR is only related to the comparison of the predicted construction noise level to the FTA 1-hour  $L_{eq}$  construction noise criteria (FTA Manual, Section 12.1.3). ([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))

- L23-9. See Master Response #6 – Noise. A noise barrier is proposed for Highland Elementary School (see Draft EIR, Table 4.10-11). No noise impacts were predicted to occur at Hyatt Elementary School (see Draft EIR, Table 4.10-11); therefore, no mitigation is necessary. Nevertheless, wheel squeal treatments, in the form of wayside applicators, are proposed at all short radius curves along the proposed alignment to significantly reduce the squeal noise, including the curves in the vicinity of Hyatt Elementary School (see Draft EIR, Section 4.10.4).

The commenter suggests that the Draft EIR is insufficient because it fails to discuss the financial impact of the PVL project on the schools within the project area. Economic impacts of a project are not significant effects on the environment and are not required to be a part of an EIR unless they result in physical impacts that would lead to potentially significant environmental effects (State CEQA Guidelines § 15131(a)). Here, since there are no economic or social impacts that would lead to physical impacts, RCTC was not obligated to evaluate potential economic impacts of the commuter rail line on the schools. Therefore, the Draft EIR is sufficient in this regard.

- L23-10. Potential environmental impacts of the PVL to biological resources are addressed in Section 4.4 of the Draft EIR. As indicated in the Draft EIR, there is potential for the Western spadefoot toad to inhabit the San Jacinto River area, near the SJBL (see



Draft EIR, page 4.4-22.) Even though the western spadefoot toad is not included as a determinant with respect to noise criteria definitions within the FTA Manual, Chapter 3, the proposed PVL would result in potential impacts to the western spadefoot toad. ([http://www.fta.dot.gov/documents/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))

Focused surveys for western spadefoot toad were conducted by a biologist on March 9, 2010 and April 9, 2010. Areas of the RCTC ROW within Proposed Constrained Linkage Area 19 and near the San Jacinto River Bridge and Overflow Channel Bridge were surveyed for the purpose of evaluating the potential presence of western spadefoot toad. Surveys were conducted during the known breeding season for this species. A potentially suitable breeding pond was present under the bridge near Case Road. On March 9, 2010, the pond measured approximately 0.01 acre (70 feet x 9 feet). On April 9, 2010, the pond was considerably smaller but still contained adequate water to support tadpoles. No western spadefoot tadpoles were observed on this survey. A query of the CNDDDB did not produce any occurrences of western spadefoot toad within Proposed Constrained Linkage Area 19.

To reduce the potentially significant impacts to western spadefoot toad to less than significant levels, the Draft EIR imposed Mitigation Measure BR-9, which requires the preparation of pre-construction surveys for Western spadefoot toad. According to Mitigation Measure BR-9, in the event that western spadefoot toad migrated into the project site between the time that focused surveys were conducted and project site disturbance, the following plans will be implemented to mitigate potential impacts: a preconstruction survey shall be conducted within thirty (30) days prior to site disturbance to determine if western spadefoot toads are present within the designated construction area; should western spadefoot toads be identified, the project biologists shall prepare a relocation program that would be approved by RCA prior to implementation; bridge replacement work shall occur during the dry season (no water in the River or Overflow Channel); and the project biologist shall monitor construction activities at a minimum of three days per week throughout the duration of the project and will be empowered to halt work activity if necessary. With the implementation of these mitigation measures, potential impacts to western spadefoot toads will be less than significant and no further mitigation will be required. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.



Letter 24  
Highland Elementary School (Multiple Submissions)  
May 17, 2010

Riverside County Transportation Commission  
P.O. Box 12008  
Riverside, CA 92502-2208

RECEIVED  
MAY 17 2010  
RIVERSIDE COUNTY  
TRANSPORTATION COMMISSION

May 17, 2010

Dear Gentlemen and Ladies,

How would you like it if a Metrolink or freight train zoomed by your school twelve times each day? Highland Elementary students believe that the swift Metrolink trains should be as safe as possible. We think the dangerous crossings should be safer, the noisy trains should be quieter, and we should be protected from dangerous materials. } L24-1

To begin with the railroad crossings should be safer. New safety arms should be constructed at Spruce Street and Blaine Street. Bright, flashing lights should be installed at all crossings. Speedy Metrolink trains should decelerate when passing through street crossings. Crossing guards should be hired to keep children safe from the trains. } L24-2

Certainly Metrolink trains should be silent near schools and neighborhoods. There should be no annoying bells distracting students from their education. Deafening train whistles could disturb students during testing. The trains should not have ear-splitting horns that interrupt learning. We do not want to listen to screeching wheels on a rickety track. } L24-3

Equally important is to protect students from dangerous materials. You should cover the jet fuel pipeline with tough concrete and bury it ten feet under the ground. Trains should have safer containers which are airtight and cannot leak or explode. Engineers should limit how much deadly smoke and exhaust exits the engine. There should be a limit on how many dangerous freight trains pass by our school each day with hazardous materials on board. } L24-4

In conclusion the Metrolink trains should be as made as safe as possible. Railroad crossings should be safer, trains should be quieter, and we should be protected from harmful substances. If you don't make sure that trains are safe, students' lives could be seriously endangered. } L24-5

Thank you,

Highland Elementary School  
5<sup>th</sup> Grade Students



Letter 24 (cont'd)  
Highland Elementary School  
May 17, 2010

- Johnny Zamora
- Fernando Alvaran
- Zachery Gomez
- Gabriel Cano
- Skyler Co-Smith
- Ilena Martinez
- Nati Alvarez
- Alexandra Rojas
- Sonia Segura
- Bradley Aguilar
- Alexander Gonzalez
- Wendy Williams
- Zachary Gonzalez
- Zeran
- Heriberto Rincon
- A.J. Jara
- Keena Gadan
- PARRIS ARNE!
- Patrick Wehrle
- Hunter Burdette
- Maryo Galdamez
- Michael Higgenbotham
- William Rodriguez
- Sabrina Robles

*Salina*

*Parris Arne!*  
*Vanessa Lopez*



Letter 24 (cont'd)  
Highland Elementary School (Multiple Submissions)  
May 17, 2010

Riverside County Transportation Commission  
P.O. Box 12008  
Riverside, CA 92502-2208

RECEIVED  
MAY 17 2010  
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Thank you,

Highland Elementary School  
5<sup>th</sup> Grade Students



Letter 24 (cont'd)  
Highland Elementary School (Multiple Submissions)  
May 17, 2010

Lynaire C.

Lynbeth M

Danielle P

Aubree K

Travis P.

Namir Vass

Jordon R.

Aaliyah A.

Sonawan M.

Broyden S.

Ashlee B.

Wyatt L.

Joseph M.

Noah R.

Destiny R.

Luccina R.

Imma M.

Joy L.

Pazcoal O.

Brandon S.

Chloe L.

Leon W.

Parker W.

Cory S.

Aaelyma S.

DAVID HAO

Tuana W  
Zhiling K



Letter 24 (cont'd)  
Highland Elementary School (Multiple Submissions)  
May 17, 2010

Riverside County Transportation Commission  
P.O. Box 12008  
Riverside, CA 92502-2208

RECEIVED  
MAY 17 2010  
RIVERSIDE COUNTY  
TRANSPORTATION COMMISSION

May 17, 2010

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In conclusion the Metrolink trains should be as made as safe as possible. Railroad crossings should be safer, trains should be quieter, and we should be protected from harmful substances. If you don't make sure that trains are safe, students' lives could be seriously endangered.

Thank you,

Highland Elementary School  
5<sup>th</sup> Grade Students



Letter 24 (cont'd)  
Highland Elementary School (Multiple Submissions)  
May 17, 2010

Adam A  
OMAR, R.  
Lilia F.  
Santiago M Julian E.  
JENNIFER O.R.  
Destiny - y.  
Jaime C.  
Alyonne B. JARMIN, V.  
Jordan J.  
Sally G.  
Victoria G.  
Oruana G.  
ARCELLI P.  
Xenia C.  
Analicia M.  
Raymond M.  
Kevin J.  
Corrina H.  
Victoria G.  
Norma R.  
AURORA  
Derek D.





**Response to Letter 24  
Highland Elementary School  
May 17, 2010**

L24-1. See Master Response #2 – Kinder Morgan Pipeline Near Highland Elementary School, Master Response #4 – Hazardous Materials Transport, and Master Response #9 – Highland and Hyatt Elementary Schools (Increased Train Traffic). The proposed PVL schedule provides that the majority of Metrolink trains pass Highland Elementary School either prior to school in the morning, or after the school day in the afternoon. Three trains can be expected to pass Highland Elementary School during the school day. The track improvements proposed by the PVL project will provide for greater safety for both the commuter trains and the freight trains that will use the same improved track.

L24-2. See Master Response #8 – Grade Crossings and Master Response #9 – Highland and Hyatt Elementary Schools (Increased Train Traffic). Grade crossing improvements are identified along the PVL corridor in the Draft EIR in Section 2.4.6 and Figure 2.4-28. Two grade crossings, at W. Blaine Street and Mt. Vernon Avenue, are located near Highland (approximately 950 feet away) and Hyatt Elementary Schools (approximately 3,960 feet away), respectively. Improvements to these two grade crossings include pedestrian swing gates, pedestrian warning devices and gates, pedestrian barricades and metal hand railings, concrete raised medians, double yellow medians and island noses, warning devices, safety lighting, and signs. Improvements within the City of Riverside include upgrading existing crossings to meet the current standards set by the CPUC.

Additionally, with the exception of one of the morning trains and two mid-day trains, commuter rail movements would occur early in the morning and later in the afternoon, outside of school operating hours. The morning train would not impact students arriving at Hyatt Elementary School because the nearest grade crossing, Mt Vernon Avenue, is over 0.75 miles away. Students arriving at Highland Elementary School may be required to wait no more than 45 seconds at the grade crossing at W. Blaine Street. Students leaving both schools in the afternoon would not be significantly impacted because there are no scheduled trains during that time. Therefore, there are no new impacts as a result of this comment, no mitigation measures are required, and the Draft EIR has not been changed.

L24-3. See Master Response #6 – Noise. Train noise in communities with sensitive uses can be very disturbing. As a result, the FTA has identified methodologies and criteria in its 2006 “Transit Noise and Vibration Impacts Assessment,” FTA (FTA Manual) which help to determine whether a future rail project, such as the PVL project would result in noise impacts to these land uses. Accordingly, grade crossing bells, train horns and wheel noise were all taken into consideration with respect to the proposed PVL project train operations (see Draft EIR, Section 4.10.1).

The majority of project train movements would not occur during normal school hours. However, a detailed noise study was conducted and impacts were identified at Highland Elementary School (see Draft EIR, Table 4.10-9). To address these potential noise impacts, a mitigation measure in the form of a noise barrier is



proposed to reduce the noise impact to less than significant (see Draft EIR, Table 4.10-16).

([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))

- L24-4. See Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School and Master Response #4 – Hazardous Materials Transport. The existing Kinder Morgan jet fuel line is located within the RCTC ROW, however, the PVL project is not planning to relocate or alter the pipeline as it currently exists.
- L24-5. Since this comment is a summary of the previous comments already addressed, please see Responses to L24-1, L24-2, L24-3, and L24-4 above.



0.3.3.2 Other Interested Parties Emails

Table 0.3.3.2-1  
Response to Other Interested Parties Emails

No.	Commenter	Date	Page No.
1.	Dean Bleer	4/6/2010	0.3.3.2-2
2.	R.A. Barney Barnett	4/5/2010 4/7/2010	0.3.3.2-3
3.	Dorothy Barnekow	5/18/2010	0.3.3.2-5
4.	Mahmoud Sadeghi	5/18/2010	0.3.3.2-7
5.	Christopher Sanchez	5/24/2010	0.3.3.2-9



**Email 1**  
**Dean Roy Bleer**  
**April 6, 2010**

Page 1 of 1

**Steve Keel - PVL DEIR Public Inquiries**

---

**From:** Eliza Echevarria  
**To:** Keel, Steve  
**Date:** 4/8/2010 11:32 AM  
**Subject:** PVL DEIR Public Inquiries  
**CC:** Rosso, Edda

---

Mr. Dean Roy Bleer  
1025 John St.  
Perris, CA  
(951) 657-5766

April 6, 2010  
1:00 p.m.

Mr. Bleer inquired about the double tracking along the I-215 and if the welded rails were going to be placed only where the double tracking was going to be. I let him know that the entire 24 miles of track would be welded rail which should calm the noise. He bigger complaint was regarding the I-215 ramps by his home.

} E1-1

---

**Response to Email 1**  
**Dean Bleer**  
**April 6, 2010**

E1-1. 1025 John Road is located east of I-215 near the terminus of the D Street northbound on-ramp. As noted in the email text in which the comments is recorded, the entire 24 miles of track would be welded rail, which would reduce wheel noise and vibration from trains to less than significant levels (see Draft EIR, Section 4.10). Because the PVL project is solely a rail project, it would not impact nor modify the I-215 ramps nearby John Street.



**Email 2**  
**R.A. Barney Barnett**  
**April 5, 2010**  
**April 7, 2010**

**Steve Keel - PVL DEIR Public Inquiries**

---

**From:** Eliza Echevarria  
**To:** Keel, Steve  
**Date:** 4/8/2010 11:32 AM  
**Subject:** PVL DEIR Public Inquiries  
**CC:** Rosso, Edda

---

Mr. R.A. Barney Barnett  
474 Prospect Avenue  
Highgrove, CA 92507

April 5, 2010  
11:00 a.m.

Mr. Barnett complained that the Riverside Main Library did not have the document at the Resource Desk and that the library staff did not know where the document was. I let him know that we had the document available at our office but he said that he had to pay for parking and was already at the library. I told him that I would call the library and find out what the problem was and call him back.

I called the Riverside Main Library and spoke to the resource librarian. She stated that the two staff members that process government documents were out for the day and that their staff was currently looking for the document. I called Mr. Barnett back and relayed the information about the delay to him via his cell phone message recorder.

E2-1

April 5, 2010  
11:30 a.m.

Mr. Barnett called the front office but hung up before his call could be transferred to me.

April 7, 2010

Mr. Barnett called me and inquired as to why we did not place the DEIR in the Highgrove Library. I told him that we placed the documents along the project corridor at locations that would be convenient to the citizens. However, we did not place them at every library along the project. His complaint was that he had to drive to Riverside and pay for parking. I informed him that he could also review the document on-line. I let him know that if there were a prior request to place the document at the Highgrove Library, we would have honored that request.

E2-2



**Response to Email 2**

**Barney Barnett**

**April 5, 2010**

**April 7, 2010**

- E2-1. The Riverside Main Library (3581 Mission Inn Avenue) received a copy of the complete Draft Environmental Impact Report (EIR) on April 5, 2010. The document was subsequently located at the library and made available for public review. However, the Draft EIR was available for public review for the full 49-day review period provided by RCTC at other publicly available locations as required by CEQA (including RCTC's offices, RCTC's webpage, and several public libraries) (Public Resource Code § 21091). Accordingly, no prejudice to the public review period required by CEQA resulted from the library's temporary misplacement of the Draft EIR. Moreover, this is confirmed by the fact that RCTC provided a public review period that was longer than the 45-day minimum established by CEQA (Public Resource Code § 21091).
- E2-2. Initially, complete Draft EIRs were distributed to: the Riverside Main Library (3581 Mission Inn Avenue), Woodcrest Library (16625 Krameria Avenue), Moreno Valley Public Library (25480 Alessandro Boulevard), and Perris Branch Library (163 East San Jacinto). Additionally, the document was available at the RCTC Office and on the RCTC website. After receiving the request to have the Draft EIR available at the Highgrove Library (690 Center Street), and although not required by CEQA, a complete Draft EIR was delivered on April 16, 2010 for the convenience of the public.



**Email 3**  
**Dorothy Barnekow**  
**May 18, 2010**

C:\DOCUME~1\skee\LOCALS~1\Temp\gwprint\GW\_00001.TMP



**From:** <websitesubmission@rctc.org>  
**To:** <lgaribay@rctc.org>  
**Date:** 5/18/2010 5:58 PM  
**Subject:** RCTC Website Contact Us Form

First name: Dorothy

Last name: Barnekow

Organization: University Neighborhood

Street: 794 Libby Dr.

Suite:

City: Riverside

State: CA

Zip: 92507

Phone: 951 686-6099

Email From: dot794@hotmail.com

On The Move Subscribe: on



Comments: I'm worried about the safety of our neighborhood in the future.  
Hope the safety concerns are a determining factor in major decisions  
affecting the rail line.

} E3-1



**Email 3 (cont'd)**  
**Dorothy Barnekow**  
**May 18, 2010**

Page 1 of 1

**Steve Keel - Perris Valley Line Comment - University Neighborhood**

---

**From:** Steve Keel  
**To:** dot794@hotmail.com  
**Date:** 5/19/2010 9:29 AM  
**Subject:** Perris Valley Line Comment - University Neighborhood

---

Dear Ms. Barnekow,

Thank you for your email on the proposed Perris Valley Line. Your comment will be included and considered as part of the public review and comment process for the Draft Environmental Impact Report.

Sincerely,

Steven Keel  
Riverside County Transportation Commission  
(951) 787-7961

---

**Response to Email 3**  
**Dorothy Barnekow**  
**May 18, 2010**

- E3-1. See Master Response #3 - Derailment, Master Response #7 - Emergency Planning and Response, and Master Response #8 - Grade Crossings. In general the PVL is required to comply with both federal and state regulations related to rail operations (both commuter and freight) and the design and operation of grade crossings. In addition to operating according to the various safety regulations, SCRRA also provides public education for those that live near commuter rail lines. This public education program is identified as "Operation Lifesaver" and is discussed in the Draft EIR in Section 2.4.14.





Email 4  
Mahmoud Sadeghi  
May 18, 2010

**From:** <websitesubmission@rctc.org>  
**To:** <lgaribay@rctc.org>  
**Date:** 5/18/2010 10:38 AM  
**Subject:** RCTC Website Contact Us Form

First name: Mahmoud

Last name: Sadeghi

Organization:

Street:

Suite:

City:

State:

Zip:

Phone:

Email From: Mahmosadeg@aol.com

On The Move Subscribe:

Comments: As a public disclosure document, please provide me with the names and addresses of those who spoke in the public meeting on May 18, 2010 at UCR extension on the metrolink project. Also, is there a site where we can review the draft EIR for that project?  
Thanks,,,

} E4-1  
} E4-2



**Email 4 (cont'd)**  
**Mahmoud Sadeghi**  
**May 18, 2010**

89171 Page 1 of 1

**Jennifer Harmon - Request for Public Records**

---

**From:** Jennifer Harmon  
**To:** Mahmosadeg@aol.com  
**Date:** 5/18/2010 3:27 PM  
**Subject:** Request for Public Records  
**Attachments:** Public Records Request Form.pdf

---

Good afternoon Mr. Sadeghi:

Please complete the attached form to request records. This form is also available on our website at the beginning of the Contact Us page that you used to submit the initial contact.

With regard to the information you will be requesting on the attached form, please note that addresses of the persons in attendance at the meeting will be redacted. This information will be redacted as it is personal information, which the Commission believes is protected from disclosure under the Public Records Act (Gov. Code §§ 6250-6277).

With respect to the draft EIR, it is available at the following website:  
<http://perrisvalleyline.info/>

Respectfully,

Jennifer Harmon  
Office and Board Services Manager/Clerk of the Board  
iverside County Transportation Commission

---

**Response to Email 4**  
**Mahmoud Sadeghi**  
**May 18, 2010**

- E4-1. The request for the names and addresses of public hearing speakers does not raise any environmental issues. Accordingly, no response is required (State CEQA Guidelines, § 15088). However, please refer to the transcripts of the public hearings included in the Final EIR. The transcripts provide the names of the speakers, and to the extent they chose to provide them, their addresses.
- E4-2. With regard to the availability of the Draft EIR on a website – and as explained in Ms. Harmon’s email – the Draft EIR was made publicly available via the internet.



**Email 5**  
**Christopher Sanchez**  
**May 24, 2010**

(6/10/2010) Lauren Ferrell - RCTC Website Contact Us Form

**From:** <websitesubmission@rctc.org>  
**To:** <lgaribay@rctc.org>  
**Date:** 05/24/10 4:26 PM  
**Subject:** RCTC Website Contact Us Form

First name: Christopher

Last name: Sanchez

Organization:

Street: 2282 Kentwood Drive

Suite:

City: Riverside

State: CA

Zip: 92507

Phone: 951-295-4721

Email From: cdsanchez@charter.net

On The Move Subscribe:

Comments: We need to make the Spruce St. ,Blaine and Mt. Vernon crossing gates quadrant gates instead of double gates, so these can be quiet zones. } E5-1  
 These crossings need to be at a minimum partial quiet zones from 10pm to 7am. There is no proposed sound wall at the north east side of the Spruce crossing on Kentwood Drive for the homes that line the track. The rest of } E5-2  
 the line south of the Spruce crossing is approved for sound walls except for us and we are the second house from the crossing. There needs to be a stop sign and crosswalk at Spruce and Kentwood Drive so that children can cross safely as the existing sidewalk north of the Spruce crossing will be closed due to the Metrolink EIR. } E5-3



**Response to Email 5  
Christopher Sanchez  
May 24, 2010**

E5-1. See Master Response #1 – Quiet Zones.

E5-2. The residence at 2282 Kentwood Drive is approximately 90 feet north of Spruce Street. The back wall of the house is approximately 145 feet from the nearest rail. A detailed noise assessment indicated the proposed PVL project would result in noise impacts to this residence according to the 2006 “Transit Noise and Vibration Impacts Assessment,” FTA (FTA Manual), Section 3.1. See the Draft EIR, Tables 4.10-9 to 4.10-10, and Appendix A of the Noise and Vibration Technical Report for graphics showing each receptor cluster on aerial photographs. Noise barriers, as a noise mitigation measure, are not deemed feasible for this property as it is located near a grade crossing (FTA Manual, Section 6.8.4). As a result, the PVL noise assessment proposes that this property be required to have sound insulation for noise mitigation instead of a noise barrier (see Draft EIR, Section 4.10).

Section 4.10 of the Draft EIR discusses the potential noise and vibration impacts as a result of the PVL project. Thresholds of significance may be derived from local general plans and noise ordinances or applicable standards of other agencies. According to CEQA, a significant impact from noise or vibration would occur if the project exceeded allowable limits defined by federal, state or local policies and regulations. Accordingly, the FTA impact criteria were used to determine significant impacts for the PVL project because local criteria are related to general neighborhood related noise issues and or allowable construction noise levels, not railway noise (see Master Response #6 – Noise and Draft EIR, Section 4.10-1). ([http://www.fta.dot.gov/documents/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf)).

E5-3. See Master Response #8 – Grade Crossings. Full pedestrian treatments shall be provided at both sidewalks on the north and south sides of the Spruce Street grade crossing including pedestrian warning devices and gates, new concrete sidewalks, detectable warning strips, signage, striping, pedestrian swing gates, and railings (see Draft EIR Section 2.4.6 for additional information). The intersection of Spruce Street and Watkins Drive shall be signalized with railroad preemption and crosswalks (see Draft EIR, Section 2.4.6).



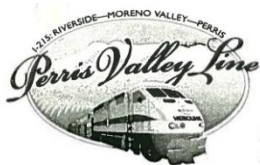
0.3.3.3 Other Interested Parties Comment Cards

Table 0.3.3.3-1  
Response to Other Interested Parties Comment Cards

No.	Commenter	Date	Page No.
1.	Denise Allen	5/17/2010	0.3.3.3-2
2.	Fonda McGensy	5/17/2010	0.3.3.3-4
3.	James R. Pyle, Sr.	5/17/2010	0.3.3.3-6
4.	Stephanie Pacheco	5/17/2010	0.3.3.3-8
5.	Barbara Gable	5/24/2010	0.3.3.3-9
6.	Gerald Jones	Undated	0.3.3.3-11
7.	Karl Johns	5/17/2010	0.3.3.3-12
8.	Dean Bleer	Undated	0.3.3.3-14
9.	Pat Townsend	5/24/2010	0.3.3.3-16
10.	Hung-Jen Huang	5/24/2010	0.3.3.3-18
11.	John Chiu	6/2/2010	0.3.3.3-20



Comment Card 1  
Denise Allen  
May 17, 2010



PERRIS VALLEY LINE  
DRAFT ENVIRONMENTAL IMPACT REPORT  
COMMENT CARD

Please hand this to staff at a meeting or mail to:  
Edda Rosso, RCTC, PO Box 12008, Riverside, CA 92502-2208.  
All comments should be postmarked by May 24, 2010. Thank you!

RECEIVED  
MAY 17 2010

RIVERSIDE COUNTY  
TRANSPORTATION COMMISSION

My comments on the Perris Valley Line Project are:

A quiet zone needs to be established in our neighborhood. The horns on the trains are by far the worst disturbance, followed by screeching wheels and brakes on the tracks. Sound insulation would be more desirable than a visually impairing and unpleasant sound wall. I am also concerned about structural consequences from rail vibrations that will possibly increase with heavier rail traffic, which frequency will certainly increase.

Name Denise Allen Representing \_\_\_\_\_ } CC1-1  
Address 864 Kentwood Drive City Riverside Zip Code 92507 } CC1-2  
} CC1-3  
} CC1-4  
} CC1-5

Response Comment Card 1  
Denise Allen  
May 17, 2010

CC1-1. See Master Response #1 – Quiet Zones.

CC1-2. The residence at 864 Kentwood Drive is approximately 220 feet south of Spruce Street. The back wall of the house is approximately 80 feet from the nearest rail. A detailed noise assessment indicated the proposed PVL project would result in noise impacts to this residence according to the 2006 “Transit Noise and Vibration Impacts Assessment,” FTA (FTA Manual, Section 3.1). See the Draft EIR, Tables 4.10-9 to 4.10-10, and Appendix A of the Noise and Vibration Technical Report for graphics showing each receptor cluster on aerial photographs. A noise barrier will be constructed as mitigation to attenuate the project-related noise to a level less than significant (see Draft EIR, Table 4.10-16).

See Master Response #6 – Noise. Section 4.10 of the Draft EIR discusses the potential noise and vibration impacts as a result of the PVL project. Thresholds of significance may be derived from local general plans and noise ordinances or applicable standards of other agencies. According to CEQA, a significant impact from noise or vibration would occur if the project exceeded allowable limits defined by federal, state or local policies and regulations. Accordingly, the FTA impact criteria were used to determine significant impacts as a result of the PVL project because local criteria are related to general neighborhood related noise issues and/or allowable construction noise levels, not railway noise (see Draft EIR, Section 4.10.1).  
([http://www.fta.dot.gov/documents/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))

CC1-3. A detailed noise assessment was conducted for project-related noise impacts to noise sensitive receptors along the alignment. Where impacts were predicted,



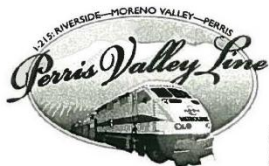
appropriate noise mitigation measures were identified at the affected locations (see Draft EIR, Tables 4.10-9 to 4.10-11).

The selection of seven homes and one church for sound insulation was based on the analysis that showed these particular properties would either not be properly protected by noise barriers or the existing terrain would make the use of noise barriers infeasible. All eight properties are located near grade crossings. Because these grade crossings create barrier discontinuity (since the noise barrier cannot traverse the intersection), buildings near the crossings could be left either unprotected or under-protected, thus resulting in the need for sound insulation at these properties. For the property at 864 Kentwood Drive, a noise barrier is both feasible and an appropriate mitigation measure as stated in the 2006 "Transit Noise and Vibration Impacts Assessment," FTA (FTA Manual, Section 6.8.3). Moreover, the noise barrier would completely mitigate noise impacts at this property to less than significant levels. Therefore, no further mitigation is required for this property. ([http://www.fta.dot.gov/documents/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))

- CC1-4. The vibration assessment for this area of the alignment indicates the proposed PVL project would result in vibration levels that would surpass the FTA vibration impact threshold of 80 VdB at fourteen (14) residences in the UCR area south of Spruce Street and north of Highland Elementary School, along the eastern side of the PVL alignment. The affected homes range between about 80 and 90 feet from the PVL alignment (see Draft EIR, Table 4.10-12). However, the application of ballast mats and resiliently supported ties will reduce vibration to a less than significant level (see Draft EIR, page 4.10.5). The use of ballast mats and resiliently supported ties are appropriate mitigation measures approved for use by the FTA (see the 2006 "Transit Noise and Vibration Impacts Assessment," FTA [FTA Manual, page 11-21]). In addition, the proposed project would include the removal of old rail and use new welded rail instead, which would have the added benefit of reducing vibration levels from existing freight traffic. ([http://www.fta.dot.gov/documents/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))
- CC1-5. See Master Response #5 – Freight Operations. The PVL project proposes to initiate commuter rail service from the City of Riverside to south of the City of Perris. As a commuter rail project, the PVL it would not increase freight traffic along the corridor (see Draft EIR, Section 2.4.13.).



Comment Card 2
Fonda McGensy
May 17, 2010



PERRIS VALLEY LINE
DRAFT ENVIRONMENTAL IMPACT REPORT
COMMENT CARD

Please hand this to staff at a meeting or mail to:
Edda Rosso, RCTC, PO Box 12008, Riverside, CA 92502-2208.
All comments should be postmarked by May 24, 2010. Thank you!

MAY 17 2010

RIVERSIDE COUNTY
TRANSPORTATION COMMISSION

My comments on the Perris Valley Line Project are:

THE NOISE IS TOO MUCH THE HORN SOUNDS VERY LOUD
THE CURRENT TRAINS PASS MY HOUSE SO CLOSELY
THAT IT RATTLES MY WINDOWS DOORS WALLS
AND THE HORN WAKES ME UP AT 3:30 AM OR
BY 3:30 AM ALL THIS HAS EFFECTED MY QUALITY OF LIFE
IN MY CURRENT HOME

CC2-1
CC2-2

Name Fonda McGensy Representing ME
Address 218 Campus View Drive City Riv Zip Code 92507

Response to Comment Card 2
Fonda McGensy
May 17, 2010

CC2-1. The residence at 218 Campus View Drive is approximately 650 feet west of Mount Vernon Avenue and the back wall of the house is approximately 130 feet from the closest rail. Based on direct technical guidance from the FTA, the Metrolink horns will not be as loud as the existing freight train horns. In addition, because noise impacts are projected for this location (see Draft EIR, Table 4.10-9), noise barriers are proposed as mitigation for this area of Campus View Drive (see Draft EIR, Table 4.10-16), and therefore, these noise impacts would be reduced to less than significant levels.

Section 4.10 of the Draft EIR discusses the potential noise and vibration impacts as a result of the PVL project. Thresholds of significance may be derived from local general plans and noise ordinances or applicable standards of other agencies. According to CEQA, a significant impact from noise or vibration would occur if the project exceeded allowable limits defined by federal, state or local policies and regulations. Accordingly, the FTA impact criteria were used to determine significant impacts as a result of the PVL project because local criteria are related to general neighborhood related noise issues and/or allowable construction noise levels, not railway noise (see Draft EIR, Section 4.10.1).

CC2-2. Vibration from locomotives is the main determinant for rail vibration. A vibration assessment based on FTA vibration criteria (FTA Manual, Table 8-1) was performed for the PVL project (see Draft EIR, Table 4.10-6). The results demonstrated the proposed PVL project rail operations would not result in vibration impacts near East Campus View Drive (see Draft EIR, Table 4.10-12). Existing vibration in this area is attributable to freight traffic that typically consists of older locomotives that include





suspension systems that are, in general, more rigid than the newer Metrolink passenger locomotives. Rigid locomotive suspension systems often translate into higher levels of vibration (see the 2006 "Transit Noise and Vibration Impacts Assessment," FTA [FTA Manual, Section 7.2.1]). In addition, the proposed project would eliminate old rail and use new welded rail, which would have the added benefit of reducing noise and vibration attributable to the existing freight traffic.



Comment Card 3  
James R. Pyle, Sr.  
May 17, 2010



PERRIS VALLEY LINE  
DRAFT ENVIRONMENTAL IMPACT REPORT  
COMMENT CARD

Please hand this to staff at a meeting or mail to:  
Edda Rosso, RCTC, PO Box 12008, Riverside, CA 92502-2208.  
All comments should be postmarked by May 24, 2010. Thank you!

RECEIVED  
MAY 17 2010

RIVERSIDE COUNTY  
TRANSPORTATION COMMISSION

My comments on the Perris Valley Line Project are:

- 1) SAFETY OF RESIDENTS - WHEN ALL OF OUR ACCESS STREETS ARE } CC3-1  
BLOCKED BY TRAIN TRAFFIC, EMERGENCY VEHICLES CANNOT GET  
IN OR OUT OF THE LOCATIONS EAST AND NORTH OF THE RAILROAD,
  - 2) TRAIN NOISE IS A VERY BIG FACTOR IN MY PERSONAL WELLBEING. THE } CC3-2  
HORN NOISE CAUSES COYOTES AND DOGS TO HOWL AND BARK, THIS OCCURS AT  
11:00 PM, 1:30 AM, 3:30 AM, 5:30 AM ON MOST DATES. I WOULD WELCOME  
A "NO-BLOW" ZONE WITH SAFE CROSS GATES. } CC3-3
- Name JAMES R. PYLE SR. Representing ALL WHO MAY WISH TO SLEEP  
Address 865 HUSTON DR. City RIVERSIDE Zip Code 92507

Response to Comment Card 3  
James R. Pyle, Sr.  
May 17, 2010

CC3-1. Currently, the RCTC ROW is used exclusively by BNSF freight trains which can be long enough to block multiple grade crossings when passing through or when stopped in the area. Because the PVL trains are much shorter, there is no potential for commuter trains to block all access points into the UCR neighborhood. Moreover, with the implementation of the PVL project, the corridor will become a shared corridor with the Metrolink and BNSF under the control of SCRRA. It is not anticipated that any trains would be allowed to stop in areas of single track and thus block other trains from passing. The added benefit of the shared corridor that will result from the proposed project is that BNSF trains would be required to stop only in the areas of passing track along the I-215 corridor and not in the UCR neighborhood.

CC3-2. The residence at 865 Huston Drive is more than 900 feet from the PVL alignment. In addition, a number of existing residences lie between it and the PVL alignment, thereby providing a level of noise attenuation. Noise was measured at locations closer to the alignment to determine existing community noise levels. These measured noise levels include the typical elements of the community's noise environment, including traffic, trains, and loud animals (see Draft EIR, Tables 4.10-3 to 4.10-5). A detailed noise assessment predicted project-related noise impacts for homes along Kentwood Drive, as close as 80 feet from the proposed alignment, according to the 2006 "Transit Noise and Vibration Impacts Assessment," FTA (FTA Manual, Section 3.1). See the Draft EIR, Tables 4.10-9 to 4.10-10, and Appendix A of the Noise and Vibration Technical Report for graphics showing each receptor cluster on aerial photographs. Noise barriers are proposed to mitigate these impacts. Implementation of these noise barriers would reduce predicted noise impacts at locations along Kentwood Drive to levels less than significant (see Draft EIR, Table 4.10-16). In addition, based on direct technical guidance from the FTA, the Metrolink



horns will not be as loud as the existing freight train horns. Consequently, noise impacts from the proposed PVL project would be less than significant for 865 Huston Drive, which is located farther away from the alignment (in this case, 900 feet).

Section 4.10 of the Draft EIR discusses the potential noise and vibration impacts as a result of the PVL project. Thresholds of significance may be derived from local general plans and noise ordinances or applicable standards of other agencies. According to CEQA, a significant impact from noise or vibration would occur if the project exceeded allowable limits defined by federal, state or local policies and regulations. Accordingly, the FTA impact criteria were used to determine significant impacts as a result of the PVL project because local criteria are related to general neighborhood related noise issues and/or allowable construction noise levels, not railway noise (see Draft EIR, Section 4.10.1).

CC3-3. See Master Response #1 – Quiet Zones.



FINAL ENVIRONMENTAL IMPACT REPORT

0.3 RESPONSE TO COMMENTS

0.3.3.3 OTHER INTERESTED PARTIES COMMENT CARDS

Comment Card 4  
Stephanie Pacheco  
May 17, 2010



PERRIS VALLEY LINE  
DRAFT ENVIRONMENTAL IMPACT REPORT  
COMMENT CARD

Please hand this to staff at a meeting or mail to:  
Edda Rosso, RCTC, PO Box 12008, Riverside, CA 92502-2208.  
All comments should be postmarked by May 24, 2010. Thank you!

RECEIVED  
MAY 17 2010  
RIVERSIDE COUNTY  
TRANSPORTATION COMMISSION

My comments on the Perris Valley Line Project are:

Please place my name on the list to receive a copy of the  
Draft Supplemental EA. I am concerned about the environmental  
justice section of the NEPA analysis - spacheco@a.h.net  
NEPA

CC4-1

Name Stephanie Pacheco Representing \_\_\_\_\_  
Address 25572 Campus View Dr City Riverside Zip Code 92507

Response to Comment Card 4  
Stephanie Pacheco  
May 17, 2010

CC4-1. The commenter requests a copy of the NEPA Draft Supplemental Environmental Assessment prepared for the proposed project. The commenter's name and contact information was placed on the notification list. (State CEQA Guidelines § 15087(a)). In addition, Ms. Pacheco was provided the internet link to the document requested.



Comment Card 5  
Barbara Gable  
May 24, 2010



DRAFT ENVIRONMENTAL IMPACT REPORT  
COMMENT CARD

Please hand this to staff at a meeting or mail to:  
Edda Rosso, RCTC, PO Box 12008, Riverside, CA 92502-2208.  
All comments should be postmarked by May 24, 2010. Thank you!

My comments on the Perris Valley Line Project are:

As the meeting showed, the neighbors are unhappy about the noise, pollution, vibration, and toxic gases that the Perris Valley Line will bring to the University Neighborhood. A great deal of mitigation will be necessary to keep our neighborhood livable. A grade separation, improved tracks, low-polluting locomotives, with quieter engines, not to mention sound insulation for many homes along the line. These should all be the responsibility of the work line, not the City of Riverside.

CC5-1  
CC5-2  
CC5-3  
CC5-4  
CC5-5

Name Barbara Gable Representing \_\_\_\_\_  
Address 270 Barret Road City Riverside Zip Code 92507

Response to Comment Card 5  
Barbara Gable  
May 24, 2010

CC5-1. A detailed noise and vibration assessment was conducted for the PVL project using criteria and procedures from the 2006 "Transit Noise and Vibration Impacts Assessment," FTA (FTA Manual). According to the FTA noise screening criteria, noise impacts would not occur for residences located over 1,600 feet from a proposed project alignment. With respect to vibration, FTA screening criteria indicate vibration impacts would not occur for residences located over 200 feet from a proposed project alignment (FTA Manual, Tables 4-1 and 9-2). As a result, project-related noise and vibration impacts would not occur for the property at 270 Barret Road, which is located over 1,900 feet from the PVL alignment. With regard to train noise, based on Guidance from the FTA, it should be noted that the proposed PVL project includes Metrolink locomotives with horns that are not as loud as the horns currently used by the existing freight trains.  
([http://www.fta.dot.gov/documents/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))

CC5-2. The air quality analysis for the PVL accounted for relevant project parameters and conditions. Where applicable, the analysis was done in compliance with the most up-to-date local, state, and federal air quality regulations and guidance from the SCAQMD, CARB, and the USEPA.

The diesel locomotives that will be used to implement the proposed PVL schedule (as well as those currently being used by Metrolink) are bound by federal air quality regulations and must meet their emissions criteria. As noted in Table 4.3-12 on page 4.3-28 of the Draft EIR, Metrolink will operate the PVL schedule by using six diesel-electric locomotives that meet the USEPA stringent Tier 2 emissions standards.



- (Emissions Factors for Locomotives, EPA-420-F-09-025, April 2009). By comparison, Tier 2 locomotives restrict pollutant emissions to 90 percent of Tier 1 standards which were restricted to approximately 60 percent of Tier 0 or uncontrolled locomotive emissions. By the operating year of the PVL, all new locomotives will be required to meet Tier 3 emissions which require an approximately 50 percent reduction of Tier 2 emissions. As noted in Table 4.3-12, the expected emissions of the locomotives will be completely offset by the reduction in emissions from diverted vehicular traffic.
- CC5-3. See Master Response #4 – Hazardous Materials Transport. The PVL project is a commuter rail project that will not transport hazardous materials. However, existing freight operations, including transport of hazardous materials, will continue. The frequency and quantity of materials, as with all freight operations, is dependent on customer demand.
- CC5-4. See Master Response #12 – Grade Separations. Grade separations, where roadways go under or over railroad tracks, require a specific approach distance to maintain appropriate roadway grades and clearance heights for the tracks. For grade separations to be possible within the UCR neighborhood, many houses would lose vehicle and driveway access.
- CC5-5. See Master Response #1 – Quiet Zones. The PVL project is proposing to improve track conditions along the project alignment. These improvements would include: tie replacement, welded rail, and ballast replenishment where necessary. In addition, the bypass track that parallels the I-215 will include new rail, ties, and ballast.



Comment Card 6  
Gerald Jones  
Undated



My comments on the Perris Valley Line Project are:

*We need more jobs For our people  
for those who live here. We need job for all  
races, we need to train our kids who are able  
to work. 16-60.*

*It's nothing like training our kids to  
work. for it is written a man don't work he shall not eat.*

Name *Minister Gerald Jones* Representing *Bible walk and the people*  
Address *24591 Baxter St* City *Perris* Zip Code *92570*

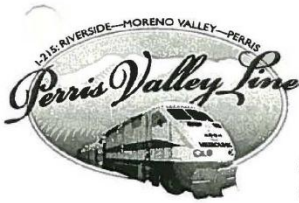
CC6-1

Response to Comment Card 6  
Gerald Jones  
Undated

CC6-1. This comment identifies a need for more jobs. If approved, the PVL project is expected to contribute construction jobs and long term operational jobs to the region.



Comment Card 7  
Karl Johns  
May 17, 2010



PERRIS VALLEY LINE  
DRAFT ENVIRONMENTAL IMPACT REPORT  
COMMENT CARD

Please hand this to staff at a meeting or mail to:  
Edda Rosso, RCTC, PO Box 12008, Riverside, CA 92502-2208.  
All comments should be postmarked by May 24, 2010. Thank you!

RECEIVED  
MAY 17 2010

My comments on the Perris Valley Line Project are:

I have lived at this address since 1960 and close by before that. My grandfather was  
asthmatic and in the 1960's came here to successfully receive his junior high school  
classmate died from the air pollution. This will need electric engines. Health standards  
will change. Class action lawsuits over asthma will become costly in the future.  
-Obviously, the tracks should be sunken into a ditch between Spunee and Mount Vernon  
All these problems are prevented in all European countries and can be easily implemented here.

RIVERSIDE COUNTY  
TRANSPORTATION COMMISSION

CC7-1

CC7-2

Name Karl Johns Representing \_\_\_\_\_  
Address 270 Gains Court City Riverside Zip Code 92507

Response to Comment Card 7  
Karl Johns  
May 17, 2010

CC7-1. An air quality analysis was prepared for the PVL to evaluate potential air quality and health risk impacts of the proposed PVL project (see Draft EIR, Section 4.3, and the accompanying Air Quality Technical Report). The analysis was done in compliance with the most up-to-date local, state, and federal air quality regulations and guidance from the SCAQMD, CARB, and the USEPA.

The diesel locomotives that will be used to implement the proposed PVL schedule (as well as those currently being used by Metrolink) are bound by federal air quality regulations and must meet their emissions criteria. As noted in Table 4.3-12 on page 4.3-28 of the Draft EIR, Metrolink will operate the PVL schedule by using six diesel-electric locomotives that meet the USEPA stringent Tier 2 emissions standards. (Emissions Factors for Locomotives, EPA-420-F-09-025, April 2009). By comparison, Tier 2 locomotives restrict pollutant emissions to 90 percent of Tier 1 standards that were restricted to approximately 60 percent of Tier 0 or uncontrolled locomotive emissions. By the operating year of the PVL, all new locomotives will be required to meet Tier 3 emissions that require an approximately 50 percent reduction of Tier 2 emissions. As noted in Table 4.3-12, the expected emissions of the locomotives will be completely offset by the reduction in emissions from diverted vehicular traffic.

CC7-2. A noise and vibration assessment was performed for the project to identify potential impacts and appropriate mitigation measures that would reduce impacts to a less than significant level. Noise mitigation is included as part of the proposed project (construction of noise barriers and, in some cases, sound insulation, where

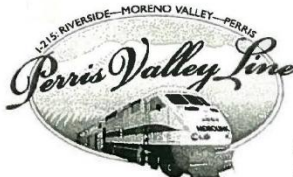




warranted). Implementation of these measures would reduce project-related noise impacts to a less than significant level. Reconstructing the existing PVL track below existing ground level is not feasible mitigation for the identified impacts. The required construction-related mitigation measures for this undertaking would be a significant burden on the local community as impacts on traffic, air quality, and noise would increase over those required for the proposed alignment configuration. As a result, this option is outside the scope of this project.



Comment Card 8  
Dean Bleer  
Undated



PERRIS VALLEY LINE  
DRAFT ENVIRONMENTAL IMPACT REPORT  
COMMENT CARD

Please hand this to staff at a meeting or mail to:  
Edda Rosso, RCTC, PO Box 12008, Riverside, CA 92502-2208.  
All comments should be postmarked by May 24, 2010. Thank you!

My comments on the Perris Valley Line Project are:

WELDED RAILS FROM NUEVO RD TO SAN JACINTO AVE - NOT SPECIFIED BECAUSE I LIVE ADJACENT TO THE 215 NORTH BOUND RAMP AND THIS EXISTING RAMP THE TRAINS VIBRATE THE WALLS AND PICTURES ON THE WALLS - THE VIBRATION FROM THE TRAFFIC ON THE 215 HAS CRACKED THE PLASTER ON THE WALLS OF MY HOUSE & ALSO I AM CONCERNED ABOUT THE NOISE & POLLUTION

CC8-1  
CC8-2  
CC8-3  
CC8-4

Name DEAN BLEER Representing \_\_\_\_\_  
Address 1025 JOHNS RD City PERRIS Zip Code 92571

Response to Comment Card 8  
Dean Bleer  
Undated

- CC8-1. Welded rail is specified for the entire alignment (see Draft EIR, page 4.10-27).
- CC8-2. A detailed noise and vibration assessment was conducted for the PVL project using criteria and procedures from the FTA Manual. According to the noise and vibration screening criteria from the FTA, vibration impacts would not occur for residences located 200 feet from a proposed project alignment (see the 2006 "Transit Noise and Vibration Impacts Assessment," FTA (FTA Manual, Table 9-2). 1025 Johns Road is 300 feet from the PVL alignment. As such, vibration impacts due to this proposed project would be less than significant for the property at 1025 Johns Road.. [http://www.fta.dot.gov/documents/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))
- CC8-3. No noise impact from the proposed PVL project was predicted in this area of the PVL alignment (see Draft EIR, Tables 4.10-9 to 4.10-11 [C Street], and Appendix A [C Street Cluster] of the Noise and Vibration Technical Report for graphics showing each receptor cluster on aerial photographs).
- CC8-4. Section 4.3 of the Draft EIR (and the supporting Air Quality Technical Report) outlines the measures used to calculate the expected emissions due to the implementation of the PVL project. The air quality analysis for the PVL accounted for all possible project air quality and health risk impacts. The analysis was conducted in compliance with the most up-to-date local, state, and federal air quality regulations and guidance from the SCAQMD, CARB, and the USEPA.



Tables 4.3-7 through 4.3-12 of the Draft EIR show that emissions projected for criteria pollutants, local intersections (CO hotspots), greenhouse gases, mobile source air toxics, construction activities and locomotive and parking operations all fall below local thresholds of significance and state and federal emissions standards. Therefore, the proposed PVL project would have less than significant air quality impacts.



Comment Card 9
Pat Townsend
May 24, 2010



DRAFT ENVIRONMENTAL COMMENT CARD

Please hand this to staff at a meeting or mail to:
Edda Rosso, RCTC, PO Box 12008, Riverside, CA 92502-2208.
All comments should be postmarked by May 24, 2010. Thank you!

My comments on the Perris Valley Line Project are:

RECEIVED MAY 24 2010

Please provide sound deadening doors + windows for my home
but please do not block my lovely view of the University with a high wall!
I like trains + the University is beautiful. Metrolink trains are relatively quiet
compared to the freight trains we now have. Reduced speed of trains as they pass thru
our neighborhood would reduce the rail sounds.

CC9-1
CC9-2
CC9-3
CC9-4

Name PAT TOWNSEND Representing self
Address 320 West Campus View Dr City RIVERSIDE Zip Code 92507

Response to Comment Card 9
Pat Townsend
May 24, 2010

- CC9-1. A detailed noise and vibration assessment was conducted for the PVL project using criteria and procedures from the 2006 "Transit Noise and Vibration Impacts Assessment," FTA (FTA Manual). The results of the assessment indicted that noise impacts would not occur for the residence at 320 West Campus View Drive. Therefore, mitigation in the form of noise barriers and or sound insulation was not required. (http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf)
CC9-2. The configuration of the proposed noise barriers for other nearby properties would not affect or block the view from 320 West Campus View Drive, as this location would not require the placement of a noise barrier directly in front of it; the nearest noise barrier would be located approximately 150 feet east of this residence (see Draft EIR, Table 4.10-16).
CC9-3. The comment is editorial; no response is necessary.



- CC9-4. The maximum speed of a train is the engineering calculation for a particular section of track. The various curves, straightaways, and slope cause the train to vary speeds throughout its trip along the alignment. Each trip requires consistent speeds so that the signals are programmed for a particular rate of speed through that crossing. Moreover, for the PVL project, the reduction in operational speed is not a feasible rail noise mitigation measure. Restrictions on operations are usually not feasible because of service demands, and FTA does not pursue restrictions on operations as a noise reduction measure (see the 2006 "Transit Noise and Vibration Impacts Assessment," FTA (FTA Manual, page 6-41). ([http://www.fta.dot.gov/documents/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf)))



Comment Card 10  
Hung-Jen Huang  
May 24, 2010



RECEIVED MAY 24 2010

DRAFT ENVIRONMENTAL IMPACT STATEMENT

COMMENT CARD

Please hand this to staff at a meeting or mail to:  
Edda Rosso, RCTC, PO Box 12008, Riverside, CA 92502-2208.  
All comments should be postmarked by May 24, 2010. Thank you!

My comments on the Perris Valley Line Project are:

We reserve the rights to pursue legal actions against RCTC. We bought our house } CC10-1  
 for our parents retirement in view. The noise and shocks that this RCTC } CC10-2  
 will impact us greatly, such as insomnia and related illness especially for } CC10-3  
 elderly people. We need to have post insulation walls installed without compromising } CC10-4  
 the beautiful views we have right now and we need to be compensated for } CC10-5  
 changing new windows.

Name Hung-Jen Huang R.S. = We have a cancer child. She need fully rest, please  
 Representing Home owner  
 Address 404 W Campus View Drive City Riverside Zip Code 92507

Response to Comment Card 10  
Hung-Jen Huang  
May 24, 2010

CC10-1. The comment is introductory. No response is necessary.

CC10-2. The detailed noise and vibration study performed for residences in the area of 404 West Campus View Drive resulted in no project-related noise or vibration impacts as defined by the FTA criteria (see the 2006 "Transit Noise and Vibration Impacts Assessment," FTA [FTA Manual, Section 3.1 and Table 8-1]). As a result, noise mitigation measures are not required for 404 West Campus View Drive.

With respect to the overall noise assessment, because humans are typically more sensitive to noise during hours of sleep, the impact of early morning PVL train operations was taken into consideration (see Draft EIR, page 4.10-20). Subsequently, while noise impacts were predicted at certain locations along the PVL alignment, the noise study conducted for the proposed PVL project found that noise impacts as defined by the FTA Manual would not occur for residences with the proposed mitigation measures. These measures include noise barriers at select locations and sound insulation for specific homes (see Draft EIR, Tables 4.10-9 to 4.10-10).  
([http://www.fta.dot.gov/documents/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf)).

CC10-3. See above response to CC10-2.

CC10-4. The commenter is requesting compensation for changing their windows. RCTC is not obligated to compensate a private homeowner for upgrades to their homes.



- CC10-5. The commenter indicates that she has a sick child that needs rest. To the extent that the commenter is concerned about noise and/or vibration impacts from the proposed project, the commenter is referred to the response to comment CC10-2 above. According to the noise and vibration study, the proposed project would result in less than significant noise and vibration impacts in the area of 404 West Campus View Drive (see Draft EIR, Table 4.10-9, row for W. Campus View 5).



Comment Card 11  
John Chiu  
June 2, 2010



DRAFT ENVIRONMENTAL IMPACT STATEMENT  
COMMENT CARD

Please hand this to staff at a meeting or mail to:  
Edda Rosso, RCTC, PO Box 12008, Riverside, CA 92502-2208.  
All comments should be postmarked by May 24, 2010. Thank you!

RECEIVED JUN - 2 2010

My comments on the Perris Valley Line Project are:

CALTRANS DISTRICT 8 SUPPORTS THE PERRIS VALLEY LINE  
PROVIDING THAT ALL THE ENVIRONMENTAL IMPACTS  
SUCH AS NOISE, TRAFFIC, SAFETY, ETC ARE MITIGATED

CC11-1

Name JOHN CHIU Representing CALTRANS DISTRICT 8  
Address 464 N. 4TH STREET, 6TH FLOOR City SAN BERNARDINO Zip Code 92401

Response to Comment Card 11  
John Chiu  
June 2, 2010

CC11-1. This comment expresses support for the proposed PVL project and does not raise specific environmental concerns. Therefore, no further response is necessary.





**0.3.4.1 Public Hearing #1 – April 14, 2010**

Public Hearing #1 was held on April 14, 2010 at 9:30 AM at the Riverside County Administration Center (4080 Lemon Street, Riverside, CA 92502). A copy of the transcript with bracketed comment numbers on the right margin is followed by the response as indexed in the transcript. The speakers are listed in Table 0.3.4.1-1.

**Table 0.3.4.1-1  
Public Hearing #1 Speakers**

<b>Speaker No.</b>	<b>Speaker</b>	<b>Date</b>	<b>Page No.</b>
1.	Barney Barnett	4/14/2010	0.3.4.1-8
2.	Dennis Kidd	4/14/2010	0.3.4.1-13
3.	Mike Croy	4/14/2010	0.3.4.1-17
4.	Austin Sullivan	4/14/2010	0.3.4.1-19
5.	Gurumantra Khalsa	4/14/2010	0.3.4.1-22
6.	Kevin Dawson	4/14/2010	0.3.4.1-26
7.	Jeffrey McConnell	4/14/2010	0.3.4.1-32



**Public Hearing #1  
April 14, 2010**



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RCTC

Public Hearing

April 14, 2010

Transcribed from CD

>> And I'll ask--let's see Miss Rosso to make presentation on it.

>> EDDA ROSSO: Good morning. I'm glad to see so many members of the public here today for a public hearing. The public is a key partner in identifying and developing transportation solutions for Riverside County. We're here today since environmental studies for the Perris Valley Line have been released for public review and we'd like to hear comments from the public on the project. The draft Environmental Impact Report describes the proposed project, the environmental effects anticipated with implementation of the PVL project, find any proposed mitigation measures



**Public Hearing #1 (cont'd)  
April 14, 2010**



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as applicable. Prior to the start of the hearing I'd like to give a brief history on the Perris Valley Line to review what it is and then I'll conclude with what's going on now and what's next for the project.

Okay, the PVL project extends existing service to more of Riverside County. These two maps help describe that point. The lighter map on the left is the current five county Metrolink system. The map on the right it's the Perris Valley Line extension. On the map on the left there is a light blue line that travels from downtown Los Angeles to Riverside. That's the 91 line. The PVL project extends the 91 line from downtown Riverside to Perris. Let me briefly recap some of the previous actions that have been taken by the commission that have brought us to this point. Measure A of 1989 authorized the project and provided partial funding. The tracks were purchased in 1993. The PVL Ad Hoc appointed--the PVL Ad Hoc committee was appointed in 2001. Federal environmental process was



**Public Hearing #1 (cont'd)  
April 14, 2010**



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launched in 2004. And we received the go ahead from the Federal Transit Administration in December of '07 for project development. The local preferred alternative was also revised in April of 2008 to the BNSF and startup stations were approved in July of 2008. It should also be noted that in January of '09 an initial study mitigated negative declaration was prepared and circulated for public review and comment. After careful consideration and response to public comments, the commission decided to prepare a more robust version of the environmental document and that's the EIR that we're here for today.

As part of the environmental clearing process we're required under the California Environmental Quality Act-- CEQA to conduct a number of studies that are shown here on this slide. The result of the various engineering and environmental studies for the PVL project are documented into draft EIR. So what now? We're conducting a 45-day minimum review on common peer which opened on April 5th and

**Public Hearing #1 (cont'd)**  
**April 14, 2010**

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closes on May 24th. This morning is a public hearing to receive public testimony and to draft EIR. We will continue to accept comments through the end of the comment period. In addition to the hearing today a second public hearing will be held in the city of Perris on the evening of April 22nd, next Thursday. Action on the project will not be requested today. Final action is not anticipated until December of 2010. We will finalize the document to address the comments and the concerns raised during the comment period. All comments received in writing or giving us oral testimony at the public hearings will be responded to in the final EIR. The commission will be requested to act on the proposed approval upon completion of the final environmental document which like I said is projected to be December of 2010. The PVL must also comply with the National Environmental Policy Act--NEPA. The Federal Transit Administration is the agency for NEPA and a supplemental environmental assessment is being prepared and



**Public Hearing #1 (cont'd)  
April 14, 2010**



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will be available for public review on (inaudible) June of 2010. Upon FDA's approval and receipt of a finding on no significant impact, we can then obtain needed federal and state permits and move to the next phase of the work which is final engineering.

We'll be able to buy property where the stations will be built and we'll be able to construct a project. And when will the project begin? Upon completion of the final design and approval from the Federal Transit Administration for the project construction grant agreement, construction can commence. And at this time it is projected for the spring of 2011. And I have noted here where the documents can be viewed and where folks can send written comments should they not wish to speak this morning. Additionally, we will accept any written comments the public may wish to submit today to work clear for the board. This concludes my presentation and now we can begin the testimony from the public.



**Public Hearing #1 (cont'd)  
April 14, 2010**



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>> All right, thanks, Ms. Rosso. Any commissioners have any questions of Ms. Rosso--is keeping the project on track. And before we get to the public comments let me announce again as was announced at a previous meeting that we're going to have a second public hearing on this issue on April 22nd at Perris City Hall. Is that correct?

>> The City Council Chambers.

>> And at what time?

>> 6:00 p.m.

>> 6:00 p.m. at the City Council Chambers. So far we have four commissioners that are going to be serving as a hearing board but if more commissioners would like to be hearing word officers let Miss Harmon know. All right,



**Public Hearing #1  
April 14, 2010  
Speaker 1 - Barney Barnett**



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then we'll go to our speakers. First again is Mr. R. A. Barney Barnett. And he'll be followed by Mr. Denis Kidd. Mr. Barnett. And we have our normal three-minute presentation period so please try to condense--condense your issues. Mr. Barnett.

>> R.A. "BARNEY" BARNETT: Thank you and good morning. A lot of things have happened in the Highgrove over the last eight-and-a-half years and I'd like to reflect on that just a moment. First of all, some of you that have been here for a long time may recognize this yellow sheet. This yellow sheet contained resolutions from the city of Grand Terrace, Loma Linda and Highgrove area. And it was dated August 16th, 2004. Unfortunately, when this was turned in to meet the deadline to pass out to the commissioners, this laid in a box in the office of RCTC for 14 months. And that was very unfortunate. On April 4th, 2007 Sandbag decided to wait on the SCAG report for the independent

} PH1-S1-1  
PH1-S1-2





**Public Hearing #1**  
**Speaker 1 – Barney Barnett (cont'd)**



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study of the Highgrove Metrolink station. And on the very following day the executive director at that time on April 5th, 2007 went to the SCAG meeting in Los Angeles and stopped the independent study of the Highgrove station.

PH1-S1-2 (cont'd)

This is very upsetting to the people of Highgrove because Highgrove continues to be ignored again today. And I'll give you a reason why. On the notice you'll notice on your--on the thing we received about this very meeting.

PH1-S1-3

There are four libraries listed Riverside, Moreno Valley, Perris, Wood Crest. Highgrove has a library and we've had a library since 1893. The existing one was built in 1981 and we have one under construction that will be completed at the end of this year. The EIR was not supplied in the Highgrove library and it's only a half mile from the station location where the people in the entire area on both sides of the county line have requested a Highgrove station. So it's only one-quarter of a mile from Grand

PH1-S1-4



**Public Hearing #1**  
**Speaker 1 – Barney Barnett (cont'd)**



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Terrace is Highgrove's library that should have had the EIR.

} PH1-S1-4 (cont'd)

I'd like to read just one sentence from the back of this notice that we've received and if you can follow me along that's fine. And it's--it--I say quote "The public's primary concern throughout this process have been safety, noise and rail traffic." unquote. There's no mention of station location that we've requested for the last eight-and-a-half years. Now we have written documentation that we're going to submit today. And I would ask you to look at the Highgrove website. It's HighGroveHappenings.net for any additional information. And to me it doesn't make any sense to build a station where there are no commuter trains from half mile away and there are commuter trains seven days a week. And if it's possible I have some other maps to hand out to anyone that would be interested in them. And I appreciate your concern. Please take another look at this. And let's build a station right next to where they

} PH1-S1-5

} PH1-S1-6



**Public Hearing #1**  
**Speaker 1 – Barney Barnett (cont'd)**



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have train--commuter trains seven days a week. Thank you  
very much.

} PH1-S1-6



**Public Hearing #1**  
**April 14, 2010**  
**Speaker 1 - Barney Barnett**

- PH1-S1-1. This comment does not raise specific environmental concerns. Therefore, no response is necessary.
- PH1-S1-2. This comment does not raise specific environmental concerns. Therefore, no response is necessary.
- PH1-S1-3. This comment does not raise specific environmental concerns. Therefore, no response is necessary.
- PH1-S1-4. This comment states that “The EIR was not supplied in the Highgrove library . . .” This comment is incorrect. After receiving the request to have the Draft EIR available at the Highgrove Library (690 Center Street), a complete Draft EIR was delivered on April 16, 2010. The complete Draft EIR was initially distributed to Riverside Main Library (3581 Mission Inn Avenue), Woodcrest Library (16625 Krameria Avenue), Moreno Valley Public Library (25480 Alessandro Boulevard), and Perris Branch Library (163 East San Jacinto) in accordance with the State CEQA Guidelines § 15087(g). Additionally, the document was available at the RCTC Office and the RCTC website. (*Id.*) Furthermore, according to State CEQA Guidelines § 15087(a), the Notice of Availability of the Draft EIR was (1) mailed to individuals who had requested such notice in writing and (2) given in all the following ways: (a) publication in a newspaper of general circulation (Press Enterprise), (b) posting (RCTC website), or (c) direct mailing (electronic mail and regular mail to all residents within 500 feet of the PVL project). Therefore, RCTC gave proper notice and made the Draft EIR available for review in accordance with CEQA and the State CEQA Guidelines.
- PH1-S1-5. This comment indicates that station location is a concern. However, the comment does not identify which station is of concern or what the environmental concerns are regarding a station. Therefore, RCTC does not have sufficient information to respond further.
- PH1-S1-6. This comment requests that a train station be built in the Highgrove area. The Draft EIR, Section 2.2 provides a description of the Highgrove Station requests, and the reasons why it is not being considered as part of the proposed PVL project. There are no new impacts as a result of this comment and the Draft EIR has not been changed.



**Public Hearing #1  
Speaker 2 - Dennis Kidd**



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>> Thanks, Mr. Barnett. And Mr. Kidd--Mr. Denis Kidd. And after Mr. Kidd will be Mike Croy.

>> DENIS W. KIDD: Denis Kidd, Highgrove M.A.C. As Barney said there was no Environmental Impact Report at the Highgrove Library for us to study. Instead of a Palmyrita station, a station at Citrus only a block away from the Ploma [phonetic] inside would produce two stations for the price of one, provides service on the Perris Valley Line and the main line from San Bernardino to Orange County. More riders would use this site thus taking more cars off the freeway so there would be less smog. The staff report failed to take into account the new Pigeon Pass road from Moreno Valley. Residents of Moreno Valley could use the Highgrove Station and have more options for San Bernardino

} PH1-S2-1

} PH1-S2-2

} PH1-S2-3



**Public Hearing #1  
Speaker 2 – Dennis Kidd (cont'd)**



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and Orange County. San Bernardino County residents could commute to jobs in Hunter Business Park. Orange County residents could commute jobs in Hunter Business Park. Corona and Arlington residents could commute to jobs in Hunter Business Park. And this Highgrove two-in-one station would be highly visible from the new Iowa overpass.

PH1-S2-3 (cont'd)

Now there's an article in the L.A. Times that said "Death on the Rails in L.A." And it shows the whole Southern California Metrolink Route. And the bigger the circle, the more deaths that occur at the site. Well, it turns out the safest route in the whole Southern California Metrolink system is the route from Riverside through Highgrove to San Bernardino. So I encourage you to promote safety, build the Highgrove two-in-one station. And promote more use of Southern California's safest Metrolink route through Highgrove.

PH1-S2-4

**Public Hearing #1**  
**April 14, 2010**  
**Speaker 2 - Dennis Kidd**

- PH1-S2-1. This comment states that “The EIR was not supplied in the Highgrove library . . .” This comment is incorrect. After receiving the request to have the Draft EIR available at the Highgrove Library (690 Center Street), a complete Draft EIR was delivered on April 16, 2010. The complete Draft EIR was initially distributed to Riverside Main Library (3581 Mission Inn Avenue), Woodcrest Library (16625 Krameria Avenue), Moreno Valley Public Library (25480 Alessandro Boulevard), and Perris Branch Library (163 East San Jacinto) in accordance with the State CEQA Guidelines § 15087(g). Additionally, the document was available at the RCTC Office and the RCTC website. (*Id.*) Furthermore, according to State CEQA Guidelines § 15087(a), the Notice of Availability of the Draft EIR was (1) mailed to individuals who have requested such notice in writing and (2) given in all the following ways: (a) publication in a newspaper of general circulation (Press Enterprise), (b) posting (RCTC website), or (c) direct mailing (electronic mail and regular mail to all residents within 500 feet of the PVL project). Therefore, RCTC gave proper notice and made the Draft EIR available for review in accordance with CEQA and the State CEQA Guidelines.
- PH1-S2-2. This comment requests that a train station be built in the Highgrove area. The Draft EIR in Section 2.2 provides a description of the Highgrove Station requests, and the reasons why it is not being considered as part of the proposed PVL project. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- PH1-S2-3. This comment requests that a train station be built in the Highgrove area. The Draft EIR in Section 2.2 provides a description of the Highgrove Station requests, and the reasons why it is not being considered as part of the proposed PVL project. The speaker also identifies a Pigeon Pass Road Widening Project that is currently in the very preliminary alignment studies stage with the County of Riverside. The end of the PVL project has not been identified nor has the CEQA environmental study been initiated at this time. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- PH1-S2-4. See Master Response #7 – Emergency Planning and Response, Master Response #8 – Grade Crossings, and Master Response #3 – Derailment (General). The speaker provides a misleading representation of the Los Angeles Times article (September 27, 2009). The focus of the article is on two grade crossings; Buena Vista Street in Burbank, and Sunland Boulevard in Sun Valley. The article discusses recent accidents at those crossings and potential improvements but does not make any statements regarding Metrolink service between Riverside and San Bernardino. Additionally, the speaker references the map that accompanies the referenced article. The map does not provide any subjective statements about safety of the Metrolink system between Riverside and San Bernardino but is reporting accidents reported to the FRA database and relaying that information graphically for the entire Metrolink system. Therefore,



the analysis in the Draft EIR is correct - there are no significant impacts and no mitigation is required for this issue (see Draft EIR, Section 2.2 [explaining why Highgrove Station is not a feasible alternative]). No new impacts as a result of this comment were raised and no mitigation measures are required.





**Public Hearing #1  
Speaker 3 - Mike Croy**



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>> Thanks, Mr. Kidd. Mr. Croy, Mike Croy. And he'll be followed by Austin Sullivan.

>> MIKE CROY: Good morning. I'm here to second what Barney has previously stated the need for the Highgrove depot to be placed alongside the BNSF mainline on the curve adjacent to the BNSF mainline up going to Perris Valley Line. In my opinion it makes no sense to have a depot constructed one-half mile away from the BNSF mainline. We would be better served to have that depot at the Highgrove where patrons can get on and off and head into San Bernardino or head west to Riverside--or head west to Riverside and beyond. Those are just my observations. Thank you.

PH1-S3-1

>> Thanks, Mr. Croy. Mr. Sullivan--Austin Sullivan now and he'll be followed by Guru Mantra Khalsa.



**Public Hearing #1**  
**April 14, 2010**  
**Speaker 3 - Mike Croy**

PH1-S3-1. This comment requests that a train station be built in the Highgrove area. The Draft EIR in Section 2.2 provides a description of the Highgrove Station requests, and the reasons why it is not being considered as part of the proposed PVL project. There are no new impacts as a result of this comment and the Draft EIR has not been changed.



**Public Hearing #1**  
**Speaker 4 - Austin Sullivan**



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>> AUSTIN SULLIVAN: Good morning. I will limit my observations to the general. I will provide technical comments in writing at a later date. I'm primarily here to tell the commission that the mitigation plan for the UCR neighborhood and other neighborhoods with reference to noise is not a serious proposal. In my professional life I was administrator of the noise mitigation program for the area around Ontario Airport for the city of Ontario. The mitigation measures that we've provided for 3,300 homes were far superior to the ones that are being proposed here for seven homes. They're just--and not only that we are not told anywhere in this proposal how those seven homes were chosen. We have no contour which identifies which homes are impacted, which ones are not.

As I say the main thing that the commission needs to understand is that this is not a serious proposal. We're not told how the sound walls what effect that they would have. We're not told of why those particular locations are

} PH1-S4-1

} PH1-S4-2

} PH1-S4-3



**Public Hearing #1**  
**Speaker 4 – Austin Sullivan (cont'd)**



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chosen. One must assume that the person that put this together just kind of eyeballed it and said, "Well, this seems like a good idea where they might go." And then again my main comment is that the resident of Riverside County have every reason to expect the same sort of treatment that the residents of the city of Ontario receive and are continuing to receive. Thank you.

PH1-S4-3 (cont'd)



**Public Hearing #1**  
**April 14, 2010**  
**Speaker 4 – Austin Sullivan**

- PH1-S4-1. This comment is introductory in nature and does not raise specific environmental concerns. Therefore, no response is necessary.
- PH1-S4-2. The mitigation proposed for the PVL project was developed based on the results of the Noise and Vibration Technical Report. The assessment methodology and subsequent mitigation recommendations were based on procedures outlined in the FTA Manual Section 6.8. The identification of seven homes and one church for sound insulation was based on the analysis that showed these particular properties would either not be properly protected by noise barriers or the use of noise barriers at these locations is infeasible based on topography and engineering constraints. All eight properties are located near grade crossings. Because these grade crossings create noise barrier discontinuity (since the barrier cannot traverse the intersection), properties near the crossings are often left either unprotected or under-protected resulting in the need for sound insulation. The proper assessment for train noise was conducted using the FTA Manual, which does not require the identification of a CNEL 65 contour line. In lieu of contours, specific labeling of noise receptor clusters was included via maps of impacted properties shown in Appendix A – Noise and Vibration Technical Report of the Draft EIR. According to the FTA Manual, using specifically labeled noise receptor clusters is the more accurate method for displaying impacted properties since developing noise contours is sometimes difficult due to shielding, terrain features and other propagation anomalies extant in transportation projects (FTA Manual, page 6-35). The Draft EIR has proposed mitigation for 83 residential units (see Draft EIR, Tables 4.10-9, 4.10-10 and 4.10-11).  
([http://www.fta.dot.gov/documents/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))
- PH1-S4-3. The implementation of noise barriers would mitigate interior noise levels to less than significant (according to Section 6.8.4 of the FTA Manual). Noise barrier locations were based on the location of impacted properties which would be representative of neighboring properties in terms of their general topography and existing noise exposure (see Draft EIR, Section 4.10.1). Calculations based on formula contained in Section 6.3.2 of the FTA Manual were applied to determine noise barrier height requirements that would eliminate the specific impacts. The lengths of noise barriers were based primarily on where the proposed PVL locomotives would begin blowing their horns, in addition to the position of the horns on the trains and existing site topography and constraints. Therefore, the potentially impacted properties were identified based on the noise analysis and not on an “eyeball” reaction as stated by the speaker.  
([http://www.fta.dot.gov/documents/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))



**Public Hearing #1**  
**Speaker 5 - Gurumantra Khalsa**



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>> Thanks a lot for your comments--important comments. Mr. Khalsa and he'll be followed by Kevin Dawson.

>> GURU MANTRA KHALSA: Morning, ladies and gentleman. I'm Guru Mantra Khalsa. I'm with the University Neighborhood Association. I want to speak briefly about the fact that there are no grade separations proposed for this project. We've all seen freight trains long enough to block two and possibly all three of the contact points into the neighborhood. And an earthquake or a toxic spill is a

PH1-S5-1

PH1-S5-2

PH1-S5-3



**Public Hearing #1**  
**Speaker 5 – Gurumantra Khalsa (cont'd)**



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foreseeable event that the purpose of this is to mitigate  
for. And there's no mention of that. I think that's a  
serious shortcoming. The other issue is this track bisects  
park access both city and county park. And there's nothing  
proposed about how residents are going to safely bisect  
that track either with a grade separation under or some way  
to access trail head and county parkways. The third  
comment that I'd like to make relates to Barney's thing  
about the station in Highgrove. It seems to me with scarce  
federal funds and the option to expand ridership  
opportunities by 100% why that wouldn't be considered at  
this time with scarce funds and the potential upside is a  
mystery to me. And from I've seen in the EIR there's no  
justification for it that stands up. So thank you very  
much.

} PH1-S5-3 (cont'd)

} PH1-S5-4

} PH1-S5-5

**Public Hearing #1**  
**April 14, 2010**  
**Speaker 5 – Gurumantra Khalsa**

PH1-S5-1. See Master Response #12 – Grade Separations. As identified in the Master Response, grade separations are infeasible in the UCR neighborhood. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

PH1-S5-2. This comment expresses concern regarding the fact that freight trains can block every grade crossing in the UCR neighborhood. The PVL project's trains would be commuter trains of only a few cars. These trains are too short to block more than a single crossing, and that is not anticipated during normal operations. Thus, even in the unlikely event that a PVL project train stops in the neighborhood, there would be no significant impact because only one of three ingress/egress locations would be affected.

Additionally, with the implementation of the PVL project, the corridor will become a shared corridor with the Metrolink and BNSF under control of SCRRA. Due to the shared nature of the operations, it is not anticipated that trains would be allowed to stop in areas of single track (including the UCR neighborhood) because this would block other trains from passing through. Instead, trains would stop in the areas where there is a bypass track (between MP 7.50 to MP 16.90) and not in the UCR neighborhood. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

PH1-S5-3. See Master Response #4 – Hazardous Materials Transport. As stated in the Draft EIR in Section 4.7.4: "As a commuter rail line, PVL service is passenger only. As such, there would never be an occasion when hazardous materials would be transported on the commuter trains." Therefore, less than significant impacts are anticipated for this issue area and no mitigation measures are required. Since there are no new impacts as a result of this comment, the Draft EIR has not been changed.

PH1-S5-4. This comment states that "The other issue is this track bisects park access both city and county park. And there's nothing proposed about how residents are going to safely bisect that track either with a grade separation under or some way to access trail head and county parkways." The ROW has been in existence for over 100 years and the City of Riverside and the County of Riverside developed these parks without considering access across private property (the SJBL/RCTC right-of-way). If unauthorized people enter the ROW, even to "just" cross the tracks to get to the other side, they are considered to be trespassing.

The PVL project does not include adding additional track in this area or affecting existing access to parks in any way. The existing track will remain in its current location. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.





- PH1-S5-5. The Draft EIR in Section 2.2 provides a description of the Highgrove Station requests, and the reasons why it is not being considered as part of the proposed PVL project. The speaker does not raise specific objections with regard to the Draft EIR's analysis of the Highgrove station. Therefore, RCTC has no further response to this comment.



**Public Hearing #1**  
**Speaker 6 - Kevin Dawson**



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>> Thanks, Mr. Khalsa. And after Mr. Dawson will be our final speaker Jeffery--is it McConnell or McDonnell?--from Grand Terrace.

>> KEVIN DAWSON: Good morning. I appreciate you having a public hearing. I know it is required but, you know, I wish that your public hearing had been held with a little more time for the public to digest the EIR page draft document. It was only released about nine days ago.

PH1-S6-1

>> Kevin, let me just--some of the commissioners didn't hear your name. Your name is Kevin Dawson.

>> My name is Kevin Dawson.

>> And you live--



**Public Hearing #1  
Speaker 6 – Kevin Dawson (cont'd)**



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>> With the University Neighborhood Association. I live about 500 feet from the track up by UCR. I'm sorry. The document was released very shortly before tax time. And I'm sure that all of us have been working diligently on that little arduous task. There needs to be more time for the public to be able to digest that and come and address the full board. And it is important to be able to address the full board and not just a few commissioners at the later Perris meeting. My neighborhood, in particular, is going to hardly--it's going to be impacted by this project. And I propose that there should be an evening meeting at UCR location where the working class neighbors of mine can come and address the full board.

I looked through the EIR and I think there's been some understatements of facts and impacts. There is--it states that there's only like three locomotives that averagely go through with the freight but there's regularly three to seven locomotives on these trains--45 to 85 cars in a

PH1-S6-2

PH1-S6-3

PH1-S6-4

PH1-S6-5



**Public Hearing #1**  
**Speaker 6 – Kevin Dawson (cont'd)**



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train. The train through my neighborhood doesn't travel at an average speed of 30 miles per hour. It travels at 10 miles per hour. And that's not going to change with the upgrade of the track because of the grade and the curve of the track. I have confirmed that in talking to the consultants that have been at the different meetings. The speed is of an issue is because it prolongs the exposure of the neighborhood to the ground vibration and air pollution and noise. This morning's train, for example, I laid there in bed, watched the clock. It took 14 minutes for the train to travel through our neighborhood before there was a succession of noise and vibration and such. My house is-- my bedroom is about 500 feet from the track, heavily insulated, retrofitted with the soundproof glasses, you know, windows. And I can clearly hear it for that amount of time.

PH1-S6-5 (cont'd)

PH1-S6-6

PH1-S6-7

Also the issue of our access to the county park is how do we cross over your right of way into our park? Your

PH1-S6-8



**Public Hearing #1**  
**Speaker 6 – Kevin Dawson (cont'd)**



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consultants say, "Well, that's easy. You're trespassing if you go through the right of way." And I say, "Well, wait a minute. It shouldn't be that we to trespass in order to safely access our parks." That has not been mitigated.

PH1-S6-8 (cont'd)

Furthermore, there hasn't been an inclusion of quiet zones. And I believe that it shouldn't be pushed off on the city of Riverside to ask and pay for those quiet zones. You guys should be mitigating your project. It's your project not the city of Riverside's. And I don't want to have to pay for that as a city tax payer. Okay? Thank you.

PH1-S6-9

**Public Hearing #1**  
**April 14, 2010**  
**Speaker 6 – Kevin Dawson**

- PH1-S6-1. As the Draft EIR states in Section 1.5, “two public hearings will be held on April 14, 2010 at 9:30AM at the Riverside County Administrative Center (4080 Lemon Street, Riverside, CA 92502), and on April 22, 2010 at 6:00PM in the City of Perris, City Council Chambers (101 North “D” Street, Perris, CA 92570 – corner of San Jacinto and Perris Boulevard).” A third public hearing (May 17, 2010) was added in response to public request. These public hearings were held by RCTC as a courtesy to the public and were not required by CEQA (State CEQA Guidelines § 15202(a)). These three public hearings provided members of the public ample time to read the Draft EIR and provide comments if they desired. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.
- PH1-S6-2. This comment is informational and does not raise specific environmental concerns. Therefore, no response is necessary.
- PH1-S6-3. The public review period for the Draft EIR (April 5 through May 24, 2010) exceeded the 45-day minimum prescribed in Section 21091 of the CEQA Statutes and Section 15105 of the CEQA Guidelines. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- PH1-S6-4. Section 15202 (a) in the CEQA Guidelines states that formal hearings are not required at any stage of the environmental review process. However, in a “good will” effort, RCTC wanted to give the public multiple opportunities to comment. Originally two public hearings were scheduled. A third public hearing was added to meet the request stated in this comment, and the requests of other members of the public. These public hearings were intended to give the public a forum to express their concerns before the RCTC Commission would be asked to review and consider the document for approval. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.
- PH1-S6-5. Train speed is determined by the local conditions including the track grade, load being hauled, curves, and overall track conditions. The freight train configurations were determined from available information and by visual observation at the time of technical report preparation. It was assumed that the observation data would provide an average number of locomotives traveling through the area for a given week. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- PH1-S6-6. See Master Response #6 - Noise. To account for existing conditions in the field (including noise from freight traffic and vehicular traffic), 24-hour noise measurements were undertaken (see Draft EIR, Section 4.10-1). Although the number of freight trains and their speeds would occasionally fluctuate up or down, based on field observations and information from local engineers familiar with the SJBL freight line, the characterization of freight movements per day and



train speeds are accurate in the Draft EIR. The proposed Metrolink trains would have travel speeds that typically range between 20 and 60 mph. The proposed PVL project would include eliminating old rail and using new welded rail in its place, which would have the added benefit of reducing noise and vibration from existing freight traffic.

Section 4.3 of the Draft EIR (and the accompanying Air Quality Technical Report) outlines the extensive measures used to calculate the expected emissions due to the implementation of the PVL project. The air quality analysis for the PVL accounted for relevant PVL project parameters and conditions. It also ensured that the analysis was done in compliance with the most up to date local, state, and federal air quality regulations and guidance. Table 4.3-10 of the Draft EIR shows that emissions of greenhouse gases by the locomotives associated with the PVL would be offset by the reduction in emissions resulting from the diversion in ridership from private vehicles.

PH1-S6-7. Future PVL Metrolink trains would be traveling at faster speeds, although within established speed limits set by design engineers taking into account maximum speeds and reducing those to speed approved by FRA. The PVL trains would be significantly shorter in length than the existing freight trains. As a result, the exposure time for noise sensitive properties would be significantly less (trains will pass by in seconds not minutes) than that of existing freight trains. Contrary to what speaker stated, the speaker's residence on Walnut Avenue is not located 500 feet from the rail line but well over a mile and a half away from any point of the proposed PVL alignment. Therefore, noise impacts to the speaker's residence would be less than significant.

PH1-S6-8. The rail right-of-way has been in the same location for over 100 years and currently passes past the park. The PVL project does not include adding additional track in this area or affecting existing access to parks in any other way. The existing track will remain in its current location and only be upgraded. Since existing access to parks will not be affected as a result of the PVL project, this is not considered a significant issue and does not require mitigation.

The County and City parks are outside the jurisdiction of RCTC. Though not required as mitigation for the PVL project, RCTC is willing to coordinate with the City and County regarding future plans for improving the local trail system. RCTC currently does not have excess PVL project funds to allow for sole funding of any improvements related to park access. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

PH1-S6-9. See Master Response #1 – Quiet Zones.



**Public Hearing #1  
Speaker 7 - Jeffrey McConnell**



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>> And the last speaker for which I have a card. Is it  
McConnell or McDonnell?

>> JEFFREY MCCONNELL: McConnell.

>> McConnell. And you live in Grand Terrace?





**Public Hearing #1**  
**Speaker 7 – Jeffrey McConnell (cont'd)**



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>> JEFFREY MCCONNELL: I live in Grand Terrace. Jeffery McConnell, Walnut Avenue of Grand Terrace. I'm the last speaker because you probably saw me run in here at last minute because I just spent the last 20, 30 minutes driving around in circles trying to find a parking spot. I got so frustrated that I almost left. I was so dang frustrated--that's with a "g"--that I almost left because there's just so many dang many people here to no parking spaces because some leaders in the past didn't have the foresight to see what was coming down the tracks so to speak. Sorry the pun. And then I realized what I was here for. I'm here to try and help promote more mass transportation for people so we don't have this spaghetti. And I started changing the dang and the "g" and the dang with an "m". And I had to park far away and walk very far.

PH1-S7-1

So I'm here to try to tell you that you need to keep your eye on the big picture. We need more mass transportation so we don't have this ball of spaghetti.

PH1-S7-2



**Public Hearing #1**  
**Speaker 7 – Jeffrey McConnell (cont'd)**



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I've been to Beijing. I've been to Tokyo and if you think we have a people problem, parking problem, you need to go there and see the insanity that exists. And I don't mean just with cars. They have mass transportation and they still have problems. There's tons of people vying for those cars. So I'm asking you to have the foresight. And don't get sidetracked by the little--what little issues whether its scarcity of funds--and a lot of us have that problem right now. Or access that a lot of the railroads roads were here before the houses were there. Please have a--keep your eye on the big picture and see what our children and us later in years are going to have to deal with if we don't keep our eye on the big picture. Okay, we have this because some leaders didn't keep it. We had to build a giant parking space. Fortunately, that's built. And we're probably going to have to build more if we just have more people because apparently leaders think that progress means more people. I personally believe in

PH1-S7-2 (cont'd)



**Public Hearing #1**  
**Speaker 7 – Jeffrey McConnell (cont'd)**



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quality before quality but there's just more people. The population projections say a whole lot more people. So if they're coming you, as leaders, have to have the foresight to see what can we do to avoid this ball of spaghetti. Keep your eye on quality before quantity. Thank you.

PH1-S7-2 (cont'd)

>> Thank you very much. Anyone else wish to address the commission? All right, I see no one. We're going to leave the public hearing open then. No actions suggested for today but all your comments have been taken down, recorded and will be responded to. It raised some important issues. I know if there's one--one can do something to get some info over there to the Highgrove library. Is that something we can do in the interim? And I'll be happy to look and see if whether we can have a meeting even if it's only with a few commissioners in the UCR University area as well at a convenient time in the evening for people. Those were all very good comments. Somebody just wrote a long



**Public Hearing #1**  
**April 14, 2010**  
**Speaker 7 – Jeffrey McConnell**

- PH1-S7-1. The comments are not germane to the Draft EIR. No response is necessary.
- PH1-S7-2. The comment does not raise specific environmental concerns. Therefore, no response is necessary.

**Public Hearing #1 (cont'd)**  
**April 14, 2010**

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op-ed piece on the politics of happiness. And they said it's being studied much more closely now. They know what makes people happy. Getting married makes you happy. It's worth the--it makes you as happy as getting \$100,000 job. What makes a lot of people most unhappy is commuting. So and we're not so much in the happiness business here as we're trying to reduce the unhappiness in the area. Okay, all right, we go on and we have some changes in our consent calendar items. We have addition of item 9C which you'll see is a pink addition on your desk. This is an agreement for environmental document preparation and so forth for the downtown Metrolink layover facility project. And we also have some important developments that Director Mayor will now advise us on on the Colton Crossing Issue. Miss Mayor.

>> Commissioners, our request is that you consider adding a Colton Crossing Update to your agenda today as an addition



**Public Hearing #1 (cont'd)  
April 14, 2010**



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to the agenda as a late breaking item. The addition of

this item-

[END OF AUDIO]



**0.3.4.2 Public Hearing #2 – April 22, 2010**

Public Hearing #2 was held on April 22, 2010 at 6:00 PM at the City of Perris City Council Chambers (101 North D Street, Perris, CA 92570). A copy of the transcript with bracketed comment numbers on the right margin is followed by the response as indexed in the transcript. The speakers are listed in Table 0.3.4.2-1.

**Table 0.3.4.2-1  
Public Hearing #2 Speakers**

<b>Speaker No.</b>	<b>Speaker</b>	<b>Date</b>	<b>Page No.</b>
1.	Janet Dixon	4/22/2010	0.3.4.2-8
2	Austin Sullivan	4/22/2010	0.3.4.2-13
3.	Gerardo Sanabria	4/22/2010	0.3.4.2-19
4.	Dean Bleer	4/22/2010	0.3.4.2-22



**Public Hearing #2  
April 22, 2010**



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RCTC

Public Hearing

April 22, 2010

Transcribed from digital audio

>> BOB BUSTER: Good evening everyone. I'm Bob Buster, Chairman of the Riverside County Transportation Commission. And with me is another commissioner who most of you know here in the city of Perris, Mayor Daryl Busch. And we'll be taking testimony on Perris Valley Line and your concerns that you have. So please fill in one of these yellow slips if you'd want to speak. We already have several. And then the comment period--the official comment period on the environmental report is open until May 24th. So we can give you the address to which any further questions/comments should be sent so that they can be responded to. We're going to have a general overview of the project. Edda, is it Rotto? Rosso--Rosso will give us





**Public Hearing #2 (cont'd)**  
**April 22, 2010**



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an overview of the project, the current status of the project, and then we will take testimony.

>> EDDA ROSSO: Good evening, everyone. Can you hear me? Oh -- just got to lean forward. Good evening, everyone. We're here today since the environmental studies for the Perris Valley Line have been released for public review, and we'd like to hear comments from the public on the project. The Draft Environmental Impact Report describes the proposed project, environmental effects anticipated with implementation of the PVL project, and any proposed mitigation measures as applicable. Prior to the start of the hearing I'd like to give a brief history of the Perris Valley Line to review what it is. And then I'll conclude with what's going on now, and what's next for the project. The PVL project extends the existing service to more of Riverside County. These two maps help describe that point. The lighter map on the left is the current five-county

**Public Hearing #2 (cont'd)**  
**April 22, 2010**

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Metrolink system. The map on the right is the Perris Valley Line extension. On the map on the left, there's a light blue line that travels from downtown Los Angeles to Riverside. That's the 91 Line. The PVL project will extend the 91 Line from downtown Riverside to Perris.

Let me briefly recap some of the previous actions taken by the commission that have brought us to this point. The Measure A of 1989 authorized the project and provided partial funding. Tracks were purchased in 1993. The PVL ad hoc was appointed in 2001. Federal environmental process was launched in 2004. We received the go ahead from the Federal Transit Administration in December of '07 for project development. The locally preferred alternative was revised in April of 2008 (unintelligible) and startup stations were approved in July of 2008. It should also be noted that in January of 2009 an initial study mitigated negative declaration was prepared and circulated for public review and comment. After careful consideration and in

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**April 22, 2010**

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response to public comments, the commission decided to prepare an Environmental Impact Report, which provides a greater level of analysis. As part of the environmental clearance process, we are required under the California Environmental Quality Act (CEQA) to conduct a number of studies as shown here on this slide. The result of the various engineer and environmental studies for the PVL project are documented in the Draft EIR.

So what now? We currently are in the comment period which opened on April 5th and will close on May 24th. And this evening is our second public hearing to receive public testimony on the Draft EIR. We will continue to accept comments through the end of the comment period. In addition to the hearing today, we conducted the first public hearing on April 14th at the commission's regularly scheduled meeting. Action on the project will not be requested today. Final action is not anticipated until December of 2010. We will finalize a document to address

**Public Hearing #2 (cont'd)**  
**April 22, 2010**

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the comments and concerns raised during the comment period. All comments received in writing or given as oral testimony at the public hearing will be responded to in the final EIR.

The commission will be requested to act on project approval upon completion of the final environmental document which is projected for December of 2010. The PVL must also comply with the National Environmental Policy Act (NEPA). The Federal Transit Administration is the lead agency for NEPA and a supplemental environmental assessment is being prepared and will be available for public review and comment in June of 2010. Upon FTA's approval and receipt of a finding of no significant impact, we can then obtain needed federal and state permits and move to the next phase of the work which is final engineering, buying of property where the stations will be built, and construction of the project. Upon completion of final design and approval from FTA for the Project Construction

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**April 22, 2010**

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Grant Agreement, construction can commence. At this time construction is projected for the spring of 2011.

I have noted here where the documents can be viewed and where folks can send written comments should they not wish to speak today.

Additionally, we will accept any written comments the public may wish to submit today to our clerk of the board. This concludes my presentation so we can now begin with the testimony from the public.

>> BOB BUSTER: Thanks, Ms. Rosso. Okay. We'll go right to the audience. Our ordinary comment period is three minutes. Usually people can get their principal concerns listed and other questions raised within that time period. So first speaker is Janet Dixon, representing Riverside Unified School District. And she'll be followed by Austin Sullivan.



**Public Hearing #2**  
**April 22, 2010**  
**Speaker 1 - Janet Dixon**



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>> JANET DIXON: Good evening, commissioners. My name is Janet Dixon.

I'm the Director of Planning and Development for Riverside Unified School District. As I'm sure you're aware, the school district has two schools that are immediately adjacent to the existing line that is proposed to be used for the Perris Valley Line. Those would be Highland Elementary and Hyatt Elementary. We're disappointed that our

PH2-S1-1

concerns do not appear to be addressed in the EIR upon our review.

PH2-S1-2

There is also an indication that in the report the way it is written that we are in agreement with the mitigation here. If I can quote a portion of the report in reference to landscape walls, it says that there are not mitigation for any identified impacts. It goes on to say in discussions with Riverside Unified and Perris Union school districts it was mutually agreed that the schools would receive benefit from a visual barrier and concludes--let's see--that the walls are a good-neighbor gesture. They are not mitigation. They are

PH2-S1-3



**Public Hearing #2**  
**Speaker 1 – Janet Dixon (cont'd)**



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neither a noise barrier, nor should they be construed as a safety feature. } PH2-S1-3 (cont'd)

The way this is written it seems to indicate that Riverside Unified is in agreement with this mitigation or nonmitigation, as the case may be. And I wanted to make it clear that that is not the case. That this is not something that the district was in agreement with. One element that is not addressed adequately is } PH2-S1-4

the risk of derailment. There's a study in there that takes an average of all of the miles that are traveled by Metrolink and shows on average that there would be a derailment once every 124 years. It does not even mention that we've had derailments already at both of these locations--one in 1989 at Highland Elementary and one in 1990 at Hyatt Elementary. You probably } PH2-S1-5

can't see it from there. But we've got a -- this is from the Press Enterprise, it shows a picture of the derailment at Hyatt elementary where you can see that there was a lot of lumber that spilled. It was about 200 } PH2-S1-6



**Public Hearing #2**  
**Speaker 1 – Janet Dixon (cont'd)**



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feet from the playground. It wasn't actually on the playground. It } PH2-S1-6  
 doesn't take into account that this area may have a higher risk than (cont'd)  
 other -- than your average Metrolink line and that maybe a derailment } PH2-S1-7  
 once every 124 years isn't applicable to where our schools are  
 located. We will be submitting additional written comments prior to  
 the close of the comment period. Again Riverside Unified is not  
 opposed to the Perris Valley Line, but our concern has been and  
 remains the safety of the students at the two schools adjacent to the } PH2-S1-8  
 line and any additional noise that would be disruptive to the  
 educational process. Thank you for the opportunity to speak this  
 evening.

>> BOB BUSTER: Okay. Thanks, Ms. Dixon. Next--go ahead.

>> DARYL BUSCH: Would you like to submit that picture to our staff--



**Public Hearing #2****April 22, 2010****Speaker 1 – Janet Dixon**

- PH2-S1-1. This comment is informational. No response is necessary.
- PH2-S1-2. This comment is informational. No response is necessary.
- PH2-S1-3. A noise barrier is proposed for Highland Elementary School (see Draft EIR, Table 4.10-11). This will reduce predicted noise impacts to less than significant levels. No noise impacts were predicted to occur at Hyatt Elementary School (see Draft EIR, Table 4.10-11), and therefore, no noise mitigation (noise barriers) is proposed for that location. However, wheel squeal treatments in the form of wayside applicators, which would significantly reduce the squeal noise, are proposed at the short-radius curves near Hyatt Elementary School (see Draft EIR, Section 4.10.4).
- PH2-S1-4. The Draft EIR has been revised to reflect the Riverside Unified School District's position regarding the landscape walls. The changes to the Draft EIR in Section 2.4.9 were to clarify this issue, no new impacts as a result of this comment were raised and no mitigation measures are required.
- PH2-S1-5. See Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School and Master Response #3 – Derailment (General) and Master Response #10 – Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment). This comment stated that the study in the Draft EIR regarding derailment risk did “not even mention that we’ve had derailments already at both of these locations – one in 1989 at Highland Elementary and one in 1990 at Hyatt Elementary.” The analysis in the Draft EIR and the supplemental analysis in the Master Responses compared the derailment exposure risk on SCRRRA’s lines to the estimated risk currently experienced by the SJBL. The analysis was computed with yearly statistics beginning with SCRRRA’s first full year of operation in 1993. Since the derailments referenced in this comment occurred outside of the 17-year window of SCRRRA experience, they were not included in the analyses. However, even if they were included in the derailment calculations, they would increase the freight train risk factor, further strengthening the argument that the PVL project is a benefit to the community.

Therefore, the analysis in the Draft EIR is correct - there are no significant impacts and no mitigation is required for this issue. The Draft EIR was changed to further clarify this issue. No new impacts as a result of this comment were raised and no mitigation measures are required.

- PH2-S1-6. See Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School and Master Response #3 – Derailment (General), Master Response #4 – Hazardous Materials Transport, and Master Response #10 – Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment). As stated in the Draft EIR in Section 4.7.4, “as a commuter rail line, PVL service is passenger only.” As such, there would never be an occasion



when hazardous materials or lumber would be transported on the commuter trains.” With regard to train derailments in general, the PVL project would replenish ballast, and replace ties, and rail next to Hyatt Elementary School, which would improve the current track condition and subsequently reduce the risk of derailment.

Therefore, the analysis in the Draft EIR is correct - there are no significant impacts and no mitigation is required for this issue. The Draft EIR was changed to further clarify this issue. No new impacts as a result of this comment were raised and no mitigation measures are required.

- PH2-S1-7. See Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School and Master Response #3 – Derailment (General) and Master Response #10 – Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment). The PVL project will improve overall track conditions so that both Metrolink and the freight trains can operate safely along the same alignment. By improving the overall condition of the track the operation would have a reduced potential for derailment.

Therefore, the analysis in the Draft EIR is correct - there are no significant impacts and no mitigation is required for this issue. The Draft EIR was changed to further clarify this issue. No new impacts as a result of this comment were raised and no mitigation measures are required.

- PH2-S1-8. See Master Response #2 - Kinder Morgan Pipeline Segment Near Highland Elementary School, Master Response #3 – Derailment (General), Master Response #9 - Highland and Hyatt Elementary Schools (Increased Train Traffic), and Master Response #10 - Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment). Also see above response to PH2-S1-3.

Safety is the primary concern of both RCTC and SCRRA (the operators of the Metrolink service) for implementation and operation of the project. SCRRA will have operational control of the train service, both freight and commuter, when the PVL project is operational. Additionally, SCRRA will operate the commuter rail according to the organization Standard Operating Procedures. The analysis in the Draft EIR is correct - there are no significant impacts and no mitigation is required for this issue. The Draft EIR was changed to further clarify this issue. No new impacts as a result of this comment were raised and no mitigation measures are required.



**Public Hearing #2**  
**April 22, 2010**  
**Speaker 2 - Austin Sullivan**



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>> JANET DIXON: Sure.

>> DARYL BUSCH: --that you brought with you. They would be happy to take that.

>> JANET DIXON: Okay. I can do that.

>> BOB BUSTER: Next Mr. Sullivan. And he'll be followed by Gerardo Sanabria.

>> MR. SULLIVAN: Good evening. I appeared before the board at the last public hearing and at that point another member of the UCR community-- I live on 275 West Campus View Drive near UC Riverside. He requested that we have another public hearing in our neighborhood, and I would like to reiterate that request. And I hope that can happen before the close of the review period. I expected to make a few comments this evening concerning some of the technical

} PH2-S2-1  
}  
} PH2-S2-2  
}  
} PH2-S2-3



**Public Hearing #2**  
**Speaker 2 – Austin Sullivan (cont'd)**



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aspects of the noise portion of the EIR. And in preparation for doing that, I looked back at comments I had made to the original EA, which was done six years ago. And much to my surprise what I found was that the noise analysis done in 2004 was essentially the same one that's being -- that was done now. What you have is essentially a re -- not even a reiteration. What you have is -- how shall I say this? If the commission actually paid somebody to do this as a separate study they were, I think the nice term is gulled. Let me cite for you nonetheless some of the problems with that initial study -- incidentally, this is going to make it easy for me.

PH2-S2-3  
(cont'd)

All I'm going to have to do is boilerplate my comments from 2004, resubmit them. It's going to be not very much work at all. But some of the problems with that are -- number one, they make no effort to analyze any of the time shifting that might occur with reference to some of the freight trains being shifted to nighttime because of the

PH2-S2-4



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**Speaker 2 – Austin Sullivan (cont'd)**



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trains--the Metrolink trains being running during the day. They use a } PH2-S2-4  
 metric, namely the Ldn, in order to do the noise analysis. The (cont'd)

California standard is CNEL. If you use CNEL, which would be the }  
 appropriate metric, you would wind up with the greater nose impact PH2-S2-5  
 because it weights more the evening noise. They repeatedly use the }  
 term Ldn, dBA. There is no such thing. It's either dBA or Ldn. And the }  
 fact that they make this kind of confusion really probably doesn't }  
 mean a whole lot, you can usually figure out what they mean, but the }  
 fact that they're using the improper terminology raises a question as } PH2-S2-6  
 to whether the person that's doing the analysis really knows their }  
 stuff very well. We should be provided with a 65 CNEL noise contour. }  
 No such contour is provided. } PH2-S2-7

There is no way to indicate -- to figure out how the seven homes -- }  
 and I don't -- that's a ridiculously small number of homes that were }  
 slated for mitigation--were chosen. We really should be dealing with } PH2-S2-8  
 all the homes }



**Public Hearing #2**  
**Speaker 2 – Austin Sullivan (cont'd)**



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within the 65 CNEI and that would be a much larger number. I don't } PH2-S2-8  
know about anybody else in my community. I'm not against mass transit. (cont'd)  
I'm not even against this project. I just want you guys to do the }  
right thing. And that means not hand us the bill. Do the proper PH2-S2-9  
mitigation, and you'll get my support.

**Public Hearing #2**  
**April 22, 2010**  
**Speaker 2 – Austin Sullivan**

- PH2-S2-1. This comment is informational. No response is necessary.
- PH2-S2-2. A third public meeting was held on May 17, 2010 to allow the UCR neighborhood an additional opportunity to comment on the proposed project. These public hearings were a courtesy of RCTC and not required by CEQA (CEQA Section 15202(a)).
- PH2-S2-3. See Master Response #6 – Noise. The 2004 and 2005 EAs and 2010 Draft EIR reports represent separate assessments of noise and vibration for the PVL project. New noise monitoring was conducted for the 2010 Draft EIR to ensure that the most up to date data was used in the assessment. This assessment included noise monitoring at additional locations as well as re-measurements at previously monitored sites, particularly in the UCR neighborhood.. In addition, the 2010 Draft EIR assessment included a new train schedule and volumes, and the assessment methodology was completely revised for both noise and vibration based on a specific request from the FTA. While calculated noise levels from the 2004 and 2005 EAs and 2010 Draft EIR assessments were not exactly alike, they did result in similar requirements for mitigation at some locations.
- PH2-S2-4. The speaker states that freight time shifting was not a part of the noise analysis. The PVL noise study assumes that no time shifting of freight trains to night-time hours would be required as a result of the PVL project implementation because the proposed PVL project would only add twelve daily commuter train trips to the existing line (see Draft EIR, Section 2.4.11 and Table 2.4-2). The addition of twelve commuter train trips would not interfere with existing BNSF freight train traffic. Moreover, the PVL project would add a by-pass track on the I-215 side of the existing SJBL track within the existing RCTC ROW, which would allow multiple trains to use the PVL line without conflicts (see Draft EIR, Section 2.4.1). As a result, time shifting is not necessary and is not a component of the PVL project.
- PH2-S2-5. The proper assessment for train noise was conducted using the FTA Manual which calls for the use of  $L_{dn}$  as the appropriate descriptor for transit-related noise with respect to residential uses and  $L_{eq}$  for daytime land uses (FTA Manual, Section 2.5.5 and Table 3-2). The  $L_{dn}$  descriptor (as with CNEL) weighs night-time noise more heavily than daytime noise. The CNEL descriptor, although it also adds an additional decibel penalty for noise during evening hours, is geared primarily towards overall community noise, for potential development projects. Therefore, while the project is located in California where the CNEL descriptor is used in the assessment of many non-transit based projects, because the PVL project is related to rail usage, the  $L_{dn}$  and  $L_{eq}$  descriptors based on FTA Manual guidance were used here.  
([http://www.fta.dot.gov/documents/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))



- PH2-S2-6. Noise terms,  $L_{dn}$  and dBA, were used in their respective contexts for the noise assessment for the proposed PVL.  $L_{dn}$  is defined as a noise descriptor, while dBA represents the units of the descriptor.
- PH2-S2-7. The proper assessment for train noise was conducted using the FTA Manual, which does not require the identification of a CNEL 65 contour line. In lieu of contours, specific labeling of noise receptor clusters was included via maps of impacted properties shown in Appendix A – Noise and Vibration Technical Report of the Draft EIR (FTA Manual, page 6-35).  
([http://www.fta.dot.gov/documents/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))
- PH2-S2-8. See response PH2-S2-7 above. The Draft EIR has proposed noise mitigation for 83 residential units (see Draft EIR, Tables 4.10-9, 4.10-10 and 4.10-11). Mitigation for impacted properties includes noise barriers and sound insulation for specific properties. Sound insulation was specifically proposed at eight properties where noise barriers would not be feasible. Noise mitigation for the balance of the properties for which potential noise impacts were identified will be in the form of noise barriers.  
([http://www.fta.dot.gov/documents/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))
- PH2-S2-9. This comment does not raise specific environmental concerns. Therefore, no response is necessary.





**Public Hearing #2**  
**April 22, 2010**  
**Speaker 3 - Gerardo Sanabria**



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>> BOB BUSTER: Thanks, Mr. Sullivan. Next is Mr. -- did I get this right? Is it Sanabria?

>> MR. SANABRIA: Yes, you did.

>> BOB BUSTER: And you'll be followed by Dean Blair or Blear.

>> MR. SANABRIA: Good evening, commissioners. My name is Gerardo Sanabria. I'm a resident of Perris. I'm here to speak in support of the project. I have been listening to

} PH2-S3-1



**Public Hearing #2**  
**Speaker 3 – Gerardo Sanabria (cont'd)**



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some of the negatives against the project, and I stop and think about how all projects--especially this one--is funded by public funds and a few individuals stand up here and demand mitigations for their things. I see it as a greater good for the entire region not only for a few. And I hope that this thing gets done and it gets done correctly and it gets done on a timely timeline. Just speaking in support of the Perris Valley Line. Thank you.

PH2-S3-1  
(cont'd)



**Public Hearing #2**  
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**Speaker 3 – Gerardo Sanabria**

PH2-S3-1. This comment supports the PVL project and does not raise specific environmental concerns. Therefore, no response is necessary.



**Public Hearing #2**  
**April 22, 2010**  
**Speaker 4 - Dean Bleer**



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>> BOB BUSTER: Thanks.

>> DEAN BLEER: Good evening, Mr. Commissioner. My name is Dean Bleer. I live at 1025 Johns Road here in Perris, which is adjacent to the northbound 215 Freeway, which is pretty close to the railroad track. Let me say I'm not opposed to the rail line. We've lived with that rail line here -- I've lived there since 1962 and the commercial traffic that was hauling the potatoes out of her all during

PH2-S4-1



**Public Hearing #2**  
**Speaker 4 – Dean Bleer (cont'd)**



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that time. So the four or five houses that are affected -- really, } PH2-S4-1  
 really affected by the traffic and the rail lines in relationship to (cont'd)

vibration and noise we've--like I say, we've lived with that since } PH2-S4-2  
 1962.

I don't know if the soil that is the original soil for that slope that } PH2-S4-3  
 comes off of 8th Street down to Perris Boulevard is deteriorating or  
 breaking down or we're just putting more weight and more traffic on  
 it, but every time that they repave the 215 and they break the  
 pavement there at the D Street off-ramp and there's a little roughness  
 until the surface, even the truck traffic will -- has cracked --  
 because all those houses are lath and plaster they're on a crawl } PH2-S4-4  
 space. They're off the floor. They're not on a cement foundation. And  
 it has cracked the plaster on these five houses. And my house -- every  
 house and my house has got a hairline crack in it because just the  
 truck traffic. Now, when the trains go by and they're very, very  
 limited now because we don't have a lot of train traffic. } PH2-S4-5



**Public Hearing #2**  
**Speaker 4 – Dean Bleer (cont'd)**



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The trains now will vibrate the window panes and the pictures on the  
- in my house the pictures that are hanging on the wall. That train  
will vibrate them. } PH2-S4-5  
(cont'd)

In relationship to this on the second page, what is planned, you say  
that the project would included a track rehabilitation with welded  
rails for a new track for a nine-mile segment parallel to the 215  
south of Box Springs Road and north of Nuevo Road. On the back under  
noise, you say that the welded rail would mean less noise and  
vibration from the rail traffic. There's--the way I read this, and I  
did read your -- what do you call this? I'm sorry. The draft IER [sic]  
over at the library -- } PH2-S4-6

>> BOB BUSTER: Draft EIR. Correct.

>> DEAN BLEER: I looked at every page in the first part of the book. I  
didn't understand the technical. And I didn't understand a lot of --  
when I looked through the whole first } PH2-S4-7



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**Speaker 4 – Dean Bleer (cont'd)**



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book. I read everything on the noise and everything on the vibration and everything on the pollution according to the draft. I understood about 90%.

} PH2-S4-7  
(cont'd)

>> BOB BUSTER: That's better than most of us.

>> DEAN BLEER: So my -- and what I couldn't find over there -- because I basically went to read the draft because it seems like you're going to stop the welded rail at Nuevo Road. All these houses are from Nuevo Road to the D Street off-ramp. And they're approximately -- you'd think that the rail would be far enough that it would be not affected. But the rail traffic on there now is affecting these five houses on -- that are relation to Metz and Johns Road. Now, when you get up because the road is this in a V, it pushes the rail further and further away from their houses and they don't get -- they're not as affected by the vibration as bad as we are. So I would ask the commission, if they

} PH2-S4-8  
PH2-S4-9



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**Speaker 4 – Dean Bleer (cont'd)**



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haven't done so already, because I don't know what you guys are doing or not doing -- I didn't understand it -- is to put welded rail at least all the way to San Jacinto Avenue. I don't know if a sound wall -- and this gentleman says the sound walls that's proposed in that draft are not really sound walls. I don't know if that would help or not help. I don't know if the vibration is because of the soil that exists and existed there from day one. Maybe you guys could look into that and see if you can reduce the vibration on these houses on Johns Road.

PH2-S4-9  
(cont'd)

PH2-S4-10

>> BOB BUSTER: These are all really good points you raise. And the whole idea is to as much as possible translate what the experts experience is into layman's terms so you can make your own judgments. And I know in these initial reports often you get bogged down with a lot of acronyms and a lot of insider or technical language so that's something we should look at. And we'll specifically





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**Speaker 4 – Dean Bleer (cont'd)**



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respond to your points that you raised which I think are very, very good points, and the other ones that the other speaker raises.

>> DEAN BLEER: The -- if I have a few minutes -- the other thing that I didn't quite understand is --

>> BOB BUSTER: I don't want to give you too much time because I have to cut everybody out at three. If you have another couple points go ahead.

>> DEAN BLEER: Just one point-- the pollution, because I didn't understand that and I read that environmental as to how much ozone, smog, or whatever you want to call it that would be raised from the locomotives--

PH2-S4-11

>> Right. Right. Air emissions.



**Public Hearing #2**  
**Speaker 4 – Dean Bleer (cont'd)**



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>> --I don't know you say the air quality control whatever that board is they set the guidelines of how much emissions they can produce. So I think it's -- anyway I want you to kind of know those are lath and plaster houses on crawl spaces which are hardwood floors and they vibrate, and we need to minimize that as much as possible. Thank you very much.

PH2-S4-12

>> BOB BUSTER: Thanks for you testimony. Appreciate it. Is there anyone else here this evening that wishes to make any comments whatsoever about the Perris Valley Line? All right. If you do come up with further comments please take one of these forms it gives you Ms. Rosso's name and all the contact information for the commission and deadlines and so forth which are in this case is May 24th. Everything submitted before May 24th will receive a written response in the environmental impact report. Is that correct Ms. Rosso? Okay good. So that really helps you

**Public Hearing #2**  
**April 22, 2010**  
**Speaker 4 – Dean Bleer**

- PH2-S4-1. This comment is informational. No response is necessary.
- PH2-S4-2. A detailed noise and vibration assessment was conducted for the PVL project using criteria and procedures from the FTA Manual. The assessment identified noise sensitive properties most likely to be affected by the proposed PVL project (see Draft EIR, Tables 4.10-9, 4.10-10, and 4.10-11). The assessment did not identify any noise or vibration impacts near the speaker's residence at 1025 Johns Road.  
([http://www.fta.dot.gov/documents/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))
- PH2-S4-3. The SJBL runs on the west side of the I-215; 1025 Johns Road is located east of I-215. The soil and pavement conditions on and near the I-215 are not a result of the rail corridor usage but related to the freeway traffic.
- PH2-S4-4. The comment relates potential vibration damage from freeway traffic and not from rail operations.
- PH2-S4-5. According to the vibration screening criteria from the FTA, vibration impacts would not occur for residences located 200 feet from a proposed project alignment according to the FTA Manual, Table 9-2. As such, vibration impacts due to this proposed project would not occur for residences in the vicinity of the property at 1025 Johns Road, which is located over 300 feet from the proposed PVL alignment.  
([http://www.fta.dot.gov/documents/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))
- PH2-S4-6. The proposed project would include eliminating old rail and using new welded rail in its place for the entire length of the proposed project (see Draft EIR, Section 2.4.1). The new welded rail would have the added benefit of reducing noise from existing freight traffic.
- PH2-S4-7. This comment is informational. No response is necessary.
- PH2-S4-8. The proposed project would use welded rail throughout, thereby reducing existing vibration. See Response PH2-S4-6 above.
- PH2-S4-9. Existing soil conditions are a factor when considering potential vibration impacts from rail. However, homes along Johns Road are approximately 300 feet from the proposed alignment and according to the conservative FTA vibration screening criteria in the FTA Manual, Table 9-2, would not be impacted by PVL project train operations. As indicated in the Draft EIR, vibration impacts from properties located more than 200 feet from the proposed rail alignment would be less than significant (FTA Manual, Table 9-2).  
([http://www.fta.dot.gov/documents/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))
- PH2-S4-10. Noise barriers were proposed for specific locations (see Draft EIR, Section 4.10.5) to reduce impacts to less than significant levels.



See response to PH2-S4-9 above. Moreover, noise barriers were not proposed as mitigation for vibration impacts. Instead, where vibration impacts were identified, the Draft EIR proposed the use of either ballast mats or resiliently supported ties to mitigate impacts to less than significant levels (see Draft EIR, Section 4.10.5).

([http://www.fta.dot.gov/documents/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))

- PH2-S4-11. The air quality analysis for the PVL accounted for all potential air quality impacts. The analysis was conducted in compliance with the most up to date local, state, and federal air quality regulations and guidance. The manufacturers of the locomotive equipment (as well as the transportation agency using them, Metrolink) are also bound by federal air quality regulations and must meet established emissions criteria. As noted in the Draft EIR, Table 4.3-12 in the Air Quality section, Metrolink would operate the PVL schedule by using 6 diesel-electric locomotives that meet established USEPA stringent Tier 2 emissions standards for locomotives. By comparison, Tier 2 locomotives restrict pollutant emissions to 90% of Tier 1 standards that were restricted to approximately 60% of Tier 0 or uncontrolled locomotive emissions. By the operating year of the PVL, all new locomotives would be required to meet Tier 3 emissions which require an approximately 50% reduction of Tier 2 emissions. As noted in Table 4.3-12, the expected emissions of the locomotives would be offset by the reduction in emissions from diverted vehicular traffic.
- PH2-S4-12. CARB and SCAQMD operate an ambient air quality monitoring network throughout the state that monitors air pollutants. This network encompasses every county in the state (including Riverside County where the proposed PVL would operate) and the most current and relevant data from these monitoring stations was used in the air quality analysis. The SCAQMD operates three air quality monitoring stations in the City of Riverside and one in Perris that measure the local air quality on a continuous basis. The air quality analysis for the PVL accounted for all relevant project parameters and conditions and ensured that the analysis was done in compliance with the most up to date local, state, and federal air quality regulations and guidance. The manufacturers of the locomotive equipment (as well as the transportation agency using them, Metrolink) are also bound by federal air quality regulations and must meet the emissions criteria. As noted in Table 4.3-12 in the Air Quality section of the Draft EIR, Metrolink would operate the PVL schedule by using 6 diesel-electric locomotives that meet the USEPA stringent Tier 2 emissions standards for locomotives. By comparison, Tier 2 locomotives restrict pollutant emissions to 90% of Tier 1 standards that were restricted to approximately 60% of Tier 0 or uncontrolled locomotive emissions. By the operating year of the PVL, all new locomotives would be required to meet Tier 3 emissions which require an approximately 50% reduction of Tier 2 emissions. As noted in Table 4.3-12, the expected emissions of the locomotives would be completely offset by the reduction in emissions from diverted vehicular traffic.



Homes along Johns Road are approximately 300 feet from the proposed alignment and according to the vibration screening criteria in the FTA Manual, would not be impacted by PVL project train operations.  
([http://www.fta.dot.gov/documents/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))

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get a kind of back and forth and then the commission can read that. That's what I often go to first so see where the controversial areas are and what the response is, and then we can gauge in a better idea of whether the proposed mitigations are sufficient and so forth. So that's our job. We're happy to do it. Since we got started here  
Supervisor

Marion Ashley is also a commissioner represents this area along with Mayor Busch here in the Perris area has arrived. Oh, and our director, Anne Mayer, who ranges far and wide. And we're happy she's been doing a good job getting funding, federally primarily, for this expansion. And she also keeps us up to date with all the safety improvements. One thing I might say that with the several severe train accidents on the Metrolink lines elsewhere in the system, there will be upgraded safety features for the Perris Valley Line. And Mr. Bleer already mentioned one of them, which is the separate -- completely separate track to separate freight and passenger movements here on the

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Perris Plain area. But there will be others as well. Supervisor Ashley, do you want to make a few comments? Then Ms. Mayer is there anything you want to add?

>> MARION ASHLEY: It's good to see everybody come out. I'm sorry I'm late getting back. I spent the whole day in Orange County as master of ceremonies at a water conference in a matter of Santa Ana watershed. I just got back and come down here. So I'm sorry I'm late. But it's very important that you all came out. We need to know all your comments. Every one of them will be addressed in the EIR, and the answers will be there. So they'll address them, and then they'll say--Here's what's done about it. Like, for example, Dean Bleer's comment about the welded tracks. No doubt it's got welded tracks all the way through. But it wasn't clear in that, and they'll have to point that out if it's not that way. Then they'll have to address that. So all these concerns whether it's about the adequacy of a

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sound berm or a berm or sound wall in front of a school or whatever.  
They all have to be addressed.

And at the end of this, if we do this, we'll have a better project,  
and there will be more acceptance of it. This could be a wonderful  
thing for the area. Because--they're talking about how many riders a  
day? Starts at close to 5,000 a day right off the bat. And you  
translate that into cars, and you figure that's less smog. So it's a  
lot better. Also it's really great when you'll be able to get on here  
in Perris or South Perris near Menifee and be able to ride all the way  
to Los Angeles or to Orange County if you want to. And that's good  
because some folks can drive -- or they can't drive. Some would rather  
drive--they'd rather not drive, read a book, take a nap. Listen to  
your iPod and relax on the way in and at the same time take all those  
cars off the road. It's important to get as many cars as we can off  
the road. Because we know whether -- no matter what we do. If we put  
the natural growth out





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here--here going to grow because people are having babies. They're not coming out of the air. It's just natural growth. We're going to--

>> BOB BUSTER: I thought that's where they came from.

>> MARION ASHLEY: So we need projects like this to help mitigate that. And -- it's important -- one comment who --

>> BOB BUSTER: The stork.

>> MARION ASHLEY: On the South Perris Line, the end of the line is by Highway 74, 215, and that's the end of the line. That's probably going to be the busiest spot because you have a catchment area. If you go 15 minutes, which isn't far, every direction people from Elsinore, Murrieta, Temecula, San Jacinto Valley, all will be able to come in and ride that in. And I think it's really important. This



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a -- if this is done right--and we're going to do it right--this is going to be a great. Not just a great facility for the area, but it's going to be a great amenity as well.

>> BOB BUSTER: It's almost.--at least from Perris to the whole region. And may soon be even Perris to the whole nation.

>> MARION ASHLEY: That's right. All Metrolink lines end in Perris, end of the line right there.

>> BOB BUSTER: Mayor Busch, do you want to-- Mayor or Director, do you want to say anything? Mayor Busch--I'm going to leave him the concluding comments. He's the mayor. He gets to put the cap on the meeting.

>> MARION ASHLEY: Last word.



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>> ANNE MAYER: Okay. I would just like to thank those who participating tonight for your comments and also let you know that we do have a number of staff in the room here. So, if you have additional questions after the hearing is over, we're happy to stay after and answer any questions you have this evening. Also, if you think of additional questions, we're available by phone. We can set up other discussions with you so that you can make sure that you understand the content of the documents that we have, and we can answer your questions. So we are available as well as we have the comment cards and we also have Edda's contact information available for you as well. So thank you for you comments.

>> BOB BUSTER: Mayor Busch.

>> DARYL BUSCH: Yeah. Anne mentioned we're available by phone. If you want to make a comment though, comments have

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to be in writing. Okay. So it's important you call the staff and say-- I told them. That's really nice, but they have to have it in writing. We have to have a writing document for this process here. The law requires it. So it's very important that, if you do want something entered on this, is to submit a written statement--whatever form. And it doesn't have to be in a specific form--just as long as they give it to them. Address it and give it to them, that's what's important. We thank everyone for coming this evening. This is actually going to be great for the region in--just an example of -- those of you that haven't seen in the letter, but we already have our transit station 90% completed here in Perris. And it's operational and--that is the buses are using it now---and we're just waiting for a train to show up and then the rest of it will be completed. It's over on C Street. It's just a block over.

And, if you haven't seen it, I recommend you go over and see it. It's really, really nice. It set the

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standards of what we're going to have here in Riverside County at the other stations also. And so I invite you to go over and look at it and see it. It's something unique. We have some Disney art displayed there. Disney was kind enough to our request to allow us to display some of their art there. So that is on display also there. We -- the safety measures--they're taking a lot of extra precaution because of safety measures in (unintelligible) double tracking. Down from basically from the 60 almost all the way to Nuevo Road it will be double tracked. What that means is that they will -- there is freight use out there at this time. But when the Metrolink comes, they're going to build their own track so the freight and the Metrolink will not be running on the same track. And so try to avoid any type of scenarios that they had in Chatsworth where they had two trains on the same track. So they're doing that as a precaution. We could have ran without it.

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They do it in other areas, but the extra money should be spent for safetywise. And then also part of the Metrolink is in the--Metrolink is in the process of putting a system in place called Positive Train Control (PTC). That's like a \$200 million project. It's for all the lines that you've seen on the drawing a while ago. And that is the, basically, a satellite system that hooks to the trains while the train's in the region and it basically--like the airplanes use today so two planes don't run into each other. Well, this keeps two trains from running into each other. It automatically shuts the trains down. It stops them so we don't have those kind of situations where we have the collisions. On the other thing, the safety record of Metrolink is very good. The one lady mentioned that an accident in--I can only say that some of that may have occurred due to the fact that these rail lines in this area are substandard, to put it the least -- they restricted the use of speed in the lines right now because of the rails

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have not been upgraded to current standards. So that will also, I think, happen on those lines during this process and make those lines safer, and then, of course, we'll have the brand new lines for the Metrolink to run on also.

So they're doing everything they can to make it safe and then, like I said, Metrolink is in the process of getting the Positive Train Control. They expect to have it in operation by 2012. That's their objective anyhow. It's mandated by Congress that this system be implemented nationwide by 2015, but Metrolink has set a date for 2012 to have it in place for their system. So everything is done to make it safe also besides just for the people riding it. And again thank you for coming to Perris. And go see our transit site. I think you'll be impressed. Mr. Buster.

>> BOB BUSTER: Thanks everyone for coming. Give us any more comments you have. And we stand adjourned.



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[END OF RECORDING]





**0.3.4.3 Public Hearing #3 – May 17, 2010**

Public Hearing #3 was held on May 17, 2010 at 6:00 p.m. at the University of California, Riverside (UCR) Extension, Room C (1200 University Avenue, Riverside, CA 92507). A copy of the transcript with bracketed comment numbers on the right margin is followed by the response as indexed in the transcript. The speakers are listed in Table 0.3.4.3-1.

**Table 0.3.4.3-1  
Public Hearing #3 Speakers**

Speaker No.	Speaker	Date	Page No.
1.	Chuck Beaty	5/17/2010	0.3.4.3-13
2.	Stephanie Pacheco	5/17/2010	0.3.4.3-19
3.	Kyle Patrick	5/17/2010	0.3.4.3-23
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10.	Lia Boucher	5/17/2010	0.3.4.3-55
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12.	Denise Allen (& Students)	5/17/2010	0.3.4.3-70
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26.	Dee Andrée	5/17/2010	0.3.4.3-144
27.	Karen Doris Wright	5/17/2010	0.3.4.3-148
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RCTC

Public Hearing

May 2010

Transcribed from cassette tapes

>> Several residents asked for a meeting at a convenient time when people are not at work here in the greater University area of the city of Riverside on the Perris Valley Line. And the commission and our staff delivered. So this is actually an elective hearing. It's an additional hearing we've already had which number at least well, there's been many over the years but more recently two. So we're happy to take testimony from any and all. I would just urge everybody be sure to fill out your slips and try to be concise so we can hear from everyone. You will get a response to all your questions and concerns. Am I not correct in that? Is there still time, Ms. Rosso?



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>> Yeah, because it's open until May 24th.

>> Public hearing and we don't normally allot three minutes. If you have some good reason while you have to offer more testimony, let us know but we'd like to cover everyone. And please, you know, if you agree with previous speakers and just want to add your, you know, go forth and your, you know, you want to support what's previously been said, please don't hesitate to mention that. What else can I say? Oh, let me introduce our staff. Our director, Anne Mayor, Ann and the project chairmen for this Ms. Edda Rosso who many of you know. And we have some slips already. Oh, yeah, we have name tags. Supervisor Marion Ashley on my right-hand side represents the greater Perris area, of course, and here in Moreno Valley. Myself, I represent the area within the city at the county level where the Line is planned. Our vice-chairmen Greg Pettis who come from Coachella Valley. Greg, you want to add anything to that?



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He's been on your commission for a number of years. And new councilmember this morning --

>> Mayor.

>> Mayor Bonnie Flickinger, long-time elected official from the city of Moreno Valley. All right, let's get started so we can hear from everybody on the (unintelligible) in the order in which I receive them.

>> We have a quick presentation by Edda first.

>> Oh, Edda, you want to give an overview? Ms. Rosso will give an overview on a project and then we'll go to the speakers. And joining us now is Mary Creighton. Here I lose track of Mayors or council members from the city -- councilmember from the city of Canyon Lake. So you have some people who have been around the block here and have seen a lot of projects and know the county pretty well and have a fair context in which to evaluate this



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transportation project. Many -- some of you may not know what the Riverside County Transportation Commission is. It is set up over state law to oversee transportation generally inner county transportation also major intra-county transportation. Its principle source of funding is a measuring sales tax which has been approved now twice with a reasonable recently a 30-year extension by better than two-thirds vote which, of course, you know, funds major -- major component of the funding for major freeway improvements, a lot of other transportation needs as well commuter rail needs. This commission has been expanded out to include representatives of all of the -- what are we?

>> 26.

>> We have two new cities so that makes 27 --

>> 26.

>> 26.



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>> 26? All right. I lose track when I get above more than on my fingers and toes. But 26 cities with more on the way and all five board supervisor members as well as a representative from Cal-Trans local district number 8 which includes Riverside and San Bernardino County. So it's a good forum in which to look at things from a general perspective of each of these transportation. And what we've been seeing here recently, of course, is a ski drop-off in sales tax. And so we're really happy to retrench, concentrate on the most significant projects, try to optimize or maximize matching funds or grant funds and the like. And so this project, for instance, is -- we're depending on to a large extent on federal transportation funds. And, Ms. Rosso, maybe you can mention that. So you're always welcome to any public meeting which just about every meeting is of our transportation commission or even our ad-hoc committees that look over our more specialized issues like this one. You're always welcome to



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come and we can give you the schedule for those meetings. Or you're welcome to write us comments to the commission. And all your comments if you send it to the transportation commission to me or to the staff there will be copied and sent out to the bullet members. So, Ms. Rosso, an overview of the Perris Valley Line.

>> Thank you. Good evening, everyone. We're here today to send some environmental studies for the Perris Valley Line, copy and release for public review and we'd like to hear comments from the public on the project. The draft Environmental Impact Report describes the proposed project, the environmental effects participated with implementation of the Perris Valley Line project, find any proposed engaged measures as applicable. Okay, prior to the start of the hearing I'd like to give a brief history of the Perris Valley Line to review what it is and then I'll conclude with what's going on now and what's next for the project. The PVL project extends the existing service to



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more of Riverside County. These two maps help describe our form. The lighter map on the left is the current Metrolink system. The map on the right is the Perris Valley Line extension. On the map on the left there is a light blue line that travels from downtown Los Angeles to Riverside. That's the 91 line. The PVL project extends the 91 line from downtown Riverside to the city of Perris. Let me briefly recap some of the previous actions taken by the commission that have brought us to this point. Measure A of 1989 authorized this project and provided partial funding. Tracks were purchased in '93. The PVL ad-hoc was appointed in 2001. The federal environmental project was launched in 2004. We received the go-ahead from the Federal Transit Administration in December of 2007 for project development. The locally preferred alternative was revised in April of 2008 to the B.N.S.F. And the startup stations were approved in July of 2008. It should also be noted that in January of 2009 an





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initial study mitigated negative declaration was prepared and circulated for public review and comment. After careful consideration and a response to the public comments, the commission decided to declare an EIR -- Environmental Impact Report which provides a greater level of analysis. As part of the environmental -- as part of the environmental clearance process we are required under the California Environmental Quality Act -- CEQA -- to conduct a number of studies as shown here on this slide. The results of the various engineering and environmental studies for the PVL project are documented in the draft EIR. So what now? An open 45 days of review and comment period open on April 5th and it will close on May 24th -- next Monday. This evening is our third public hearing to receive public testimony on the draft Environmental Impact Report. We will continue to accept comments through the end of the comment period. You know, they showed up to the hearing today. We conducted the first public hearing on



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April 14th of the commissions regularly scheduled meeting and the second public hearing on the evening of April 22nd of the City of Perris Council chambers. Final action is not up to (unintelligible) until December of 2010. We will finalize the document to address the comments and concerns raised during the comment period. All comments received in writing or given as oral testimony of the public hearings will be responded to in the final Environmental Impact Report. The commission will be requested to act on the project upon completion of the final environmental document projected for December of 2010. The Perris Valley Line must also comply with the National Environmental Policy Act -- NEPA. The Federal Environmental Administration NEPA and a supplemental environmental assessment is being prepared and will be available for public review and comment in June of 2010. Upon FDA -- Federal Drug Administration's approval have received over finding of those significant impact, we can then obtain the needed federal and state



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permits and move to the final phase of the work which will be the final engineering. Buying property where the stations will be built and constructing the project. When will the construction begin? Upon completion of the federal Design and approval from the Federal Government Administration agreement construction can commence. At this time it is projected for the spring of 2011. I have noted in here where the document can be viewed and where both can send written comment should they not wish to speak this evening. Additionally, we will accept any written comments the public may wish to submit today to the clerk of the board. And there's comment cards that -- are they on the back of cards?

>> Yeah, on the --

>> If you wish to speak just fill out this form and leave it behind. This concludes my presentation and we can now begin with testimony from the public.



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>> All right, I see we've got some standing members. If you're sitting next to an empty seat, can you raise your hands so we can then -- as many sitting down as possible?

>> This one here.

>> This one.

>> Yeah, we're going to try to get a few more chairs. Let me introduce let's see councilmember Andy Melendez who is a representative of this area and Ward 2 of the City of Riverside. Thanks for coming, Andy. Andy is not up here because he's not the city (unintelligible) to the transportation commission. That person is councilmember Steve Adams. Yeah, he just got married so he's probably -- let me just take you out of order really -- Dr. Chuck Beaty, former city councilmember of the Ward 1 here in the city of Riverside, longtime resident and longtime school official and for some years now time flies. Chuck get on



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**Speaker 1 - Chuck Beaty**



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the Riverside Unified school board. So let me recognize you,  
Chuck, so you can talk. Come on up.

>> Oh, really.

>> Yeah, yeah, I'll let you. It something you should get for all  
your hard work.

>> Thank you. Nice to know that you're the chairmen and, of  
course, Marion and I see Bonnie's wife. I served with about the  
same time. Thank you for inviting us here this evening. I see  
that we have more than a passing amount of interest. Obviously  
I'm here representing two of our schools because I don't know if  
we have some parents or students here from Hyatt and/or Highland  
Elementary schools. Raise your hands. Oh, thank you. Thank you.  
Oh, I have prepared remarks. Our thanks for offering an  
opportunity for us to register our concerns regarding the Perris  
Valley Line. I am Chuck Beaty, member of the Riverside Unified  
School District Board of Education.

PH3-S1-1



**Public Hearing #3**  
**Speaker 1 - Chuck Beaty (cont'd)**



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Tonight representing our board is meeting without me. Even at a time of budgetary crisis and laying off people this issue is of great importance not only to me but to our entire board. As I was inside and I was looking around the room and I was probably one of the very few that has actually ridden this Line. If you remember back I think Bonnie must have taken during the days of Orange Blossom festival. We traversed this line very slowly but we traversed this Line in my experience. I'm here tonight to reinforce the priority our board places on the safety and welfare of over a 1,000 students as well as our teachers and a support staff at Highland and Hyatt Elementary school. We are indeed talking about children and adult lives. Please let the record show that the Riverside Unified Board of Trustees continues to be unanimous in their belief at the existing draft EIR does not mitigate the concerns communicated over and over the past five years. As a board we cannot allow railroad expansion to

PH3-S1-2

PH3-S1-3



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**Speaker 1 - Chuck Beaty (cont'd)**



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force a relocation of another school. If you'll recall that happened in 19 -- 2006 in which we lost Parkering (phonetic) school because of the traffic they moved. And the noise -- and the noise alone in that case or impair the education of our students. In some ways this land is expanded or includes to inflict regular passenger traffic. That EIR must reflect mitigation measures the lives of children and adults at Hyatt and Highland Elementary school. At a minimum this must include the encasing of the gas line to prevent puncture, eliminating train noise of the school campuses, shielding high playgrounds and buildings from derailed cars. And I know that many of you have seen this picture in which how close this was when this one in 1990 came off the tracks and tumbled with its limber load down that side. And lastly to provide protection and grate crossings which I know you already planned it. We know the commission will join the board -- our board -- as well as the children, teachers, staff and

} PH3-S1-3 (cont'd)  
}  
} PH3-S1-4  
} PH3-S1-5  
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**Speaker 1 - Chuck Beaty (cont'd)**



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parents of Hyatt and Highland in addressing these concerns and providing maximum protections for the safety and welfare. On behalf of the RUSD board of trustees we thank you for the support and should note that we have an official response I believe it's dated the 14th from our attorneys that I've prepared some 15 pages of our concerns about the draft EIR. Again, thank you for your time and we look forward to working together and not at odds.

PH3-S1-7  
(cont'd)

PH3-S1-8

>> Thanks a lot, Dr. Beaty. We appreciate you coming down.

>> May I ask a question? We have quite a number of people that are still waiting out in the highway and there's not enough room.

>> There's extra seats here.

>> Well, tell them to come sit down.

>> Well, what possibility -- I checked the room next door is completely vacant and this door slides. If we pause the



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**Speaker 1 – Chuck Beaty**

- PH3-S1-1. This comment is introductory. No response is necessary.
- PH3-S1-2. This comment is introductory. No response is necessary.
- PH3-S1-3. See Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School, Master Response #3 – Derailment (General), Master Response #6 – Noise, Master Response #9 – Highland and Hyatt Elementary Schools (Increased Train Traffic), and Master Response #10 – Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment). RCTC does not have jurisdiction over local land use zoning or planning designations like a city or county. RCTC purchased the rail ROW from BNSF with the intention of providing commuter rail service along the corridor. The ROW has had freight operations along the corridor for over 100 years. When both Highland Elementary School and Hyatt Elementary School were initially built, the railroad had been in operation for over 50 years. Current state law, as stated in the Draft EIR in Section 4.7.2, would limit the construction of a new school within 1,500 feet of an existing rail ROW, but does not impose any restrictions on the operation of existing rail lines near existing schools.

Unfortunately, train noise cannot be eliminated at Highland Elementary School and Hyatt Elementary School. The Draft EIR presents analyses pertinent to determining whether the proposed PVL project would result in noise and vibration impacts to sensitive community properties as defined by the FTA Manual. Where impacts were predicted, mitigation was proposed to reduce impacts to less than significant. A noise barrier is proposed for the boundary between Highland Elementary School and the ROW (see Draft EIR, Table 4.10-11). This would reduce predicted impacts to less than significant levels. No noise impacts were predicted to occur at Hyatt Elementary School and, therefore, no noise barriers are proposed there. However, wheel squeal treatments, in the form of wayside applicators that would significantly reduce the squeal noise, are proposed at the curves near Hyatt Elementary School (see Draft EIR, Section 4.10.4). This project does not “force a relocation” of any schools because no significant impacts were identified.

([http://www.fta.dot.gov/documents/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))

- PH3-S1-4. See Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School, Master Response #3 – Derailment (General), and Master Response #10 – Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment). The analysis in the Draft EIR is correct - there are no significant impacts and no mitigation is required for this issue. The Draft EIR was changed to further



clarify this issue. No new impacts as a result of this comment were raised and no mitigation measures are required.

PH3-S1-5. See Response to Comment PH3-S1-3.

PH3-S1-6. See Master Response #3 – Derailment (General), Master Response #4 – Hazardous Materials Transport, and Master Response #10 – Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment). The PVL project would replenish ballast, and replace ties, and rail next to Highland Elementary School and Hyatt Elementary School, which would improve the current track condition and subsequently reduce the risk of derailment.

The analysis in the Draft EIR is correct - there are no significant impacts and no mitigation is required for this issue. The Draft EIR was changed to further clarify this issue. No new impacts as a result of this comment were raised and no mitigation measures are required.

PH3-S1-7. See Master Response #8 – Grade Crossings and Master Response #10 – Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment). Grade crossing improvements are identified along the PVL corridor in the Draft EIR in Section 2.4.6 and Figure 2.4-28. Two grade crossings, at W. Blaine Street and Mt. Vernon Avenue, are located near Highland (approximately 950 feet away) and Hyatt Elementary Schools (approximately 3,960 feet away), respectively. Improvements to these two grade crossings include pedestrian swing gates, pedestrian warning devices and gates, pedestrian barricades and metal hand railings, concrete raised medians, double yellow medians and island noses, warning devices, safety lighting, and signs. Improvements within the City of Riverside also include upgrading existing crossings to meet the current standards set by the CPUC.

Additionally, with the exception of one of the morning trains and two mid-day trains, commuter rail movements would occur early in the morning and later in the afternoon, outside of school operating hours. The morning train would not impact students arriving at Hyatt Elementary School because the nearest grade crossing, Mt Vernon Avenue, is over 0.75 miles away. Students arriving at Highland Elementary School may be required to wait no more than 45 seconds at the grade crossing at W. Blaine Street. Students leaving both schools in the afternoon would not be significantly impacted because there are no scheduled trains during that time. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

PH3-S1-8. A comment letter from the Gresham & Savage law firm representing the school district has been received. Responses to this letter are provided in the Agency Letters Section 0.3.2.



**Public Hearing #3**  
**Speaker 2 - Stephanie Pacheco**



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breather. I'll call out the first speaker I had mentioned the next speaker and so the next speaker and so the next speaker can get ready after the -- so don't take a long transition period between speakers. First, is Stephanie Pacheco and then she'll be followed by Kyle Patrick.

>> My name is Stephanie Pacheco. I live at 255 W Campus --

>> You can pull the mic closer and then --

>> Is that better?

>> That's better and then you can be recorded better.

>> My name is Stephanie Pacheco. I live at 255 West Campus U Drive. I'd like to reiterate this is for the normal event report does not provide adequate mitigate for our children as attending Hyatt and Highland Elementary School. In the draft Environmental Impact Report we've got some proposed noise barriers to protect our homes from the noise. But the draft Environmental Impact Report does not

PH3-S2-1

PH3-S2-2



**Public Hearing #3**  
**Speaker 2 – Stephanie Pacheco (cont'd)**



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address rebound noise. We've got direct noise. We've got it mitigated but you haven't addressed anything about how that noise is going to be received as it bounces off its noise barriers and how that may be more severely impacting homes away from the rail line. And another point I'd like to make is quiet zones have the potential to fully mitigate noise vibration impacts to our neighborhood. The RCTC has stated that they are not responsible for this mitigation. That city or owners in the road should apply for a branch create the zone. Has the RCTC ever thought about working responsibly with local governments towards establishing quiet zones? This is not uncommon. The regional transportation district of Denver adopted in 2007 a responsible rail amendment. It includes provision in calling for this district to work with railroads and local communities to address the noise concerns of residents located within relevant transportation corridors. This amendment includes assisting communities in the quiet zones

PH3-S2-2  
(cont'd)

PH3-S2-3



**Public Hearing #3**  
**Speaker 2 – Stephanie Pacheco (cont'd)**



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application process. And finding all responsible funding sources to cover costs associated with many of quiet zone. The average cost of quiet zone may range from \$300 to \$500,000 per zone. This district has set aside \$300,000 per quiet zone and then helped to ensure that additional funding is available. Might `this be a cheaper cost to the commission for -- in bearing costs of possible litigation and project delays? Thank you.

PH3-S2-3  
(cont'd)

>> Thanks a lot. If you keep the applause or any boos -- I'm sure there won't be many boos, we'll get through this without anybody feeling intimidated or too encouraged actually. Next is Mr. Patrick and he'll be followed by Corinne Jorgensen.

>> I thank you for allowing me the opportunity to speak this evening. I'd like to thank and join in the comments of Dr. Beaty and Ms. Pacheco who had a prepared speech. And I'm sure are going to sound far more eloquent than



**Public Hearing #3**  
**May 17, 2010**  
**Speaker 2 – Stephanie Pacheco**

- PH3-S2-1. See Master Response #3 – Derailment (General), Master Response #9 – Highland and Hyatt Elementary Schools (Increased Train Traffic), and Master Response #10 – Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment). A noise barrier is proposed for Highland Elementary School (see Draft EIR, Table 4.10-11). This would reduce predicted impacts to less than significant levels. The FTA recognizes noise barriers as an effective and legitimate noise mitigation option (FTA Manual, Section 6.8.3). No noise impacts were predicted to occur at Hyatt Elementary School and, therefore, no noise barriers are proposed for this location. However, wheel squeal treatments in the form of wayside applicators that would significantly reduce the squeal noise, are proposed at the curves near Hyatt Elementary School (see Draft EIR, Section 4.10-4).  
([http://www.fta.dot.gov/documents/FTA\\_Noise\\_and Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))
- PH3-S2-2. See Master Response #6 – Noise. For projects where sound off noise barriers is of concern, sound absorptive materials are often proposed for use on noise barriers. However, here it is not expected that reflections off noise barriers would result in any significant increases in noise levels since the Metrolink alignment would not be very close to any of the proposed noise barriers (FTA Manual, page 2-12). In this section of the alignment near 255 West Campus View Drive, barriers would be located at least 100 feet from the alignment.  
([http://www.fta.dot.gov/documents/FTA\\_Noise\\_and Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))
- PH3-S2-3. See Master Response #1 – Quiet Zones. There are no new impacts as a result of this comment and the Draft EIR has not been changed.



**Public Hearing #3**  
**Speaker 3 - Kyle Patrick**



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application process. And finding all responsible funding sources to cover costs associated with many of quiet zone. The average cost of quiet zone may range from \$300 to \$500,000 per zone. This district has set aside \$300,000 per quiet zone and then helped to ensure that additional funding is available. Might `this be a cheaper cost to the commission for -- in bearing costs of possible litigation and project delays? Thank you.

>> Thanks a lot. If you keep the applause or any boos -- I'm sure there won't be many boos, we'll get through this without anybody feeling intimidated or too encouraged actually. Next is Mr. Patrick and he'll be followed by Corinne Jorgensen.

>> I thank you for allowing me the opportunity to speak this evening. I'd like to thank and join in the comments of Dr. Beaty and Ms. Pacheco who had a prepared speech. And I'm sure are going to sound far more eloquent than

PH3-S3-1



**Public Hearing #3**  
**Speaker 3 - Kyle Patrick (cont'd)**



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myself. I live in the area near St. George Episcopal Church which noted in the draft EIR as a severe noise vibration impact area. And I did note that the mitigation measures proposed by the RCTC did include a sound wall and other methods to reduce vibration. However, those methods are based on the anticipated current usage of the rail system. And if -- if the districts taught us anything it's that the Riverside County's a very fast growing county. It's an inland empire itself and it's a very fast-growing area. And that the anticipated traffic on that Line will likely increase over the next several decades. I'm sure that the those who put in the original Line that is there now didn't anticipate the use of that Line by, for example, high speed rails. So my only concern is that the RCTC take into consideration the potential impact or increase in traffic on that Line and be prepared for it in advance rather than trying in the future to mitigate it then.

Thank you.

PH3-S3-1





**Public Hearing #3**  
**May 17, 2010**  
**Speaker 3 – Kyle Patrick**

- PH3-S3-1. See Master Response #6 – Noise. The noise impact at St. George’s Episcopal Church will be mitigated with sound insulation (see Draft EIR, Table 4.10-11). The noise and vibration assessment of the proposed PVL project takes into consideration the 2012 operational year, including the proposed project’s impacts, thus it is not limited to only the current usage. No additional increase in PVL Metrolink rail traffic is proposed, nor is any reasonably foreseeable (see Master Response #5 – Freight Operations). Finally, the PVL project is a commuter rail project and not, as the speaker asserts, a high-speed rail project.



**Public Hearing #3**  
**Speaker 4 - Corinne Jorgensen**



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>> Thank you. Ms. Jorgensen and she'll be followed by Michael Hubert.

>> I'd like to thank the committee for all their hard work in getting this Line into Perris. I represent many homeowners in Hemet. And we are very happy to have this Line come into Perris. This will be another option for us to get to LAX which is always a difficult trek. Currently I have to use curling stations to do this. And a senior can make the trip to LAX with Metrolink and highway bus for \$20. So it's an excellent value. So thank you for bringing this excellent service to Perris.

PH3-S4-1

>> Thank you, Ms. Jorgensen. Next, Mr. Hubert and you'll be followed by Mark -- is it Johnson?

>> Hansen.

>> Oh, thank you.

>> Hansen.



**Public Hearing #3**  
**May 17, 2010**  
**Speaker 4 – Corinne Jorgensen**

PH3-S4-1. This comment expresses support for the project and does not raise specific environmental concerns. Therefore, no further response is necessary.



**Public Hearing #3**  
**Speaker 5 - Michael Huber**



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>> I'll keep some photographs. I went there earlier just I'm talking about smaller -- well, my name is Michael Hubert. I live at 116 East Campus View Drive. That's at the corner of Mount Vernon the red drill across come Mount Vernon. You see the picture there. Our house is very, very close. Our whole street is close compared to many of the others like Nisbet that already has a wall. And they talked about furnishing a continuation. We'd been in this house for 35 years now and, you know, it was quite a novelty at first but now it's become more frequent with the trains -- both night and day. And you still -- it's one engine. Now it's at least three engines. And we're right at the crossing. So we hear all the noise. We get the vibration. We get the flow. So we are concerned about noise as well as all the people along this campus. We're all a lot closer than many of the others, in fact, I think we're a lot closer to the tracks than just about anyone on the Line thereabout. Our -- the back of our property is

PH3-S5-1



**Public Hearing #3**  
**Speaker 5 – Michael Huber (cont'd)**



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feet from the center of the rail and the back of our house is 150 feet. Puncture wall on Nisbet is 100 feet from the tracks. Not saying they don't need anything but we could surely use something. We get a lot of vibration also and a noise wall is not going to affect us very much right there in the corner because I don't think they're going to build it out around the corner because we live in the back of the house. So we get a lot of noise there. The other thing that concerns us a lot is the substantial number of senior citizens in our neighborhood. In the past trains have been known to block all three entrances into the neighborhood and we'd like to know how you plan on address this fact in the future. Are we going to get a separation or what are you going to do? Because I know we've had trains parked at our crossing guard for as long as an hour at times in the past. So again we're concerned about that as well as the noise situation.

Thank you.

PH3-S5-1  
(cont'd)

PH3-S5-2

PH3-S5-3

>> Thank you. Thank you, Mr. Johannsen?

**Public Hearing #3**  
**May 17, 2010**  
**Speaker 5 – Michael Huber**

- PH3-S5-1. A noise barrier is proposed for mitigation in this area. However, because the barrier is near a grade crossing, its effect on noise generated near 116 East Campus View Drive will be limited. As a result, additional mitigation in the form of sound insulation is proposed for 116 East Campus View Drive (see Draft EIR, Table 4.10-9 and Section 4.10.4). With this mitigation, impacts will be less than significant.
- PH3-S5-2. A vibration assessment based on FTA vibration criteria (see Draft EIR, Table 4.10-6) was performed for the PVL project. Vibration from locomotives is the main determinant for rail vibration. The results demonstrated that the proposed PVL rail operations would not result in any vibration impacts near East Campus View Drive (see Draft EIR, Table 4.10-12). Existing vibration in this area is associated with freight traffic that typically consists of older locomotives that include suspension systems, which are in general stiffer than the newer Metrolink passenger locomotives. Rigid locomotive suspension systems often translate into higher levels of vibration (FTA Manual, Section 7.2.1). This stiffer suspension in turn causes more vibration. In addition, the rail will be continuously welded throughout the length of the project alignment which will reduce vibration from both freight and commuter trains. See Response to Comment PH3-S5-1. ([http://www.fta.dot.gov/documents/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))
- PH3-S5-3. This comment expresses concern regarding the fact that freight trains can block every grade crossing in the UCR neighborhood. The project's trains would be commuter trains of only a few cars. These trains are too short to block more than a single crossing. Thus, even in the unanticipated event that a PVL train stops in the neighborhood, there would be no significant impact because only one of three ingress/egress locations would be affected.

Additionally, with the implementation of the PVL project, the corridor will become a shared corridor with the Metrolink and BNSF under control of SCRRRA. Due to the shared nature of the operations, it is not anticipated that trains would be allowed to stop in areas of single track (including the UCR neighborhood) because this would block other trains from passing through. Instead, trains would stop in the areas where there is a bypass track (between MP 7.50 to MP 16.90) and not in the UCR neighborhood. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

See Master Response #12 – Grade Separations. Grade separations, where roadways go under or over railroad tracks, require a specific approach distance to maintain appropriate roadway grades and clearance heights for the tracks. As described in the Master Response, for grade



## FINAL ENVIRONMENTAL IMPACT REPORT

### 0.3.4 PUBLIC HEARINGS

#### 0.3.4.3 PUBLIC HEARING #3

separations to be possible within the UCR neighborhood, many homes would lose vehicle and driveway access.



**Public Hearing #3**  
**Speaker 6 - Mark Hansen**



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>> Close, wrong country. Hansen.

>> Oh, Hansen. All right. I'm sorry. It looked like a "J" here.

Mr. Hansen and he'll be followed by Austin Sullivan.

>> My name is Mark Hansen. I'm a UCR professor emeritus. I am --  
I wrote this afternoon and addressing it to my UCR neighbors and  
RCTC commission. I should point out that I live -- my back fence  
is about 35 feet from the center of the tracks. Are we at risk  
from the toxic cargo that passes along Watkins Drive that fronts  
two public schools, UCR's child development centers, UCR's  
student dorms and several hundred homes just north of the tracks?  
Certainly, the Press Enterprise think we are at risk so it has  
sounded the alarm in the series of toxic cargo articles headlined  
quote "Rails carry a Growing Risk." And in my notes I have cited  
the URL in the internet where you can find that. We have deadly  
pressurized liquid chlorine gas, ammonia, and

PH3-S6-1





**Public Hearing #3  
Speaker 6 – Mark Hansen (cont'd)**



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other poisonous or fallible hazardous materials passing through our neighborhood in tanker cars built in the 1970's. If a chlorine tank ruptures it forms a greenish cloud that can kill

PH3-S6-1  
(cont'd)

within minutes. When the new Perris Valley Line tracks are laid down, we assume that a lot more freight will rumble through our neighborhood as the economy picks up. After discussing a close

PH3-S6-2

call of a derailment of tanker cars in San Bernardino, the Press Enterprise article poses a simple question we should all ask: are we ready for a real disaster? Authorities on such disasters

point out that making sure that the railroad leadership, train crews and first responders such as police, medic evacuation

teams, fire and rescue units, hospitals as well as schooling, university personnel and neighborhood residents must know what to

PH3-S6-3

do and how to do it. My family has lived more than 30 years approximately 40 feet from the tracks in question and not one has anyone from any institution raised the issue of what to do in case of an accident or



**Public Hearing #3**  
**Speaker 6 – Mark Hansen (cont'd)**



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derailment. Parenthetically, I point out that on two occasions I recently expressed concern to the RCTC about rail spikes laying on the ground and broken rail ties. On both occasions I was advised that inspections were routinely undertaken and no safety problems exist. In the light of the disaster now going on in the Gulf the quote "Everything is okay" response end quote rings rightfully hollow. My recommendation is that a coordinated disaster plan be developed and rehearsed by both the responders and those of us at risk in the neighborhood. The RCTC needs to exercise serious leadership in developing such a plan as it relates to the dangers of hazardous cargos along the Perris

PH3-S6-4

Valley Line. I have read the EIR -- not all of it, most of it. I could not find in any place whether there is a detailed coordinated disaster plan. And it seems to me that this is essential for such a change in an institution -- institutions, university, school district, hundreds if not thousands of residents immediately around the tracks

PH3-S6-5



**Public Hearing #3**  
**Speaker 6 – Mark Hansen (cont'd)**



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and the people like yourself have to get together and produce  
such a plan. Overall at risk with our minds closed. I'll leave  
you with a copy of my notes, with a copy of the article -- the  
Press Enterprise article. It was very good but very detailed work  
they did. And thank you very much.

} PH3-S6-5  
(cont'd)  
}  
} PH3-S6-6

>> Thanks for coming in. There are at least two empty seats that  
I can see here in the front row so please come up and fill them.  
Is there anyone left out in the hallway? It would be helpful if  
they could come in.

>> Leave offer.

>> Yeah, but is there anybody else sitting next to an empty seat?

>> Here's one.

>> Here's another here.

>> There's another one here.

**Public Hearing #3**  
**May 17, 2010**  
**Speaker 6 – Mark Hansen**

- PH3-S6-1. See Master Response #3 – Derailments (General) and #4 – Hazardous Materials Transport. As stated in the Draft EIR in Section 4.7.4: “As a commuter rail line, PVL service is passenger only. As such, there would never be an occasion when hazardous materials would be transported on the commuter trains.” With regards to train derailments in general, the PVL project would replenish ballast, and replace ties, and rail next to Hyatt Elementary School, which would improve the current track condition and subsequently reduce the risk of derailment. Therefore, the analysis in the Draft EIR is correct - there are no impacts and no mitigation is required for this issue. The Draft EIR was changed to further clarify this issue. No new impacts as a result of this comment were raised and no mitigation measures are required.
- PH3-S6-2. See Master Response #5 – Freight Operations. The speaker’s “assumption” is not based on any substantial evidence. As shown in the 2008 freight assessment, freight trips do not increase simply because a track is improved. Instead, freight trips are based on market demand and there is no evidence showing that this demand is tied to the PVL project. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.
- PH3-S6-3. See Master Response #7 – Emergency Planning and Response. If an emergency were to occur near the PVL corridor, the Riverside County Emergency Operations Center (EOC) and/or the City of Riverside Emergency Management Office would be activated and trained professionals would be in place to manage and coordinate the appropriate Emergency Operations Plan (EOP). There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- PH3-S6-4. See Master Response #5 – Freight Operations and Master Response #7 – Emergency Planning and Response. RCTC does not currently have operation or maintenance responsibilities for the ROW. BNSF currently, under agreement with RCTC, has a responsibility for operation and maintenance for the ROW. If the PVL project is initiated, SCRRRA will have operation and maintenance responsibilities for the ROW. Furthermore, the ROW is a controlled industrial area where debris can be inadvertently left behind after maintenance. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.
- PH3-S6-5. See Master Response #7 – Emergency Planning and Response. If an emergency were to occur near the PVL corridor, the Riverside County Emergency Operations Center (EOC) and/or the City of Riverside Emergency Management Office would be activated and trained professionals would be in place to manage and coordinate the



appropriate Emergency Operations Plan (EOP). Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed. Finally, the PVL project will actually improve the rail's condition by replacing ties and ballast and welding the rail, thus lessening any existing safety concerns.

- PH3-S6-6. This comment is conclusory in nature and does not raise specific environmental concerns. The notes and Press Enterprise article that the speaker refers to can be found as Letter 7 in Section 0.3.3.1 Other Interested Parties Letters. Therefore, no response is necessary.



**Public Hearing #3**  
**Speaker 7 - Austin Sullivan**



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>> There's another one on the right-hand side. So please come on in. Okay, Mr. Austin Sullivan.

>> I'm right here.

>> You'll be followed by Raul Ayala.

>> I'm Austin Sullivan. I live at 275 W Campus View Drive. A couple comments one is that I've been following this project for a number of years now. And in an earlier version of this proposal in 2004 an environmental assessment which is a federal document was done. And at that time the proposal included only eight train passages a day. And in that earlier EA the document which was produced by the RCTC indicated that 111 homes were impacted by the project. Now we have a proposal that has 12 trench passages a day and they're proposing an insulation of seven homes. Somebody please explain this to me.

>> Yeah.

PH3-S7-1



**Public Hearing #3**  
**Speaker 7 – Austin Sullivan (cont'd)**



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>> Actually I think the figure of 111 would have been low with the eight train passages but I won't worry you with the details as to why. } PH3-S7-1 (cont'd)

The second thing is that in the paper today there's an interesting juxtaposition of two articles. One is the announcement of this hearing which includes a map. The other is an article which talks about the proposal for a high-speed train. And if you take a look and overlay these maps one on the other, it's very clear that one of the proposals for the high-speed train assumes that the right away that is being proposed for the Metrolink line would be used for that high-speed train. Now that may or may not come to pass but it's certainly something -- you get the clear sense that what we're talking about here is the camel's nose under the tent. And that we're looking at is something more onerous in the future. But at the same time the folks that are here if that high-speed train does come through will not have to worry about it. Because in order for such a train to make it up the Box Springs grade they're going to have to tear up the whole neighborhood. } PH3-S7-2



**Public Hearing #3**  
**May 17, 2010**  
**Speaker 7 – Austin Sullivan**

- PH3-S7-1. See Master Response #6 – Noise. The Draft EIR predicted that 83 residential units would be impacted by noise from the proposed PVL project. This does represent a reduction in the number of impacted homes from the previous 2004 Environmental Assessment. However, the most recent study (Draft EIR) includes the use of more up to date noise monitoring data, revisions in the proposed train schedule, and improvements in the way “wheel squeal” would be handled at short radius curves (see Draft EIR, Section 4.10.4). Proposed noise barriers would reduce noise levels to less than significant levels. The Draft EIR also proposes sound insulation at more properties than the previous 2004 report.
- PH3-S7-2. RCTC is proposing to extend Metrolink service from Riverside to south of the City of Perris. This would be the extension of the existing 91 line from downtown Los Angeles. RCTC is not proposing high-speed train service along this corridor. If another agency is proposing high-speed train service along the PVL corridor then they will have to have approval from RCTC, the landowner. As no specific concerns were raised, a more specific response is not required (*Browning-Ferris Industries v. City of San Jose* (1986) 1818 Cal. App. 3d 852 [where a general comment is made, a general response is sufficient]). Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.





**Public Hearing #3**  
**Speaker 8 - Raul Ayala**



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>> Mr. Ayala. Mr. Ayala would be followed by Kurt Lewis who is also representing the Riverside Unified School District.

>> Good evening, members of the commission. Raul Ayala, my introduction here. I serve as a principal at Hyatt Elementary School. I'm honored to serve that community and my concern lies in the safety of our students primarily. I'm expected to achieve outcomes with our school as it relates to learning and I'm most concerned also about the noise. In the report it's indicated that one of the Metros will be placed along the fence line is basically an aesthetic wall that serves no other purpose. Still, I'm concerned about that noise. If we're going to put something in place there needs to be some kind of noise barrier. The park will not where the playground sits you

PH3-S8-1



**Public Hearing #3  
Speaker 8 – Raul Ayala (cont'd)**



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can look directly up. Aesthetically, you would look at that wall but you would still physically see because of the elevation the trains going by. As I sit in my office I hear those trains go by now and you hear them squeaking and the wheels just very, very slowly because of that curve that's there. History tells us that a derailment is absolutely possible. I'm entrusted with the lives of our students. Our parents of this community send them to our school. They expect to get them back in the same manner in which they sent them to us. So I would just encourage you to look at that seriously, to put some measures in a place that makes sense for the protection of our students, for the protection of the community. I live here in Riverside. I can tell you that trying to be a productive citizen and trying to get around town with trains and the wait that is there it's just -- it's been quite a challenge. And I'm glad to see the progress that's been occurring with underpasses and what not. And again I just kind of echo

PH3-S8-1  
(cont'd)

PH3-S8-2

PH3-S8-3

PH3-S8-4



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**Speaker 8 – Raul Ayala (cont'd)**



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some of previous comments is that we must ensure the safety of our students. I would be the first responder in the case of a disaster here at in the anywhere closer to school site. We need that disaster plan. I think the gentleman before me was very, very correct. I need knowledge of what to do. You know, how to identify those tanker cars so that I could ensure the safety of our students. Thank you for your time.

PH3-S8-4  
(cont'd)

>> Do you mind -- Principal Ayala, do any of your students have to cross the tracks going to and from school?

>> No, not necessarily. Probably the only thing that I would note Math Field is a street directly adjacent to the school site and we get through traffic on that street. There is no barrier to prevent any kind of through traffic that would just ride up -- drive up -- ride up until where the track is. So that's probably another area that also needs to be looked at.

PH3-S8-5



**Public Hearing #3**  
**Speaker 8 – Raul Ayala (cont'd)**



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>> You're right alongside the tracks. When we were kids we used to tag along the tracks. We used to, you know, back in the old days -- do you see kids out there going along the tracks?

>> Every now and then we do see them. I see more of just transient people that will, you know, set up tents along our fence line near the tracks or just traffic, in particular, just back in that area.

PH3-S8-6

>> Okay, and you mentioned squeaking. What's it like now? Are there a lot of squealing noise? Is it a minor -- do you get like brake noise?

>> Not necessarily do I bridge from where I'm at but the squealing you definitely hear. You just hear those engines and you hear the squealing.

PH3-S8-7

>> Does it rise above the classroom? I mean, does it enter the classrooms? Can you --



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**Speaker 8 – Raul Ayala (cont'd)**



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>> It does enter classrooms. You know, the other measure I think that the commission needs to take a look at is the sound insulation. It tides in older schools built in 1964 so we will hear that noise. Students will hear that noise.

>> Both ask a good question. I was talking about this morning with my wife. They were both built in the 60's. So that was actually previous to all these environmental laws which require, you know, a serious consideration and all environmental impacts and, of course, looking at sites and so forth. So in those days when the RUSD cited schools it was completely different matter I take it.

>> Yeah, I'm not a building expert. I think Dr. Kurt Lewis is here. Certainly he can kind of school us on that.

>> And maybe Dr. Lewis will be able to give us history on that.

>> But, yeah, just from, you know, single pane windows --

PH3-S8-8



**Public Hearing #3**  
**Speaker 8 – Raul Ayala (cont'd)**



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>> Right.

>> Most of the school sites. We'll hear that noise. And again the last thing that I will say we hold that morning time very, very sacred for instructions. That's where we target our English language Arts instruction, our Mathematics instructions. And I know that based on the timeline that's been provided we will both see and hear those Metrolinks going by apart from whatever kind of other federal type of railroad -- other tankers or rail traffic.

>> Thanks a lot --

>> Thank you.

>> For coming in.

>> Students do have to cross that track going to Hyatt.

>> We'll take all your testimony whenever you'd like.

PH3-S8-9

PH3-S8-10

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**May 17, 2010**  
**Speaker 8 – Raul Ayala**

- PH3-S8-1. See Master Response #6 – Noise. No noise impacts were predicted to occur at Hyatt Elementary School and, therefore, no noise barriers or sound insulation were proposed for this location. However, wheel squeal treatments, in the form of wayside applicators that would significantly reduce the squeal noise, are proposed at all short radius curves along the alignment including the curves near Hyatt Elementary School (see Draft EIR, Section 4.10.4).
- PH3-S8-2. See Master Response #3 – Derailment (General) and Master Response #10 – Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment). Safety is a primary concern of both RCTC and SCRRA (the operators of the Metrolink service) for implementation and operation of the project. SCRRA will have operational control of the train service, both freight and commuter, when the PVL project is operational. Additionally, SCRRA will operate the commuter rail according to the organization's Standard Operating Procedures. The analysis in the Draft EIR is correct - there are no significant impacts and no mitigation is required for this issue. The Draft EIR was changed to further clarify this issue. No new impacts as a result of this comment were raised and no mitigation measures are required.
- PH3-S8-3. See Master Response #9 – Highland and Hyatt Elementary Schools (Increased Train Traffic) and Master Response #12 – Grade Separations. As stated in the Draft EIR in Section 6.3, "30 seconds prior to the arrival of a train at each crossing, the lights would begin to flash and the bells would commence ringing for a period of three to five seconds before the gates come down. The gates would then descend for a period of 12-15 seconds and reach the fully horizontal position anywhere from 15-20 seconds after the lights begin to flash. The gates would remain horizontal for a period of 10-15 seconds prior to the train entering the crossing, and once the train leaves the crossing, the gates would remain down for an additional five seconds before ascending to its upright position." As the Draft EIR stated, this wait time will not result in a significant impact. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- PH3-S8-4. See Master Response #7 – Emergency Planning and Response. This comment states that "we need that disaster plan." General state and local emergency operations plans are in place that specify first responders and their responsibilities in any emergency, including fires, floods, and manmade disasters. First responders are trained uniformly across the region for all emergencies, and are an official designation for individuals who have received appropriate OSHA training. If an emergency were to occur near the PVL corridor, the Riverside County Emergency Operations Center (EOC) and/or the City of Riverside Emergency Management Office would be activated and trained professionals would be in place to



manage and coordinate the appropriate Emergency Operations Plan (EOP). Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

- PH3-S8-5. The speaker appears to be concerned about access to the SJBL/RCTC ROW from Mansfield Street. Mansfield is a public street that ends at the ROW. As part of the PVL project, fencing would be added to the end of Mansfield Street to block access to the ROW. The ROW is private, and any access into the ROW is viewed as trespassing whether there is exclusionary fencing or not. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.
- PH3-S8-6. This comment is general in nature and does not raise specific environmental concerns. Therefore, no response is necessary.
- PH3-S8-7. See Response to Comment PH3-S8-1.
- PH3-S8-8. See Response to Comment PH3-S8-1. Additionally, with the exception of one of the morning trains and two mid-day trains, commuter rail movements would occur early in the morning and later in the afternoon, outside of school operating hours. The morning train would not impact students arriving at Hyatt Elementary School because the nearest grade crossing, Mt Vernon Avenue, is over 0.75 miles away. Students arriving at Highland Elementary School may be required to wait no more than 45 seconds at the grade crossing at W. Blaine Street. Students leaving both schools in the afternoon would not be significantly impacted because there are no scheduled trains during that time. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.
- PH3-S8-9. See Response to Comment PH3-S8-1.
- PH3-S8-10. See Master Response #8 – Grade Crossings and Master Response #9 – Highland and Hyatt Elementary Schools (Increased Train Traffic). This comment states that, “students do have to cross that track going to Hyatt.” This comment is misleading. Hyatt Elementary School is located west of the tracks, while the land east of the tracks in this area is part of Box Springs Reserve. There are no residential areas in Box Springs Reserve and thus no reason for children to cross over the tracks in this location. Additionally, the nearest grade crossing is at Mt Vernon Street, which is approximately 0.75 miles north of Hyatt Elementary School. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.





**Public Hearing #3**  
**Speaker 9 - Kirk Lewis**



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>> Okay, thank you. Thank you. My (unintelligible) well rested.

>> Need backup here. Okay, and Dr. Lewis and he'll be followed by Liam Ouster (phonetic).

>> Commissioners, my name is Kurt Lewis. I'm assistant superintendant of operations with Riverside Unified School District. I'm going to thank you for this opportunity to allow me to share our concerns relative to the proposal Perris Valley Line Project. We've been tracking this project since 2005 when at the very beginning we weren't even recognized as a sensitive receptor in the initial federal environmental assessment. After a lot of discussion with RCTC we were put on distribution list that we could be involved with future public hearings and meanings. And to the credit of Ann Mere (phonetic) we've had a number of good substantial conversations concerning the Line and the litigation efforts that we feel are

PH3-S9-1



**Public Hearing #3  
Speaker 9 – Kirk Lewis (cont'd)**



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necessary to keep our children safe in our schools. In short the draft EIR is not only inadequate but likely inadequate and effective from a legal perspective. Specifically, the sixth sense jet fuel line in the right of ridges of the Highland Elementary School is mentioned in the draft EIR without any assessment of risk. The pipeline is the shallowest -- two feet, four inches. The draft EIR does not address potential for rupture due to heavy construction and also potential derailment. Needless to say protection of children should be addressed should a breach occur.

PH3-S9-2

This is not addressed in the report. The draft EIR also fails to acknowledge the likely increase in trips of both commuter and freight train traffic as the population and industrial uses increase them on the 215 corridor. Ignoring this future impact is

PH3-S9-3

a glaring defect in the draft EIR. Landscape laws -- they're described as a good neighbor gesture and referred to as a visual screen. These laws are not described nor of engineering explaining

PH3-S9-4



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Speaker 9 – Kirk Lewis (cont'd)**



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the draft EIR. In fact, it was noted in the draft EIR that Riverside Unified had a community draft the landscape laws and had believed that they were appropriate. We did not have those kind of conversations with RCTC. The landscape laws were later described to us as the same as a small wall at nine feet based on our wall. However, how does a nine foot wall provide any type of visual screen to a train and rail track that's 15 feet above grade? It was also described as a possible way of securing distilled cargo from a derailment. However, there was specific and clear language saying that the landscape walls were not meant for that type of function. A detailed comment of our letter to RCTC will be sent to them very shortly and will be forthcoming. Lastly, I think everyone recognizes the value of public commuter rail. Let's be sure that it's done correctly and that the mitigation measures are included to ensure the safety of our children. Thank you.

} PH3-S9-5  
} PH3-S9-6  
} PH3-S9-7  
} PH3-S9-8  
} PH3-S9-9



**Public Hearing #3**  
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>> Dr. Lewis, do you know when those schools were built? One was built in '64. When was the other? I don't know when that is.

>> Both those schools were built in the '60's.

>> Highland was built in '58.

>> Oh, '50's.

>> Matter of fact most of the schools in Riverside Unified were built in the '50's and '60's as the baby boom are affected in population to become more.

>> It takes cares of fully amortize their investment.

>> I would think so.

>> Yeah and then some.

>> Thank you.

>> Thank you very much. All right, next is it Boucher?

PH3-S9-10



**Public Hearing #3**  
**May 17, 2010**  
**Speaker 9 – Kirk Lewis**

- PH3-S9-1. This comment is introductory. No response is necessary.
- PH3-S9-2. See Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School. Additionally, RCTC does not have jurisdiction over local land use zoning or planning designations like a city or county. RCTC purchased the rail ROW from BNSF with the intention of providing commuter rail service along the corridor. The ROW has had freight operations along the corridor for over 100 years. When both Highland Elementary School and Hyatt Elementary School were initially built, the railroad had already been in operation for over 50 years. Current state law, as stated in the Draft EIR in Section 4.7, would restrict the construction of a new school within 1,500 feet of an existing rail ROW, but does not impose any restrictions on new projects nearby existing schools. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.
- PH3-S9-3. See Master Response #5 – Freight Operations. RCTC is proposing to extend Metrolink service from Riverside to south of the City of Perris. The project does not evaluate freight operations, instead it indicates how freight operations are dependent on local economic conditions. In the future, should the PVL project become successful and need to accommodate additional growth by adding new stations, RCTC has committed to conducting an additional environmental review at that time. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.
- PH3-S9-4. Landscape walls are described in the Draft EIR in Section 2.4.9. The landscape wall at Highland Elementary School is anticipated to provide a continuous barrier between the specific noise barrier sections. These walls are not mitigation but will provide a physical barrier between the schools and the ROW. Therefore, the analysis in the Draft EIR is correct - there are no impacts and no mitigation is required. The Draft EIR was changed to further clarify this issue. No additional analysis was required and no additional mitigation measures were added.
- PH3-S9-5. The height of the landscape wall at Highland Elementary School was determined by matching the heights between the noise barriers on each side of the school. In this way, it would be a consistent height along that section of the ROW. The Draft EIR was changed to further clarify this issue. No additional analysis was required and no additional mitigation measures were added.
- PH3-S9-6. See Response to PH3-S9-4. The landscape walls have been integrated into the project plans as project design features. The landscape wall at Highland Elementary School will provide a continuous barrier between specific noise barriers. It will be constructed of the small concrete block



material to provide for what will look like a continuous barrier in this area. In the vicinity of Hyatt Elementary School, the concrete block wall will be constructed near the outer limit of the RCTC/SJBL ROW. The elevation difference between the top of the wall and existing ground will be approximately eight feet. Paralleling the wall will be an excavated ditch on the railway side of the wall. The ditch spoils will be used to create an earthen berm against the concrete wall. The objective of this wall is to minimize the risk of rail cargo and debris reaching the playground in the event of a train derailment.

- PH3-S9-7. Under CEQA, mitigation is only required when there is a potentially significant impact in order to reduce the significance of the impact. No impacts were identified and therefore no mitigation was proposed. The landscape walls are not mitigation.
- PH3-S9-8. This comment is general in nature and does not raise specific environmental concerns. Therefore, no response is necessary.
- PH3-S9-9. This comment acknowledges the importance of commuter rail but does not raise specific environmental concerns. Therefore, no further response is necessary.
- PH3-S9-10. This comment is general in nature and does not raise specific environmental concerns. Therefore, no response is necessary.



**Public Hearing #3**  
**Speaker 10 - Lia Boucher**



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>> Boucher.

>> Boucher, all right. I failed my French.

>> It's okay. I'm used to my name being butchered.

>> She'll be followed by Fonda McGuinso (phonetic).

>> McGuinso.

>> Okay.

>> Good Evening. My name is Lia Boucher, the principal at Highland Elementary School. I came here tonight to share my concerns as well regarding the improvements to the train track that runs right by my school. I know the tracks were there before the school was built but up until now the distractions caused by the proximity of the trains that run along it have been minimal. There are just a few trains that we hear each day and they're slow -- very slow moving to be sure sometimes stopped. In fact, our children have become great waving friends with conductors. It's cute to

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**Speaker 10 - Lia Boucher (cont'd)**



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see them all lined up against the fence and waving to the  
conductors and, you know, as kids will do it's great fun to watch  
the trains go by. However, the proposed improvements to the track  
will mean an entirely different type of train traffic to us which  
will not be nearly so friendly. Once the tracks are improved the  
trains can move much faster, will become more frequent and will  
have the potential to cause great danger to our students. The  
Metrolink is one thing but will track improvements also mean  
heavier freight traffic. Some of my concerns that have been  
stated previously is the track is very near our school and  
multipurpose room and the noise from the trains is easily heard  
within the classrooms as you asked Mr. Ayala. This is not so much  
a concern as the trains go by as frequently as we hear them. But  
in looking at that schedule for the Metrolink to go by 12 times a  
day, we're going to hear more noise in the classrooms and cause  
more disruptions. As Dr. Lewis stated we saw in the report that  
we agreed to the

PH3-S10-1  
(cont'd)

PH3-S10-2

PH3-S10-3





**Public Hearing #3**  
**Speaker 10 - Lia Boucher (cont'd)**



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landscape laws as the mitigation and that is not adequate and will not provide lessening of the noise and air pollution that the heavier train traffic will impose on the school. As well the high pressure fuel line that runs along the track is a major concern. Only a couple feet under the surface in some places. So the prospect of this construction project and heavy equipment working on the track creates worries about the fuel line being accidentally hit. I don't even want to imagine the major disaster we could be facing should this line be severed during the construction on those tracks and certainly during the school day. And we also would hope that the line will be encased in concrete or otherwise be made less vulnerable to damage and accidents. And regardless of how many times we've had the train safety assemblies, children and families -- and it's not just children -- still walk along the track as a matter of convenience. Just this morning I saw an older woman and what was possibly her

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(cont'd)

PH3-S10-4

PH3-S10-5



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grandchild no more than three years old walking along the tracks by our school. At school we're constantly stopping students who are hopping over the fence because the apartments and homes are on the other side. And it's quicker to come across the tracks and over the fences than to go down to the crossings. I've even watched parents bring their entire family and put them over the fence from the railroad tracks. In curbing the crossings with pedestrian barriers is one thing but understand children and adults already scale high fences in order to cut down on their walking time and very likely will continue to do so. Last year my sixth grade students on their way to University Heights Middle School to get an orientation witnessed a woman crossing the tracks in front of the train and being killed by the impact. Landscape walls will certainly not stop this and protect our children from that. Finally, the heavier train traffic is going to create safety and attendance problems for us. We're already being

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(cont'd)

PH3-S10-6



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**Speaker 10 - Lia Boucher (cont'd)**



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affected by trains that just seem to stop and park. At times this blocks all intersections through which cars travel to get through school. When these two intersections are blocked by emergency vehicles, we don't have a fire station on the school side of the tracks. What would happen to our children if there were a derailment or chemical spill? The worst case scenario would be that emergency vehicles could not even reach us until those intersections were cleared. When those intersections are blocked, parents and students also have no access to school. And there's no way around the tracks because we're blocked in by mountains. We're -- at Highland, I know, we're a very environmentally school community. Many staff and parents are supportive of public transportation. So we believe the expansion of the Metrolink service is a good thing. However, we do ask that you be aware of the safety and protection of our children both in the construction and

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(cont'd)

PH3-S10-7



**Public Hearing #3**  
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in the use of those who proved tracks. Thank you for your time  
and consideration.

PH3-S10-7  
(cont'd)

>> Ms. Boucher, just a question.

>> Yes.

>> Regular school hours -- well, when people get there and  
starting to assemble teachers and everybody else are from when to  
when?

>> This year about 8:00 you'll see staff and students arriving.  
We have an earlier start time next year so 7:30. And we also have  
an after school program. So my students about 200 of them stay  
every day until about 6:10. Many times late 6:30.

PH3-S10-8

>> Around Saturday events? Would kids and their parents?

>> Sometimes. Not necessarily.



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**Speaker 10 - Lia Boucher (cont'd)**



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>> What about school year is that changed over in the same months?

>> We're a traditional school year.

>> Traditional school year.

>> Uh-huh. Uh-huh.

>> Okay, thanks very much for coming down and making this vivid.

Fonda -- and she'll be followed by Denise Allen and students from Highland Elementary School.

} PH3-S10-8  
(cont'd)



**Public Hearing #3**  
**May 17, 2010**  
**Speaker 10 – Lia Boucher**

- PH3-S10-1. As described in Master Response #5 – Freight Operations, freight traffic is dependent on economic conditions not on the condition of the tracks themselves. The PVL project will improve overall track conditions so that both Metrolink and freight trains can operate safely along the same alignment. The improved track conditions are not, in themselves, expected to increase freight traffic within the corridor.
- PH3-S10-2. See Master Response #9 – Highland and Hyatt Elementary Schools (Increased Train Traffic). The assessment for Highland Elementary School took into account the distance between the school and the corridor. Also, during school hours, a maximum of one train would pass by the school during any 1-hour period. This is important since institutional land uses such as schools are assessed during for the peak project noise producing hour. The subsequent analyses resulted in a noise barrier being proposed for Highland Elementary School (see Draft EIR, Table 4.10-11). As defined by the rail noise criteria contained in the FTA Manual, the noise barrier proposed for Highland Elementary School would result in a less than significant noise impact (see Draft EIR, Table 4.10-16). ([http://www.fta.dot.gov/documents/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))
- PH3-S10-3. Landscape walls are described in the Draft EIR in Section 2.4.9 and Section 4.1.4.
- Under CEQA, mitigation is only required when there is an impact in order to reduce the significance of the impact. As stated in the Draft EIR, Section 4.3.5, implementation of the PVL project would not result in significant impacts with regard to air quality. As stated in the Draft EIR, Section 4.10.5, the proposed noise barrier for Highland Elementary School would reduce noise impacts to less than significant levels. There are no other significant impacts and no further mitigation is required. Therefore, the analysis in the Draft EIR is correct. The Draft EIR was changed to further clarify this issue. No additional analysis was required and no additional mitigation measures were added.
- PH3-S10-4. See Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School, Master Response #3 – Derailment (General), and Master Response #10 – Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment). This comment states that the pipeline is “only a couple feet under the surface in some places.” This comment is incorrect. The pothole study conducted by RCTC in early 2010 found that the depth to the top of the pipeline ranges to 5’2” in the area adjacent to the school.



No engineering or construction activities are expected to impact the pipeline during construction. In areas where utilities are such as Kinder Morgan are involved, the utility owner typically would require advanced notification of the planned work. During the design stage, plans will be forwarded to the utility owner for consideration of any precautionary measures needed to protect the utility during construction. The utility owner also evaluates if a representative is to be present at the time of construction.

Kinder Morgan has specific requirements that must be met if construction is conducted within their easement. These requirements are outlined in Kinder Morgan Guidelines for Design and Construction near Kinder Morgan Hazardous Liquid Operated Facilities (November, 2007), which includes (but is not limited to) the following:

Design:

- Kinder Morgan shall be provided sufficient notice of planned activities involving excavation, blasting, or any types of construction on Kinder Morgan ROWs to determine and resolve any location, grade, encroachment problems and provide protection of Kinder Morgan facilities and the public before the actual work takes place.
- Encroaching entity shall provide Kinder Morgan with a set of drawings for review and a set of final construction drawings shall show all aspects of the proposed facilities in the vicinity of Kinder Morgan's ROW. The encroaching entity shall also provide a set of as-built drawings showing the proposed facilities in the vicinity of Kinder Morgan's ROW.

These Guidelines continue to address specific design issues, as well as construction issues, including (but not limited to) the following:

Construction:

- Contractors shall be advised of Kinder Morgan's requirements and shall be contractually obligated to comply.
- The continued integrity of Kinder Morgan's pipelines and the safety of all individuals in the area of proposed work near Kinder Morgan's facilities are of the utmost importance. Therefore, contractor must meet with Kinder Morgan representatives prior to construction to provide and receive notification listings for appropriate area operations and emergency personnel. Kinder Morgan's on-site representative will require discontinuation of any work that, in his opinion, endangers the operations or safety of personnel, pipelines or facilities. The Contractor must expose all Kinder Morgan pipelines prior to crossing to determine the exact alignment and depth of the lines. A Kinder Morgan representative must be present. In the event of parallel lines, only one pipeline can be exposed at a time.



- A Kinder Morgan representative shall be on-site to observe any construction activities within 25 feet of a Kinder Morgan pipeline or aboveground appurtenance. The contractor shall not work within this distance without a Kinder Morgan representative being on site. Only hand excavation shall be permitted within two feet of Kinder Morgan pipelines, valves and fittings unless State requirements are more stringent, however, proceed with extreme caution when within three feet of the pipe.

A Kinder Morgan representative will monitor construction activity within 25 feet of Kinder Morgan facilities during and after the activities to verify the integrity of the pipeline and to ensure the scope and conditions agreed to have not changed. Monitoring means to conduct site inspections on a pre-determined frequency based on items such as: scope of work, duration of expected excavator work, type of equipment, potential impact on pipeline, complexity of work and/or number of excavators involved.

Because construction for the PVL project would comply with all applicable Kinder Morgan construction requirements, the project would not have significant impacts for construction work around the pipeline and no mitigation measures are required.

Therefore, the analysis in the Draft EIR is correct - there are no impacts and no mitigation is required. The Draft EIR was changed to further clarify this issue. No additional analysis was required and no additional mitigation measures were added.

- PH3-S10-5. If unauthorized people enter the ROW, they are considered to be trespassing. This is true if people are “just” crossing the tracks, or if they are walking along the tracks. To increase the awareness of trains and increase safety Metrolink provides “Operation Lifesaver,” a safety education program. Operation Lifesaver provides age appropriate programs for communities and schools within the Metrolink service area. For additional information regarding the program, see the Draft EIR in Section 2.4.14. Please note that Operation Lifesaver is not required as mitigation but is simply a gesture of “good will” by RCTC to provide an additional safety measure.

The Draft EIR found no significant, unmitigable impacts as a result of the PVL project. The project does not increase safety risks. Instead, the PVL project would upgrade the existing physical condition of the rail line, which would result in a stronger infrastructure, a higher level of maintenance, and enhanced safety.

Therefore, the analysis in the Draft EIR is correct - there are no impacts and no mitigation is required. Additionally, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

- PH3-S10-6. See Master Response #9 – Highland and Hyatt Elementary Schools (Increased Train Traffic). This comment expresses concern regarding the





fact that additional trains as a result of the project would block every grade crossing in the area near Highland Elementary School. This comment is incorrect. The PVL project's trains would be commuter trains of only a few cars. These trains are too short to block more than a single crossing. Thus, even in the unanticipated event that a project train stops in the neighborhood, there would be no significant impact because only one of three ingress/egress locations would be affected.

Additionally, with the implementation of the PVL project, the corridor will become a shared corridor with the Metrolink and BNSF under control of SCRRRA. Due to the shared nature of the operations, it is not anticipated that trains would be allowed to stop in areas of single track (including the UCR neighborhood) because this would block other trains from passing through. Instead, trains would stop in the areas where there is a bypass track (between MP 7.50 to MP 16.90) and not in the UCR neighborhood. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

- PH3-S10-7. See Master Response #3 – Derailment (General), Master Response #4 – Hazardous Materials Transport, and PH3-S10-6. As stated in the Draft EIR in Section 4.7.4: “As a commuter rail line, PVL service is passenger only. As such, there would never be an occasion when hazardous materials would be transported on the commuter trains.” Therefore, less than significant impacts are anticipated for this issue area and no mitigation measures are required.

This comment also states that “The worst case scenario would be that emergency vehicles could not even reach us until those intersections were cleared. When those intersections are blocked, parents and students also have no access to school.” This comment is incorrect. As discussed in PH3-S10-6, all three grade crossings near Highland Elementary School would not be blocked simultaneously and therefore access to the area would not be significantly impacted. Therefore, the analysis in the Draft EIR is correct - there are no significant impacts and no mitigation is required for this issue. The Draft EIR was changed to further clarify this issue. No new impacts as a result of this comment were raised and no mitigation measures are required.

- PH3-S10-8. See Master Response #9 – Highland and Hyatt Elementary Schools (Increased Train Traffic). As stated in the Draft EIR, Section 4.10.5, the proposed noise barrier for Highland Elementary School would reduce noise impacts to less than significant levels. The analysis in the Draft EIR is correct - there are no impacts and no mitigation is required. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.



**Public Hearing #3**  
**Speaker 11 - Fonda McGensy**



4927 Arlington Avenue  
Riverside, California 92504  
951-779-0787 (V)  
951-779-0980 (Fax)  
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>> Hi, my name is Fonda McGuinso and I live at 218 E Campus View Drive. And I came to this meeting tonight because I was woken up at 4:30 last night by a horn. It seems that my house is located right at the point where they start to announce they're coming across the crossing. And some nights it's two or three times a night. You know, an hour apart just when I get back to sleep. They're always come through (inaudible) litigation on the east of Campus View.

PH3-S11-1



**Public Hearing #3**  
**Speaker 11 – Fonda McGensy (cont'd)**



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I live on kind of like a hill. So I'm looking down on the train but I'm also 50 feet away from the train. So I don't know. I'm thinking that maybe I have to move. And I have a great house. It's affordable but I'm thinking that might be a possibility.

PH3-S11-1  
(cont'd)

>> Thanks for the testimony. You know, the freight train horns I know the difference between freight train horns, Metrolink horns and Amtrak horns and I live 1.7 miles from the train tracks. How far do you live?

>> From the crossing itself I live maybe four or five houses away.

>> Okay.

>> From the train track 50 feet.

>> And do the freight trains come by at all hours?

PH3-S11-2



**Public Hearing #3**  
**Speaker 11 – Fonda McGensy (cont'd)**



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>> They come by at all hours. They shake my house. My house vibrates, the windows rattle. It makes it seem like the house is not stable -- just really (inaudible).

} PH3-S11-2  
(cont'd)



**Public Hearing #3**  
**May 17, 2010**  
**Speaker 11 – Fonda McGensy**

- PH3-S11-1. Based on technical guidance from the FTA, Metrolink horns that would be used as part of the proposed PVL project would not be as loud as the existing freight train horns that presently sound. In addition, because noise impacts are projected for this location (see Draft EIR, Table 4.10-9), noise barriers have been proposed as mitigation for this area of East Campus View Drive (see Draft EIR, Table 4.10-16).
- PH3-S11-2. A vibration assessment based on FTA vibration criteria (see Draft EIR, Table 4.10-6) was performed for the PVL project. Vibration from locomotives is the main determinant for rail vibration. The results demonstrated the proposed PVL operations would not result in any vibration impacts near East Campus View Drive (see Draft EIR, Table 4.10-12). Existing vibration in this area is associated with freight traffic that typically consists of older locomotives that include suspension systems, which are in general stiffer than the newer Metrolink passenger locomotives. In addition, the proposed project would also eliminate old rail and use new welded rail in its place along the entire length of the alignment, which would result in the added benefit of reducing noise from existing freight traffic.



**Public Hearing #3**  
**Speaker 12 - Denise Allen (& Students)**



4927 Arlington Avenue  
Riverside, California 92504  
951-779-0787 (V)  
951-779-0980 (Fax)  
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>> Thanks for coming to that. We have a group presentation here.

It's great. Ms. Allen, why don't you introduce everybody?

>> My name is Denise Allen and I'm a fifth grade teacher at Highland Elementary School. These are some of my students. And I just want to remind the superintendent that we did this during classroom hours because it was the persuasive genre. So --

>> Dear Gentleman and Ladies, how would you like it if a Metrolink or a freight train zoomed by your school 12 times each day? Highland Elementary students believe that the swift Metrolink trains should be as safe as possible. We think the dangerous crossings should be safer, the noisy trains should be quieter and we should be protected from

PH3-S12-1

PH3-S12-2



**Public Hearing #3**  
**Speaker 12 – Denise Allen (& Students) (cont'd)**



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dangerous materials. To begin with the railroad crossings should } PH3-S12-3  
be safer. New safety arms should be constructed at Spruce Street  
and Broom Street. Bright flashing lights should installed at all  
crossings. Speedy Metrolinks trains should decelerate when } PH3-S12-4  
passing through street crossings. And crossing guards should be  
hired to keep children safe from the trains.

>> Certainly, Metrolink trains should be silent near schools and } PH3-S12-5  
neighborhoods. There should be no annoying bells distracting  
students from their education. Definitely train whistles could  
disturb students during testing. The trains should not have  
earsplitting horns that interrupt learning. We do not want to } PH3-S12-6  
listen to screeching wheels on a rickety track. Equally important  
is to protect students from dangerous materials. You should cover } PH3-S12-7  
the jet fuel pipeline with tough concrete and bury it 10 feet  
under the ground. Trains should have state-break



**Public Hearing #3**  
**Speaker 12 – Denise Allen (& Students) (cont'd)**



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(phonetic) containers which are airtight that can't leak or explode.

>> Are there any bars down?

>> Should limit how much deadly smoke and exhaust it exits the engine. There should be a limit on how much dangerous freight train pass by our school each day with hazardous material onboard.

PH3-S12-7  
(cont'd)

>> In conclusion the Metrolink trains should be as safe as possible. Railroad crossings should be safer, trains should be quieter, and we should be protected from harmful substances. If you don't make sure that trains are safe, student's lives could be seriously endangered. Thank you.

PH3-S12-8

>> (inaudible) Young, Parker Williams, and whoops -- sorry, which one do you have?

>> Great job, children. You did a great job -- lot of poise. You can, I mean, we need you here in the county

PH3-S12-9





**Public Hearing #3**  
**Speaker 12 – Denise Allen (& Students) (cont'd)**



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offices to help on a lot of difficult pieces. Such a good job. } PH3-S12-9  
People listen when you speak. So next is Mr. Tom Allen. And he'll (cont'd)  
be followed by Gerald Salmon or Salmon.

**Public Hearing #3**  
**May 17, 2010**  
**Speaker 12 – Denise Allen (& Students)**

- PH3-S12-1. This comment asks, “how would you like it if a Metrolink or a freight train zoomed by your school 12 times each day?” This comment is incorrect, and the expected scheduling is discussed in Master Response #9 – Highland and Hyatt Elementary Schools (Increased Train Traffic). Additionally, the PVL project will improve overall track conditions so that both Metrolink and freight trains can operate safely along the same alignment (see Draft EIR, Section 4.2.1). These track improvements would upgrade the existing physical condition of the rail line, which would result in a stronger infrastructure, a higher level of maintenance, and enhanced operational safety. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- PH3-S12-2. See Master Response #4 – Hazardous Materials Transport and Master Response #8 – Grade Crossings. Grade crossing improvements that will enhance safety include pedestrian swing gates, pedestrian warning devices and gates, pedestrian barricades and metal hand railings, concrete raised medians, double yellow medians and island noses, warning devices, safety lighting, and signs. Overall rail corridor safety at grade crossings would also be enhanced by implementation of “Operation Lifesaver,” a safety education program for schools and communities near tracks operated by SCRRA/Metrolink (see Draft EIR, Section 2.4.14). Please note that Operation Lifesaver is not required as mitigation but is simply a gesture of “good will” by RCTC to provide an additional safety measure. The Draft EIR was not changed because the PVL project would not result in significant impacts and no mitigation measures are required.

Based on technical guidance from the FTA, the proposed PVL project includes Metrolink locomotives with horns that are not as loud as the horns currently used by the existing freight trains. The analyses in the Draft EIR were used to determine if the proposed PVL project would result in noise and vibration impacts to sensitive community properties as defined by the FTA Manual. Where impacts were predicted, mitigation was proposed so that impacts would be less than significant. Unfortunately, train noise cannot be eliminated at Highland Elementary School. However, a noise barrier is proposed for Highland Elementary School (see Draft EIR, Table 4.10-11). This would reduce predicted impacts to less than significant levels at this location.  
([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))

Therefore, the analysis in the Draft EIR is correct – there are no significant impacts with mitigation incorporated. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

- PH3-S12-3. See Master Response #8 – Grade Crossings. The PVL project is proposing to upgrade safety-warning devices at grade crossings as



project improvements. These have been approved by the CPUC and are intended for the entire alignment. No significant impacts to grade crossing safety were identified and no mitigation measures are required. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

PH3-S12-4. See Master Response #8 – Grade Crossings and response PH3-S12-3. The PVL project is in full compliance with CPUC regulations regarding grade crossings and safety. No significant impacts to grade crossing safety were identified and no mitigation measures are required. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

PH3-S12-5. See Master Response #1 – Quiet Zones. The sounding of bells at grade crossings is required by the FRA and described in the FRA's Manual of Uniform Traffic Control Devices (MUTCD). Based on technical guidance from the FTA, the proposed PVL project includes Metrolink locomotives with horns that are not as loud as the horns currently used by existing freight trains. Unfortunately, train noise from existing freight and future Metrolink trains cannot be eliminated at Hyatt Elementary School and Highland Elementary School. The analyses in the Draft EIR were used to determine if the proposed PVL project would result in noise and vibration impacts to sensitive community properties as defined by the FTA Manual. Where impacts were predicted, mitigation was proposed to reduce impacts to less than significant levels. A noise barrier is proposed for Highland Elementary School (see Draft EIR, Table 4.10-11). This would reduce predicted impacts to less than significant levels at this location. No noise impacts were predicted to occur at Hyatt Elementary School and, therefore, no noise barriers are proposed for this location. However, wheel squeal treatments, in the form of wayside applicators that would significantly reduce the squeal noise, are proposed at all short radius curves along the proposed alignment including the curves near Hyatt Elementary School (see Draft EIR, Section 4.10.4). ([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))

Therefore, the analysis in the Draft EIR is correct – there are no significant impacts with mitigation incorporated. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

PH3-S12-6. The PVL project is proposing to improve track conditions along the project alignment. These improvements would be implemented along the entire length of the project and would include; tie replacement, welded rail, and ballast replenishment where necessary. These improvements will reduce wheel noise for both existing freight trains and future Metrolink trains.

As stated in the Draft EIR, Section 4.10.5, mitigation measures will reduce noise impacts to less than significant levels. Therefore, the analysis in the Draft EIR is correct – there are no significant impacts with



mitigation incorporated. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

- PH3-S12-7. See Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School, Master Response #3 – Derailment (General), Master Response #4 – Hazardous Materials Transport, and Master Response #10 – Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment). The existing Kinder Morgan jet fuel line is located within the ROW, however, the PVL project is not planning to relocate or alter the pipeline as it currently exists. The analysis in the Draft EIR is correct, there are no new impacts as a result of this comment, and therefore the Draft EIR has not been changed.

As stated in the Draft EIR in Section 4.7.4: “As a commuter rail line, PVL service is passenger only. As such, there would never be an occasion when hazardous materials would be transported on the commuter trains.” Therefore, less than significant impacts are anticipated for this issue area and no mitigation measures are required. Since there are no new impacts as a result of this comment, the Draft EIR has not been changed.

As stated in the Draft EIR, Section 4.3.5, “implementation of the PVL project would not result in significant impacts with regard to air quality. No mitigation measures are required.”. Ultimately, the speaker’s concerns appear to center around existing freight operations rather than the impacts of this project. Therefore, there are no new impacts as a result of this comment, the Draft EIR has not been changed.

- PH3-S12-8. See Responses PH3-S12-2 through PH3-S12-7. The PVL project will improve overall track conditions so that both Metrolink and freight trains can operate safely along the same alignment. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- PH3-S12-9. This comment is conclusory in nature and does not raise specific environmental concerns. Therefore, no response is necessary.



**Public Hearing #3**  
**Speaker 13 - Tom Allen**



4927 Arlington Avenue  
Riverside, California 92504  
951-779-0787 (V)  
951-779-0980 (Fax)  
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>> My name's Tom Allen. I live at 864 Kenwood Drive. That's three houses away from the intersection of Spruce Street and Kentwood. My house backs right up to the train track. I can look over my fence at the Saint George's Episcopal Church. The EIR speaks to mitigating noise with a sound wall. Usually you solve one problem and you create another. And the problem that this creates that I'm concerned with is the height of a sound wall behind my home that would now create a visual experience that doesn't seem very appealing to me. So I'm very interested in other mitigations besides a sound wall that would rise up any number of feet -- three to five feet above the existing fence -- and would be interested in what other mitigation measures could be used to mitigate this sound from the increased traffic of the moving trains. There's 1,440

PH3-S13-1



**Public Hearing #3**  
**Speaker 13 – Tom Allen (cont'd)**



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951-779-0787 (V)  
951-779-0980 (Fax)  
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minutes in a day. I expect the Metrolink trains would come by less than 10 minutes in the experience of the 60 feet on my property. That leaves 1,430 minutes for the rest of my day to look at a very large sound wall behind my property. I think you can understand the new problem that creates and why that might be problematic for me. Secondly, I would support an upper limit for rail traffic especially if you look forward to the potential of increased rail traffic on that line. Thirdly, I would support quiet zones in the street crossings in our neighborhood. And then lastly, perhaps contrary to many of my neighbors here I think it was a mistake of the transportation commission to eliminate the kissing ride drop-off zone near the University. It seems to me there's no other public benefit -- greater public benefit to mass transit than to create a drop-

PH3-S13-1  
(cont'd)

PH3-S13-2

PH3-S13-3

PH3-S13-4



**Public Hearing #3**  
**Speaker 13 – Tom Allen (cont'd)**



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951-779-0787 (V)  
951-779-0980 (Fax)  
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off point near a place like that's a major employment center or major school institution. So I would ask the commission to consider in the future creating just that kind of a drop-off point for the University. Many of my friends as I told them about my coming here tonight, the first thing they asked me from different people in the city is "I can't believe the transportation commission eliminated a place for students and others to get off and walk across the street."

PH3-S13-4  
(cont'd)

>> That possibility is not foreclosed by the current plan. Isn't that right, Ms. Rosso?

>> The current --

>> The possibility of having a future -- so-called -- I mean, we want to encourage as much kissing as possible for this proposition does not foreclose by the current proposal. We're starting out with four stations and they'll open simultaneously. But one that will be open from the beginning will be the station -- proposed station at Columbia Avenue tracks. So it's nearby.



**Public Hearing #3**  
**Speaker 13 – Tom Allen (cont'd)**



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Riverside, California 92504  
951-779-0787 (V)  
951-779-0980 (Fax)  
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>> So I'm just voicing my support for that being added at a later  
time. Thank you very much.

>> Thank you very much. Mr. -- was it Salmon?

>> Salmon.

>> Salmon, okay.

>> I think it depends on what part of the country you're from.  
I'm from the (inaudible). Thank you for allowing me to speak this  
evening. My name is Earl Salmon. I live at 2294 Kentwood Drive  
just a few houses away from the last speaker. I unfortunately am  
on the other side of Spruce though the side that for some reason  
they decided not to have any sound wall, not to have any quiet  
zone crossing. And, you know, the quiet zone crossing would just  
eliminate so many problems.

>> You're northerly on Spruce?

} PH3-S13-5





**Public Hearing #3**  
**May 17, 2010**  
**Speaker 13 – Tom Allen**

PH3-S13-1. 864 Kenwood Drive is located southeast of the intersection of Spruce Street and the RCTC ROW. There are no aesthetic resources identified to the west of this address and therefore the noise barrier does not create a visual impact at this address.

See Master Response #6 - Noise. The FTA recognizes noise barriers as an effective and legitimate noise mitigation option (FTA Manual, Section 6.8.3) and, as such, they are proposed in this area of the alignment as the most feasible mitigation option. Calculations based on formulae contained in Section 6.3.2 of the FTA Manual were applied to determine noise barrier height requirements that would reduce the specific impacts to less than significant. Also, where the construction of noise barriers would not be feasible, sound insulation is proposed for noise sensitive locations that would be impacted by the PVL project.  
([http://www.fta.dot.gov/documents/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))

PH3-S13-2. Please see Master Response #5 – Freight Operations. The PVL project is expected to have 12 train trips per day (six in each direction) on the alignment. Freight trains are not a part of the project and RCTC is not responsible for freight traffic. If ridership increases in the future, RCTC may build additional stations to meet this demand. RCTC has committed to do additional environmental reviews for any new stations that would be added in the future. There are no new impacts as a result of this comment, the Draft EIR has not been changed.

PH3-S13-3. See Master Response #1 – Quiet Zones. There are no new impacts as a result of this comment; the Draft EIR has not been changed.

PH3-S13-4. The UCR Station was specifically removed after the IS/MND was circulated (see Draft EIR, Section 2.2). The General Plan for the City of Riverside does identify a station in the UCR neighborhood. RCTC has committed to a new environmental review should the UCR station be proposed in the future. There are no new impacts as a result of this comment; the Draft EIR has not been changed.

PH3-S13-5. This comment is conclusory in nature and does not raise specific environmental concerns. Therefore, no response is necessary.



**Public Hearing #3**  
**Speaker 14 - Daryl Salmon**



4927 Arlington Avenue  
Riverside, California 92504  
951-779-0787 (V)  
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>> So I'm just voicing my support for that being added at a later time. Thank you very much.

>> Thank you very much. Mr. -- was it Salmon?

>> Salmon.

>> Salmon, okay.

>> I think it depends on what part of the country you're from.

I'm from the (inaudible). Thank you for allowing me to speak this evening. My name is Earl Salmon. I live at 2294 Kentwood Drive just a few houses away from the last speaker. I unfortunately am on the other side of Spruce though the side that for some reason they decided not to have any sound wall, not to have any quiet zone crossing. And, you know, the quiet zone crossing would just eliminate so many problems.

PH3-S14-1

>> You're northerly on Spruce?



**Public Hearing #3**  
**Speaker 14 – Daryl Salmon (cont'd)**



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>> Right, yeah. And, you know, I don't know what the -- well,  
again, I agree with the last speaker, too. I'm not so crazy about  
sound walls for the all the problems that they bring along. My  
big -- I'm a big proponent of the quiet zone. And there's some  
jurisdictional bickering about that. But, you know, you guys are  
the community leaders we've elected. You're our future planning.  
You -- every community wants to grow, wants to see more business,  
more tax money come in. And it's working. The Riverside County's  
growing. You know, the 215 corridor's expanding. The businesses -  
- well, right now every business is having a hard time but, you  
know, once this recession is over all of that's going to pick up.  
There's going to be more freight. And when's that freight going  
to run if we've got 12 passenger carlines going during the day?  
So we're going to have more freight at night. And that noise is  
really going to be something whether we put the sound wall up or  
not. Somebody was talking about reverberation of sound

PH3-S14-2

PH3-S14-3

PH3-S14-4



**Public Hearing #3**  
**Speaker 14 – Daryl Salmon (cont'd)**



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951-779-0787 (V)  
951-779-0980 (Fax)  
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bouncing off the wall. You've got to make it a green wall or } PH3-S14-5

you're going to have a graffiti paradise out there. So you -- the } PH3-S14-6

quiet zones really need to be taken care of. Anyway with all this

increase of -- there's also another thing that nobody's brought

up yet and that's the grade separations. I mean, safety is an

issue. And it's a fact. I'll chime in with the others that have

said at times all three of the major entrances to our

neighborhood have been blocked by a train. Now imagine if a train } PH3-S14-7

is going by carrying something like chlorine. It has an accident.

It's stuck immobilized across all three tracks and you've got

some chlorine cloud, you know, and emergency vehicles can't even

get into the neighborhood. And the neighborhood can't get out of

the neighborhood. That kind of safety issue is just really

something you've got to consider. Actually, I'm not going to bore } PH3-S14-8

you with anymore. My big thing is the sound and safety. And I

think the quiet zones -- you really got to go with that. Thank

you.



**Public Hearing #3**  
**May 17, 2010**  
**Speaker 14 – Daryl Salmon**

PH3-S14-1. See Master Response #1 – Quiet Zones. 2294 Kentwood Drive is located at the northeast corner of Spruce Street and Kentwood Drive that is between Kentwood Drive and the ROW. Noise barriers were not deemed feasible for the property as it is located near a grade crossing. As a result, the PVL noise assessment proposed that this property be required to have sound insulation for noise mitigation. The analysis in the Draft EIR is correct – mitigation measures will reduce impacts to less than significant levels. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

PH3-S14-2. This comment is general in nature and does not raise specific environmental concerns. Therefore, no response is necessary.

PH3-S14-3. See Master Response #1 – Quiet Zones and Master Response #5 – Freight Operations. The PVL project is a commuter rail project and has no impact on freight traffic. The proposed project will not shift freight train traffic to night-time hours because given the limited number of freight trips per day, they can be scheduled for times when commuter trains are not running. The proposed PVL project is related to commuter rail. Consequently, any introduction of night-time freight operations would not be part of the proposed project. In addition, the study assumes no time shifting of freight trains would be required as a result of implementation of the PVL project. Therefore, such conditions are not considered in the noise analysis.

PH3-S14-4. The degree to which sound reflections are problematic on rail corridors is largely dependent upon the height of the noise barrier and the source to barrier distance. For projects where sound reflections off noise barriers are of concern, sound absorptive materials are often proposed for use on noise barriers. However, it is not expected that reflections off noise barriers would result in significant increases in noise levels since the PVL alignment would not be very close (within approximately 20 feet) to the proposed noise barriers (FTA Manual, page 2-12) and the point at which the sound wave is reflected is over 150 feet from a sensitive receiver on the opposite side of the track. This 150 foot distance between the reflected sound wave and the sensitive receiver on the opposite side of the PVL alignment would effectively attenuate the strength of the reflected sound wave. In this section of the alignment near 2294 Kentwood Drive, only sound insulation is proposed.  
([http://www.fta.dot.gov/documents/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))

PH3-S14-5. RCTC understands the request to have a wall covering; however, there is no water available within the RCTC ROW to sustain any vegetation. Additionally, there are no provisions within the RCTC agreement with SCRRRA outlining landscape maintenance requirements other than at the stations.



Graffiti is illegal activity and any person caught creating graffiti will be punished according to the appropriate laws. Graffiti is not a significant impact as a result of the PVL project because there is no substantial evidence to suggest graffiti will result from the proposed project and graffiti is not a reasonably foreseeable consequence of the PVL project. Therefore, no mitigation is necessary. Nonetheless, if graffiti were to occur on walls along the PVL corridor, SCRRRA would be obligated to clean up the graffiti promptly. In addition, as a good will measure, RCTC is working with the City for ways to deter illegal actions, such as graffiti. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

PH3-S14-6. See Response to Comment PH3-S14-3.

PH3-S14-7. See Master Response #4 – Hazardous Materials Transport and Master Response #12 – Grade Separations. Grade separations, where roadways go under or over railroad tracks, require a specific approach distance to maintain appropriate roadway grades and clearance heights of the tracks. For grade separations to be possible within the UCR neighborhoods, many homes would lose vehicle and driveway access.

This comment asks what would happen if a train carrying chlorine derailed, blocked every grade crossing in the neighborhood, and thus blocked all points of access for emergency response. First of all, as stated in the Draft EIR in Section 4.7.4: “As a commuter rail line, PVL service is passenger only. As such, there would never be an occasion when hazardous materials would be transported on the commuter trains.”

Secondly, the PVL project’s trains would be commuter trains of only a few cars. These trains are too short to block more than a single crossing. Thus, even in the unanticipated event that a project train stops in the neighborhood, there would be no significant impact because only one of three ingress/egress locations would be affected.

Additionally, with the implementation of the PVL project, the corridor will become a shared corridor with the Metrolink and BNSF under control of SCRRRA. Due to the shared nature of the operations, it is not anticipated that trains would be allowed to stop in areas of single track (including the UCR neighborhood) because this would block other trains from passing through. Instead, trains would stop in the areas where there is a bypass track (between MP 7.50 to MP 16.90) and not in the UCR neighborhood. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

PH3-S14-8. See Response to Comment PH3-S14-3.



**Public Hearing #3**  
**Speaker 15 - Robert Phillips**



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>> Okay, thanks, Mr. Salmon.

>> My name is Robert Phillips. I live at 3511 Watkins Drive at the corner of Watkins and Valencia Hill Drive. My house is directly across the street from the tracks. And at that location the tracks are very close to the street. So I'm not far from the tracks at all. Every night I am awakened by ridiculously loud train whistles and the rattling of my windows as the freight trains pass. As shown in figure 4.106 noise barrier locations there is no noise barrier between the tracks and my home.

Immediately west of my home according to table 4. --

PH3-S15-1

>> No noise barriers on either side of the tracks for approximately 1,100 feet along Watkins Drive between

PH3-S15-2



**Public Hearing #3**  
**Speaker 15 - Robert Phillips (cont'd)**



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stations 311 and 322. In this area the tracks are within a few yards of the rear yards of homes. There is no explanation in the DEIR for the gap in the noise barriers. The train would certainly not prevent the installation of noise barriers in this location, so why aren't they being proposed? The only explanation I can figure is that RCTC does not want to install barriers because it is still seriously considering building a UCR station on Watkins Drive at some point in the future, as people have spoken of. During the previous environmental review, neighborhood residents presented more than enough reasons why the proposed UCR station was undesirable, unnecessary, and dangerous. These included the facts that the latest morning train would release passengers one and a half hours before the campus opened. The fact that the station would be located at the extreme northeast corner of the campus next to a maintenance yard, athletic fields, and dormitories and at least one mile from the academic core of

PH3-S15-2  
(cont'd)

PH3-S15-3





**Public Hearing #3  
Speaker 15 - Robert Phillips (cont'd)**



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the campus. The fact that pedestrians disembarking the station would have to cross Watkins Drive, a crowded and dangerous roadway, resulting in serious traffic accidents. The fact that the idling, breaking, and accelerating trains would generate excessive noise and pollution immediately next to homes and the UCR Child Development Center. The fact that this station would generate additional vehicular traffic on Watkins Drive, which is already heavily congested at peak hours. And the fact that UCR could send shuttles to pick up and deliver students at a station located elsewhere, such as Highgrove or Hunter Park, which is a short distance from the campus. These shuttles could then deliver the students to the campus's academic core, rather than the maintenance yard. RCTC needs to give up once and for all the idea of a UCR station. Then it needs to install vine-covered noise barriers along the entire portion of Watkins Drive that is adjacent to the tracks. In addition, all residences within 200 feet of the tracks

PH3-S15-3  
(cont'd)

PH3-S15-4

PH3-S15-5



**Public Hearing #3**  
**Speaker 15 - Robert Phillips (cont'd)**



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need to be provided with upgraded windows and insulation to  
reduce the noise from freight trains whose number will certainly  
increase when the economy turns around and industrial development  
resumes in earnest along the I-215 corridor. Thank you.

PH3-S15-5  
(cont'd)

>> Thanks, Mr. (Unintelligible). Following Mr. Block will be  
Barbara Effinger.



**Public Hearing #3**  
**May 17, 2010**  
**Speaker 15 – Robert Phillips**

- PH3-S15-1. The detailed noise assessment conducted for the project using the FTA Manual indicated that 3511 Watkins Drive would not be impacted by the proposed project operations. However, noise from the proposed project would be reduced at this property from the noise barrier along Nisbet Drive. The existing noise levels are due to existing freight operations and other sounds within the neighborhood.  
([http://www.fta.dot.gov/documents/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))
- PH3-S15-2. Based on the locations of grade crossings in the UCR area, and the FRA horn blowing requirement (see Draft EIR, Section 4.10.1), the noise assessment indicated that horns from PVL trains would not be sounded between the gap in question between Stations 311 and 322. As a result, noise barrier mitigation was not required in this area.
- PH3-S15-3. The UCR Station is not part of the proposed PVL project. The UCR Station was removed from the project based on public comments received on the IS/MND document (see Draft EIR, Section 2.2).
- PH3-S15-4. A detailed noise assessment was conducted for the proposed Metrolink trains in terms of noise sensitive properties along the entire project rail alignment. Where impacts were predicted, noise mitigation including sound insulation and noise barriers were proposed at specific locations (see Draft EIR, Tables 4.10-9 to 4.10-11). The noise assessment did not predict impacts at any properties along Watkins Drive.
- PH3-S15-5. The noise assessment for the PVL project was related to potential impacts from future Metrolink trains. No change in freight train operations is assumed in the assessment. RCTC is not required under CEQA to mitigate for existing conditions in the existing environment.



**Public Hearing #3**  
**Speaker 16 - Richard Block**



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>> Good evening. I'm Richard Block. I live at 424 Two Trees Road in Riverside. I've lived there for 40 years, and this is about 2,000 feet northeasterly of the huge curve -- the sharp curve that the trains go around. It's roughly between mile 3.0 and 3.5 as listed in the DEIR. And this section is very dangerous. I remember a derailment at the south end of that near the end of Big Springs Road in the year 2001. A number of freight cars -- fortunately they weren't carrying chlorine -- they were carrying corn, but the corn spilled all over the place, and

PH3-S16-1



**Public Hearing #3**  
**Speaker 16 – Richard Block (cont'd)**



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the RCTC does not supervise the BNSF operations very well because what they did -- I was out of the country at the time so I couldn't protest -- what they did was they took the freight cars and lifted them over the tracks and dumped them on my private property. And then later --

PH3-S16-1  
(cont'd)

>> (unintelligible).

>> It was nice. I was in the Galapagos. It was a long way away. And they have -- there's talk about people walking -- crossing on trails that have been in existence for scores of years. I'm sure there's a prescriptive easement for recreational use of those trails crossing the tracks. We've been told, "Oh those people are trespassing." Well, RCTC or their tenant, BNSF, is one that has frequently trespassed on my land. But I want to talk about that curve because as I read the DEIR, you're proposing new rail and concrete ties substantial improvement of the tracks for safety reasons, perhaps for improved noise attenuation to

PH3-S16-2

PH3-S16-3



**Public Hearing #3**  
**Speaker 16 – Richard Block (cont'd)**



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the west and to the south of the there, but then around this large curve the only proposed improvement to the tracks that I can see in the DEIR is to replace some wooden ties presumably with other wooden ties. And those ties -- I can tell you they're in terrible condition. This is a dangerous -- you've got a grade. You've got a very sharp curve. You've got huge amounts of squealing noise. I don't know how to -- squeaking, squealing noise as the trains, freight trains -- presumably the passenger trains would be going even faster so you would have even more of that noise and, of course, vibration as those trains go around that curve. That is the portion that most needs to have improvements done to the track, and yet apparently all they're going to do is replace some really bad wooden ties with other wooden ties. That's totally inadequate. So those are some of the concerns and, by the way, that noise -- because those tracks around that curve are on a raised embankment -- that noise carries over throughout the whole

PH3-S16-3  
(cont'd)

PH3-S16-4



**Public Hearing #3**  
**Speaker 16 – Richard Block (cont'd)**



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neighborhood. And I've had people living many blocks away tell me  
that really annoys them as those trains go around there.

} PH3-S16-4  
(cont'd)

>> Thanks, Mr. Block. Next Ms. Effinger?

>> Effinger, yes.

>> And she'll be followed by Robert Dobry.



**Public Hearing #3**  
**May 17, 2010**  
**Speaker 16 – Richard Block**

PH3-S16-1. This comment states that “RCTC does not supervise the BNSF operations very well...” This comment is fundamentally incorrect. RCTC is not currently responsible for operation and maintenance of the ROW and was not responsible in 2001 when the derailment occurred. BNSF is currently responsible for the operation and maintenance of the ROW and SCRRRA will become responsible once the PVL project is initiated.

Additionally, as stated in the Draft EIR in Section 4.7.4: “As a commuter rail line, PVL service is passenger only. As such, there would never be an occasion when hazardous materials would be transported on the commuter trains.” Therefore, less than significant impacts are anticipated for this issue area and no mitigation measures are required. The Draft EIR was changed to further clarify this issue. No new impacts as a result of this comment were raised and no mitigation measures are required.

PH3-S16-2. This comment states “And they have – there’s talk about people walking – crossing on trails that have been in existence for scores of years. I’m sure there’s a prescriptive easement for recreational use of those trails crossing the tracks.” This comment is incorrect. The ROW has been in existence for over 100 years and the City of Riverside and the County of Riverside developed these parks without physically blocking access across private property (the SJBL/RCTC ROW). If unauthorized people enter the ROW, even to “just” cross the tracks to get to the other side, they are considered to be trespassing.

The PVL project does not include adding additional track in this area or affecting existing access to parks in any way. The existing track will remain in its current location. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

PH3-S16-3. The principal source of noise near the curved area would be wheel squeal. Therefore, as part of the project, wayside applicators are proposed to significantly reduce the noise from wheel squeal at all tight radius curves along the entire project alignment (see Draft EIR, Section 4.10.4). A vibration assessment based on FTA vibration criteria (see Draft EIR, Table 4.10-6) was performed for the PVL project. The results demonstrated that the proposed PVL project rail operations would not result in any vibration impacts in the area of the curve (see Draft EIR, Table 4.10-12). As part of the PVL project, the track would be improved to all welded rail that would reduce wheel noise and vibration for both existing freight trains and future Metrolink trains.  
([http://www.fta.dot.gov/documents/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))

It should also be noted that with the proposed ballast, tie and rail improvements, the overall safety of the rail operations is expected to improve. The initial improvements with improved maintenance operations





required for commuter rail operations, will provide for improved safety of the BNSF freight operations as stated in Master Response #3 - Derailment.

PH3-S16-4. See Response to Comment PH3-S16-3.



**Public Hearing #3**  
**Speaker 17 - Barbara Effinger**



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951-779-0787 (V)  
951-779-0980 (Fax)  
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>> Hi, my name is Barbara Effinger. My husband and I live in the 270 West Campus View Drive in Riverside, and we've been there since 1977. And the trains hardly bothered us, but now just like many people have said, but the noise, the windows rattling and most of my concerns is -- I mean been presented excellently. But I just want to reiterate on one thing and my neighbor brought it up about the insulation of the houses. They said 7 houses, and it should be 111. And that's one of my concerns. And also I'm concerned about the safety of our children and the community with the high-

PH3-S17-1

PH3-S17-2

PH3-S17-3



**Public Hearing #3**  
**Speaker 17 – Barbara Effinger (cont'd)**



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speed trains coming by. And at this moment I cannot say that I'm  
happy about the high-speed trains coming in my backyard  
(unintelligible). Thank you.

} PH3-S17-3  
(cont'd)

>> Thanks for coming Ms. Effinger and giving those comments.

Following Mr. Dobry will be R.A. Barney Barnett.



**Public Hearing #3**  
**May 17, 2010**  
**Speaker 17 – Barbara Effinger**

- PH3-S17-1. The proposed project would include new welded along the alignment, which would have the added benefit of reducing noise and vibration from existing freight traffic.
- PH3-S17-2. See Master Response #6 – Noise. For the 83 residences at which noise impacts were predicted in the Draft EIR, mitigation in the form of noise barriers is proposed. Noise barriers are recognized by the FTA as a legitimate mitigation option (FTA Manual, Section 6.8.3). Sound insulation was proposed for the properties at which noise barriers would not be feasible. All properties selected for insulation were located near grade crossings in the UCR area (see Draft EIR, Section 4.10.5). Although the Draft EIR proposes sound insulation at only seven homes and one church, this represents a notable increase in the number of properties recommended for sound insulation as compared to the 2005 EA.  
([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))
- PH3-S17-3. RCTC is proposing to extend Metrolink service from Riverside to south of the City of Perris. This would be the extension of the existing 91 line from downtown Los Angeles. RCTC is not proposing high-speed train service along this corridor. If another agency is proposing high-speed train service along the PVL corridor then they will have to have approval from RCTC, the landowner. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed. It should be noted that the California High Speed Rail Commission is analyzing various routes to connect Los Angeles to San Diego. A route has not been identified or selected but various alternative routes have been proposed, one of them being the existing SJBL alignment.

Overall rail corridor safety would also be enhanced by implementation of “Operation Lifesaver,” a safety education program for schools and communities near tracks operated by SCRRA/Metrolink (see Draft EIR, Section 1.4.14). Please note that Operation Lifesaver is not required as mitigation but is simply a gesture of “good will” by RCTC to provide an additional safety measure. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.



**Public Hearing #3**  
**Speaker 18 - Robert Dobry**



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Riverside, California 92504  
951-779-0787 (V)  
951-779-0980 (Fax)  
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>> Thanks for coming Ms. Effinger and giving those comments.  
Following Mr. Dobry will be R.A. Barney Barnett.

>> I'm Bob Dobry. I live at 3624 Valencia Hill Drive, right  
across the campus. I've been a resident of Riverside for 36  
years. My profession is assistant engineer, which qualifies me to  
generate the functions, requirements, and architectures for  
transportation systems. The world reached the peak oil plateau in  
2004 and (unintelligible) in 2005. We are now about 15%  
(unintelligible) and every four months that pass adds another 1%.  
This has resulted in strong rises in energy prices with negative  
consequences to our economies. When we fall off the peak oil  
plateau in the not too distant future, fuel prices compared to  
individual

PH3-S18-1



**Public Hearing #3**  
**Speaker 18 – Robert Dobry (cont'd)**



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purchasing power parity will rise far higher than today with devastating consequences to international, national, state, and local economies. A large segment of our population will lose their personal mobility. They will no longer have the income to own a car or to purchase the fuel to drive one. Yet today American society has been designed so that the individual's services and enterprises are highly distributed physically. This situation will require that the government provide transportation that is equally distributed and flexible to fill this need. Only innovative bus systems using hybrid and electric vehicles of various sizes can do this. In the present distributed environment, trains for passenger mobility will prove to be highly inflexible, non cost effective, and of very limited utility compared to the need. Plus, there will simply not be the resources of money or time to build such systems out. The Perris Valley Line is a huge misallocation of resources. When you add to this the destruction of the

PH3-S18-1  
(cont'd)

PH3-S18-2



**Public Hearing #3  
Speaker 18 – Robert Dobry (cont'd)**



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environment from noise and commotion, blockage of roads by  
trains, and the risks of derailment caused by steep grade and  
friable roadbed substructure, this system cannot be justified.

And so I am absolutely opposed to it. Thank you.

>> Following Mr. Barnett will be Elizabeth Lawlor.

} PH3-S18-2  
(cont'd)



**Public Hearing #3**  
**May 17, 2010**  
**Speaker 18 – Robert Dobry**

PH3-S18-1. An express bus alternative was considered in the Draft EIR, Section 3.2.2. However, it was found that this bus alternative would not adequately meet a majority of the four established project goals and their respective objectives. This option does not reduce highway congestion in the corridor and would have to travel through highly congested mixed-flow lanes to use the planned HOV lanes between new stations. Additionally, the seven new stations that were proposed for this alternative (the greatest number of stations compared to the other alternatives) would require more ROW acquisition, which would increase the land use impact. Though the “innovative bus systems using hybrid and electric vehicles of various sizes”, as the speaker suggests, would have fewer air quality impacts than the express bus alternative that was analyzed in the Draft EIR, any bus alternative would have greater land use, traffic, and travel time impacts. Therefore, the analysis in the Draft EIR remains correct. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

PH3-S18-2. This comment, “in the present distributed environment, trains for passenger mobility will prove to be highly inflexible, non-cost effective, and of very limited utility compared to the need” is speculative and incorrect. The Draft EIR, Section 3.0, evaluated a variety of alternatives (bus and rail) that could meet the identified needs of the project, namely to reduce roadway congestion, provide transit travel options to growing population and employment centers, coordinate transportation planning and community development, and improve use of underutilized transportation resources. The Commuter Rail with New Connection to BNSF at Citrus Street Alternative (“Citrus Connection”) was selected as both the Locally Preferred Alternative (LPA) and the environmentally superior alternative for a number of reasons. It would meet the goals and objectives of the project, minimize the impacts to the community by reducing business relocation, reduce air quality impacts, and decrease the amount of acquisitions without the need for displacements (see Draft EIR, Section 3.3). Therefore, when taking into consideration flexibility, cost-effectiveness and available monetary resources, utility, and environmental impacts, the PVL project was identified as the best option. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

This comment also states that “The Perris Valley Line is a huge misallocation of resources. When you add to this the destruction of the environment from noise and commotion, blockage of roads by trains, and the risks of derailment caused by steep grade and friable roadbed substructure, this system cannot be justified.” This comment is also incorrect, for the following reasons:





With regard to “noise and commotion”: as stated in the Draft EIR, Section 4.10.5, impacts to ambient noise levels will be mitigated to less than significant levels.

With regard to “blockage of roads by trains”: the PVL project’s trains would be commuter trains of only a few cars. These trains are too short to block more than a single crossing. Thus, even in the unanticipated event that a project train stops in the UCR neighborhood, there would be no significant impact because only one of three ingress/egress locations would be affected. Additionally, with the implementation of the PVL project, the corridor will become a shared corridor with the Metrolink and BNSF under control of SCRRA. Due to the shared nature of the operations, it is not anticipated that trains would be allowed to stop in areas of single track (including the UCR neighborhood) because this would block other trains from passing through. Instead, trains would stop in the areas where there is a bypass track (between MP 7.50 to MP 16.90) and not in the UCR neighborhood.

In regards to “the risks of derailment caused by steep grade and friable roadbed substructure,” Master Response #3 – Derailment (General) discusses how the PVL project includes track improvements throughout its length because a commuter train would be added to the track (see Draft EIR, Section 4.2.1). These track improvements would upgrade the existing physical condition of the rail line, which would result in a stronger infrastructure, a higher level of maintenance, and enhanced operational safety. Therefore, not constructing the PVL project poses a much higher risk of train derailment exposure than constructing the project would.

Therefore, the analysis in the Draft EIR is correct - there are no significant impacts and no mitigation is required for this issue. The Draft EIR was changed to further clarify this issue. No new impacts as a result of this comment were raised and no mitigation measures are required.



**Public Hearing #3**  
**Speaker 19 - Barney Barnett**



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Riverside, California 92504  
951-779-0787 (V)  
951-779-0980 (Fax)  
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>> My name is R.A. Barnett. I go by Barney. And I'm here to talk about something that we have been talking about for eight and a half years, and that is station location. For the last eight and a half years the entire surrounding area of Highgrove has supported and suggested a station stop to use the existing trains that go right through their neighborhood -- our neighborhood. This particular location happens to be the same property that is needed to connect the two railroads, the BNSF tracks to the Perris Valley Line tracks. And our suggestion is -- and has been for the last eight and a half years -- to put a station stop on the

PH3-S19-1



**Public Hearing #3**  
**Speaker 19 – Barney Barnett (cont'd)**



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west side of this curve where there are existing commuter trains. Where RCTC is designing and wants to build a station is only half a mile away. But that half mile is really a big difference because they have different location destinations. The half mile difference between Highgrove and Palmyrita, for instance, the existing trains don't need any improvements -- no track improvements, no new coaches, no engines, or anything. They are already in place between San Bernardino and Riverside. The one at Palmyrita, Marlborough, or Columbia is a dead-end track. There is no connection at the other end. It's 38 miles of dead-end track. And, in addition, when the Colton flyover is approved -- and I'm sure that it will be eventually -- that makes the Highgrove location even more valuable. Because when the Colton flyover is approved, it will give additional slots for Metro Link trains. Those Metro Link train additions including the same ones that we have now could transport regional people to their destinations.

PH3-S19-1  
(cont'd)



**Public Hearing #3**  
**Speaker 19 – Barney Barnett (cont'd)**



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With the Perris Valley Line station at any of the three locations at either Marlborough, Palmyrita, or Columbia, even if they had 10 more trains passing through Highgrove, it would not affect any of the transportation needs that should be addressed by the region. I have some maps here -- I will pass these out if anyone would like to see them and it shows the difference. It shows the two station locations, one where the people want it for the last eight and a half years and the one where RCTC has demanded that it be put. This is become a political decision instead of addressing the common sense transportation needs for the region. Now, we realize that we're close to the county line and one of the complaints that have been made in the past is that if they build a station in Highgrove the people from San Bernardino County would be riding those trains and I'm saying -- Well, yes they would. That's where the regional transportation portion of it comes in. You need to address not just locations in Riverside County

PH3-S19-1  
(cont'd)



**Public Hearing #3**  
**Speaker 19 – Barney Barnett (cont'd)**



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951-779-0980 (Fax)  
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that will head towards the county line and turn back to Perris just before they get there. We need to put a station in Highgrove and stop this political nonsense and use some common sense. Please if you have any desire the see these maps I'd be more than happy to pass them around. I know that some of the RCTC people have already seen them many times. So with that one final request you need to build a station in Highgrove where the trains already exist and don't put it on a dead-end track where there are no trains. Even after you would build a station Palmyrita, Marlborough, or Columbia there is no plan to stop any of the existing trains or future trains in Highgrove, and that's completely wrong. Thank you.

PH3-S19-1  
(cont'd)



**Public Hearing #3**  
**May 17, 2010**  
**Speaker 19 – Barney Barnett**

- PH3-S19-1. This comment requests that a train station be built in the Highgrove area. The Draft EIR, Section 2.2 provides a description of the Highgrove Station requests, and the reasons why it is not being considered as part of the proposed project. There are no new impacts as a result of this comment and the Draft EIR has not been changed. See also Response to Other Interested Parties Letter #1, which provides a detailed explanation for the infeasibility of a Highgrove Station.



**Public Hearing #3**  
**Speaker 20 - Elizabeth Lawlor**



4927 Arlington Avenue  
Riverside, California 92504  
951-779-0787 (V)  
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>> My name is Elizabeth Lawlor. I live at 422 West Campus View }  
Drive. I've lived there for 22 years. So that puts } PH3-S20-1



**Public Hearing #3**  
**Speaker 20 – Elizabeth Lawlor (cont'd)**



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my back fence within 10 feet of the Kinder-Morgan high pressure fuel line, and it puts me in the neighborhood where if we have a chlorine spill, I'll be trapped along with my family and my kids. I'm also an avid gardener in my backyard as many of my neighbors are. And I also should have put on my card that I am representing the community garden at the Father's House church. That's at the (unintelligible) crossing at Mt. Vernon. I agree with so many of our school representatives, and what I would like to do though is focus on the safety issues in particular the high pressure line, the fuel line needs to be buried and protected by a concrete barrier. I was very impressed that those fifth graders came up with the depth of ten feet for that. I -- we -- I would like to have at least one grade separation into the neighborhood as a mitigation for the safety problem. I walk my dog often in Box Springs Park, and I see many people doing that -- many kids, many students from UC Riverside. They go from the city part of

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(cont'd)

PH3-S20-2





**Public Hearing #3**  
**Speaker 20 – Elizabeth Lawlor (cont'd)**



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the park to the county part of the park. The only way across into the other part is over the rail line. So there needs to be -- echoing Mr. Block, there needs to be a safe crossing -- at least one. And there need to be signs towards that safe crossing, rather than one or two public education pamphlets or whatever that may or may not get to the people that actually use the park. The signs need to be in the park. Air quality monitoring is something that hasn't been brought up very much. But the trains currently pollute. You can smell them after they've gone by, and I notice stuff on my tomatoes in my backyard. I'd like to know what that stuff is and whether it's from cars or the train and if it's going increase with the train. Certainly that would be an issue with the two schools and the kids are doing physical education outside there. Will the pollution be hurting their lungs worse with more train traffic? So there should be some pre- and post monitoring of that. Perhaps the AQMD could be helping with that. And

PH3-S20-2  
(cont'd)

PH3-S20-3

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PH3-S20-6

PH3-S20-7



**Public Hearing #3**  
**Speaker 20 – Elizabeth Lawlor (cont'd)**



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then if train traffic increases on that line in the future, if our (unintelligible) grows, and I hope it will, then there should some stated upper limit at which point there'd be a trigger for further environmental review. Because whatever mitigations are done for this pollution, would need to be rethought if there's more traffic. Thank you.

PH3-S20-7  
(cont'd)

>> Thanks Ms. Lawlor. (Unintelligible) he'll be followed by Regina Salazar.



**Public Hearing #3**  
**May 17, 2010**  
**Speaker 20 – Elizabeth Lawlor**

PH3-S20-1. See Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School and Master Response #4 – Hazardous Materials Transport. The existing Kinder Morgan jet fuel line is located within the ROW, however, the PVL project is not planning to relocate or alter the pipeline as it currently exists. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

PH3-S20-2. See Master Response #12 – Grade Separations. Grade separations, where roadways go under or over railroad tracks, require a specific approach distance to maintain appropriate roadway grades and clearance heights for the tracks. For grade separations to be possible within the UCR neighborhood, many homes would lose vehicle and driveway access.

The ROW has been in existence for over 100 years and the City of Riverside and the County of Riverside developed the parks without considering access across private property (the SJBL/RCTC ROW). If unauthorized people enter the ROW, even to “just” cross the tracks to get to the other side, they are considered to be trespassing.

The PVL project does not include adding additional track in this area or affecting existing access to parks in any way. The existing track will remain in its current location. Therefore, there are no new impacts as a result of this comment, no mitigation is required, and the Draft EIR has not been changed.

PH3-S20-3. CARB and SCAQMD operate an ambient air quality-monitoring network throughout the state that monitors air pollutants. This network encompasses every county in the state (including Riverside County where the proposed PVL would operate) and the most current and relevant data from these monitoring stations was used in the air quality analysis. The SCAQMD operates three air quality-monitoring stations in Riverside and one in Perris that measure the local air quality on a continuous basis. Also, see Response to Comment PH2-S4-11.

PH3-S20-4. Section 4.3.4 of the Draft EIR outlines the measures used to calculate the expected emissions due to the implementation of the PVL project. The air quality analysis for the PVL accounted for all relevant project parameters and conditions and ensured that the analysis was done in compliance with the most up-to-date local, state, and federal air quality regulations and guidance. Tables 4.3-7 to 4.3-12 of the Draft EIR show that emissions projected for criteria pollutants, local intersections (CO hotspots), greenhouse gases, mobile source air toxics, construction activities and locomotive and parking operations all fall below local thresholds of significance and state and federal emissions standards.



- PH3-S20-5. See Response to Comments PH3-S20-3 and PH3-S20-4.
- PH3-S20-6. The speaker asserts that if the proposed project is approved that RCTC must monitor air quality on an ongoing basis at the three schools adjacent to the project alignment. As indicated in the Draft EIR, the proposed project is not considered a project of air quality concern with respect to PM<sub>2.5</sub> and PM<sub>10</sub> emissions as defined by 40 CFR 93.123(b)(1) (see Draft EIR, Section 4.3.4). Moreover, according to the health risk assessment, the calculated risk at point of greatest concentration of diesel exhaust particulate and acrolein was below the threshold of significance (see Draft EIR, Table 4.3-9). Therefore, the Draft EIR did not identify a significant impact with regard air quality and no mitigation was required. Where no significant impact is identified, CEQA does not require that the lead agency conduct ongoing monitoring (see State CEQA Guidelines § 15097). However, if a significant impact is identified, CEQA requires that the lead agency impose feasible mitigation measures and further requires that the lead agency adopt a program for monitoring or reporting on the mitigation measures imposed, with the decision of which to require being up to the lead agency. (*Id.*) To require ongoing monitoring for an impact that is less than significant (and for which the lead agency did not impose mitigation measures) would be contrary to CEQA's policy of finality (State CEQA Guidelines §§ 15003, 15162(c)).

In addition, the South Coast Air Quality Management District regularly monitors air quality within its jurisdiction, which includes the alignment of the PVL project. According to South Coast Air Quality Management District's Annual Air Quality Monitoring Network Plan dated July 2010, the District operates 35 permanent monitoring sites for purposes of collecting data on air quality. The Network Plan includes monitoring sites in Perris and Riverside (Magnolia). The Annual Air Quality Monitoring Network Plan is submitted to the Environmental Protection Agency annually.

Finally, Division 26 of the Health and Safety Code places specific responsibility for air pollution control at the local level on air pollution control and air quality management districts. According to the Health and Safety Code, the air pollution control and air quality management districts have primary responsibility for controlling air pollution from non-vehicular sources. (Health & Safety Code §§ 39002, 40000.) A "non-vehicular source" includes all sources of air contaminants, including the loading of fuels into vehicles, except vehicular sources. (Health & Safety Code § 39043.) A "vehicular source" is a source of air contaminants emitted from motor vehicles. (*Id.* at § 39060.) A "motor vehicle" is a device that is self-propelled and by which a person or property may be propelled, moved or drawn on a highway, except for a device moved exclusively by human power or used exclusively on stationary rails or tracks. (*Id.* at § 39039.) A locomotive is a device that moves on a stationary rail or track and is therefore not considered a "motor vehicle" and is consequently a "non-vehicular source." As a result, regulation and control of air pollution from locomotives falls within the purview of the air quality management district,



subject to the limitations set forth in the Clean Air Act § 209(e)(1). (42 U.S.C. § 7543(e)(1)).

As a result, RCTC is not obligated to conduct ongoing monitoring of air quality at the three school sites as requested by the speaker.

- PH3-S20-7. The addition of freight train service is not in the scope of the PVL project and thus any increases in freight volume would not trigger additional analysis here. Section 4.3 of the Draft EIR (and the accompanying Air Quality Technical Report) outlines the extensive measures used to calculate the expected emissions due to the implementation of the PVL project. The air quality analysis for the PVL accounted for relevant project parameters and conditions and ensured that the analysis was done in compliance with the most up-to-date local, state, and federal air quality regulations and guidance. Tables 4.3-7 to 4.3-12 of the Draft EIR show that emissions projected for criteria pollutants, local intersections (CO hotspots), greenhouse gases, mobile source air toxics, construction activities and locomotive and parking operations all fall below local thresholds of significance and state and federal emissions standards. More specifically, Table 4.3.9 of the Draft EIR (supported in Appendix C of the Air Quality Technical Report) outlines the health risk assessment conducted to measure the impacts of mobile source air toxics (including diesel particulate matter) in the immediate vicinity of the proposed PVL alignment. As shown in Table 4.3-9, the MSAT emissions from the operation of the proposed PVL would have less than significant impact on the surrounding neighborhood.

The PVL project is expected to have 12 train trips per day (six in each direction) on the alignment. Freight trains are not a part of the project and RCTC is not responsible for freight traffic. If ridership increases in the future, RCTC may build additional stations to meet this demand. RCTC has committed to conducting additional environmental reviews for any new stations that would be added in the future. There are no new impacts as a result of this comment, the Draft EIR has not been changed.



**Public Hearing #3**  
**Speaker 21 - Roger Turner**



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Riverside, California 92504  
951-779-0787 (V)  
951-779-0980 (Fax)  
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>> Good evening members of the commission and thank you for doing this public hearing tonight (unintelligible). I am a resident in the neighborhood. I live at 3415 Santa Cruz Drive. I've lived there for 36 years -- 26 years, and I've seen a lot of different things happen in the community. One observation tonight is there's a lot of recurring comments certainly coming up, and I will just go over some of those and give them a little bit of a fine touch. The noise issue is certainly a real issue. When the Metro Link

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**Speaker 21 – Roger Turner (cont'd)**



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starts to kick in and do their trips, as noted before, the freight trains are going to be put off to another time. And I

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personally have been woken up -- I'm about 200 feet away from the track -- and I've been personally woken up at 1:00 a.m., 2:00 am, 3:00 a.m., 4 a.m., by the four horn blows that they have to do by law in crossing. And my crossing is Mt. Vernon's biggest impact

PH3-S21-2

area. One of the things that I noticed that I don't think has been brought out in the impact analysis deals with the echo effect off the Box Springs Mountain. There's a big noise that goes up there, and you can hear it ring right back. And it's well above the dB level that I would find normal for my

PH3-S21-3

neighborhood especially that time of night. The other issue is vibration certainly. My house vibrates 200 feet away. So that's another issue, and it's been brought up before. Perhaps there could be some new construction or something done to the bed of

PH3-S21-4

the rails to soften that. I really agreed with the gentleman that came up early about

PH3-S21-5



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**Speaker 21 – Roger Turner (cont'd)**



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the hazmat and safety issues. There does need to be much more in the mitigation created for a hazmat safety plan and program. I would encourage that the neighborhood get involved in the development of that and have response times and all the things that go into this are really brought out. One of the things that's of real concern to me is that during this past year I personally saw where one of the freight trains in the mid-afternoon had been setting on the train track for like two days. And I went up and talked to the train people that came out there, and it turns out that somebody irritated the track. They had to have a good inspection to make sure it was safe for the train to go. The engineer was past his 12 hours in time. He was cut off by the union had to leave the train. They didn't have to replacement for him, and the train sat there. So that's an issue that needs to occur. I really agree with the school district and the issues here. My kids went to Hyatt and Highland and I personally have

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(cont'd)

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**Speaker 21 – Roger Turner (cont'd)**



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witnessed three derailments there. One, as Richard bought up, about the freight train with the corn. Another with the lumber, and the first one that I witnessed was a freight train that rolled over right at Hyatt Elementary School on the grade. They have about a 12- or 15-foot grade above the school, and the freight cars actually rolled over down the embankment and were right next to the fence on the property there. So that's a real safety issue. I guess what I'd like to close with is the Environmental Impact Report as well as the NEPA document that's going to get prepared really does need to have a health risk assessment done in it for the air quality impacts in the short term, long term relative to the neighborhood and the people that are there. There is no such plan for that, and I don't believe an adequate analysis has been done that affects the people in the neighborhood due to the exhaust coming from these trains.

PH3-S21-7  
(cont'd)

PH3-S21-8



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**May 17, 2010**  
**Speaker 21 – Roger Turner**

- PH3-S21-1. The noise and vibration assessment conducted assumes that no time shifting of freight trains would be required as a result of the PVL project implementation. Therefore, such conditions are not considered in the noise analysis.
- PH3-S21-2. Based on technical guidance from the FTA, the Metrolink horns that would be used for the proposed PVL project would not be as loud as the existing freight train horns that are presently sounded. Noise barriers are proposed as mitigation for homes along West Campus View Drive. Because 3415 Santa Cruz Drive is two rows behind the PVL alignment, noise attenuation would be provided by the proposed noise barrier and the row of existing homes along West Campus View Drive.
- PH3-S21-3. Concerning noise reflections off Box Springs Mountain, since the face of the mountain is in general angled upward and not a smooth surface, it is assumed that most of the train noise reflections would be dispersed sufficiently so as not to add significant noise to proposed project operations. Existing noise levels in the box springs area were taken into account for the PVL noise analysis. See Master Response #6 - Noise.
- PH3-S21-4. A vibration assessment based on FTA vibration criteria (see Draft EIR, Table 4.10-6) was performed for the PVL project. The results demonstrated that the proposed PVL project rail operations would not result in any vibration impacts in the area of Box Springs. The speaker's house is located over 400 feet from the PVL alignment not 200 feet as the speaker states. As such, vibration impacts from the PVL project would not occur at this residence. However, as part of the PVL project, the rail along the entire alignment would be improved to all welded track that would reduce wheel vibration from both future PVL trains and existing freight traffic.
- PH3-S21-5. See Master Response #4 – Hazardous Materials Transport and Master Response #7 – Emergency Planning and Response. The PVL project does not involve the transportation of hazardous materials. Furthermore, though unlikely and unanticipated, if an emergency were to occur near the PVL corridor, the Riverside County Emergency Operations Center (EOC) and/or the City of Riverside Emergency Management Office would be activated and trained professionals would be in place to manage and coordinate the appropriate Emergency Operations Plan (EOP). Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.
- PH3-S21-6. The PVL project's trains would be commuter trains of only a few cars. These trains are too short to block more than a single crossing. Thus, even in the unanticipated event that a project train stops in the



neighborhood, there would be no significant impact because only one of three ingress/egress locations would be affected.

Additionally, with the implementation of the PVL project, the corridor will become a shared corridor with the Metrolink and BNSF under control of SCRRA. Due to the shared nature of the operations, it is not anticipated that trains would be allowed to stop in areas of single track (including the UCR neighborhood) because this would block other trains from passing through. This would force the BNSF trains to only stop in the bypass track area (between MP 7.50 to MP 16.90). So the event that you witnessed hopefully would not happen again. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

PH3-S21-7. See Master Response #3 – Derailment (General) and Master Response #10 – Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment). The ROW improvements proposed for the PVL project would improve the operating conditions for the freight operations within the corridor. The improved rail, ties, and ballast would improve safety and reduce the potential for rail car derailment. Therefore, the analysis in the Draft EIR is correct - there are no significant impacts and no mitigation is required for this issue. The Draft EIR was changed to further clarify this issue. No new impacts as a result of this comment were raised and no mitigation measures are required.

PH3-S21-8. Section 4.3 of the Draft EIR (and the accompanying Air Quality Technical Report) outlines the measures used to calculate the expected emissions due to the implementation of the PVL project. The air quality analysis for the PVL accounted for relevant project parameters and conditions and ensured that the analysis was done in compliance with the most up-to-date local, state, and federal air quality regulations and guidance. Tables 4.3-7 to 4.3-12 of the Draft EIR show that emissions projected for criteria pollutants, local intersections (CO hotspots), greenhouse gases, mobile source air toxics, construction activities and locomotive and parking operations all fall below local thresholds of significance and state and federal emissions standards.

More specifically, Table 4.3.9 of the Draft EIR (supported in Appendix C of the Air Quality Technical Report) outlines the health risk assessment conducted to measure the impacts of mobile source air toxics (MSATs) in the immediate vicinity of the proposed PVL alignment. As shown in Table 4.3-9, the MSAT emissions from the operation of the proposed PVL would have less than significant impact on the surrounding neighborhood.



**Public Hearing #3**  
**Speaker 22 - Regina Salazar**



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So all of that needs to be considered. Thanks very much for your time.

>> Thanks a lot for your concise comments. Ms. Salazar will be followed by Kevin Dawson.

>> My name is Regina Salazar. I live at 167 Masters Avenue. I'm about 200 feet from the tracks, and I came to just complain about the noise.

>> (Unintelligible).

>> The noise and the vibration. And also I do garden, and I do notice that there's like a soot, kind of oily thing on the plants. And I have to wash it off (unintelligible) before you eat them. But when you wake up every night like every hour or so you're waken up and then you try to function during the day and you -- you're tired. This is a public nuisance, and that needs to be addressed. I don't know if there's any plan for any sound wall or anything.

PH3-S22-1

PH3-S22-2

PH3-S22-3



**Public Hearing #3**  
**Speaker 22 – Regina Salazar (cont'd)**



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If it does derail, because that's that curve there, I'm right up the street from Hyatt School. (Unintelligible) it is going to roll down the track, and it will roll right into my backyard.

PH3-S22-4

Something needs -- something other than an aesthetic wall needs to be put there. And my neighbors wanted me to say they also garden and the noise also affects them. What about the retrofitting of the windows for the people in that area? Is there any plans for that? And who do we contact to get moving on that since we can't stop the project? And that's it.

PH3-S22-5

>> Thanks for your comments and questions. And they will be answered and maybe staff can give you some information here tonight if you can stick around.

>> Thank you.

>> Following Mr. Dawson will be Dr. Elizabeth -- is it Breaker?

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**Speaker 22 – Regina Salazar**

- PH3-S22-1. See Master Response #6 – Noise. A detailed noise assessment was conducted for project Metrolink trains at properties along the entire alignment. Where impacts were predicted, noise mitigation including sound insulation and noise barriers were proposed at specific locations (see Draft EIR, Section 4.10.5). No noise impacts were predicted to occur near the Masters Avenue area. However, wheel squeal treatments in the form of wayside applicators that would significantly reduce the squeal noise, are proposed at all short radius curves along the entire alignment (see Draft EIR, Section 4.10.4). Sound insulation is only proposed for properties that would be impacted by the project and noise barriers would not be feasible.
- PH3-S22-2. In regards to the concern this comment expresses about the soot-like substance on plants from an unknown source, the speaker's residence is also close to the freeway, which is a more consistent source of particulate matter than the trains that come and go sporadically. Therefore, there are no impacts as a result of this comment and the Draft EIR has not been changed.
- PH3-S22-3. A detailed noise assessment was conducted for project Metrolink trains at properties along the entire alignment. Where impacts were predicted, noise mitigation including sound insulation and noise barriers were proposed at specific locations (see Draft EIR, Section 4.10.5). No noise impacts were predicted to occur near the Masters Avenue area and, therefore, no noise barriers are proposed for it. However, wheel squeal treatments in the form of wayside applicators that would significantly reduce the squeal noise, are proposed at all short radius curves along the entire alignment (see Draft EIR, Section 4.10.4).
- PH3-S22-4. See Master Response #10 – Hyatt Elementary School and Nearby Residences Supplemental Protection (Derailment). The analysis in the Draft EIR is correct - there are no significant impacts and no mitigation is required for this issue. The Draft EIR was changed to further clarify this issue. No new impacts as a result of this comment were raised and no mitigation measures are required.
- PH3-S22-5. See Master Response #6 – Noise. Sound insulation is only proposed for residences that would be impacted by the project and where noise barriers would not be feasible. The proposed project would also eliminate old rail and use new welded rail in its place along the entire PVL corridor that would have the added benefit of reducing noise and vibration from existing freight traffic in this area (see Draft EIR, Section 4.10.4). If the project is approved, the speaker may contact RCTC with questions regarding sound insulation.



**Public Hearing #3**  
**Speaker 23 - Kevin Dawson**



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>> Breaker.

>> Good evening, supervisors and board members. I'm Kevin Dawson. I live at 269 (unintelligible) Court about 500 feet from the rail line. I've been watching this project for quite some time now, and I have some serious concerns. I am concerned about the permanent negative impacts this project will have upon my neighborhood. And that is the effects it will have on the health, safety, and general livability of our community. But I also have concerns that speak to the legitimacy of this \$230 million project. It started a few years ago when I first read in the paper -- when I first became aware of it that RCTC had hired two public relations firms. It appeared that these relations firms were hired specifically using Prop 1A money to study the community and figure out how to market this project as we moved forward. Later RCTC staff came to our community meeting to give us a presentation on this project. The marketing people were there and they put post-its on the

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**Public Hearing #3**  
**Speaker 23 - Kevin Dawson (cont'd)**



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wall, and they were taking notes on anything we ever said. The RCTC staff was there and the then director Eric Haley was there. During that meeting Eric Haley said, "You know, we've got quite a bit of money coming with this project, and we can do some really nice things for you people. We can put in sound walls. And (unintelligible) zones. And I think we can even put in new sound windows for people. But, you know, if you don't agree to a UCR station I don't see how we can justify that expense." Well, that seemed pretty much like extortion to me. At one point I was asking him a question about diesel particulate matter, and he didn't seem to get the gist of what I was trying to say and another member of our community said, "I think what Kevin's trying to say is -- " and Mr. Haley turned around and started screaming at her. His face turned beet red and he said, "I don't want to hear any crap from you tonight. If I had known this was going to be such a contentious meeting, I never would have come." And he turned around and

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**Public Hearing #3**  
**Speaker 23 - Kevin Dawson (cont'd)**



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grabbed his jacket and made like he was going to bolt for the door. Well, you know -- as we were going along I started paying more attention to this project. And it seemed to me that there were certain misrepresentations and manipulations that Mr. Haley and his staff were pushing forward. There were problems with the -- I listened to the proposal that Mr. Barnett gave about the station in Highgrove, and it seems to make sense to me to put a station in a community where they want it and also that the rail could send trains to San Bernardino and to Riverside and service the trains that are already running from Riverside to San Bernardino. That seems to speak to the whole purpose of having a regional rail system -- flexibility and planning for the future. And yet Mr. Haley put it on the agenda for your board to consider an item that said we vote -- we're going to never consider having a station at Highgrove. And as we showed up in that meeting staff was handing out fliers that had extra information

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(cont'd)

PH3-S23-2



**Public Hearing #3**  
**Speaker 23 - Kevin Dawson (cont'd)**



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that was false. Like if you vote to approve the station in Highgrove, it will cause your board to have to incur the entire cost of that Colton flyover which is false. But it scared you into voting the way he wanted you to vote. Well, as we were going along there was other problems. In your DEIR you relied on a report about freight traffic. Well, that report is flawed. The consultant went to the BNSF and said I'm doing this report to study if this project is going to increase freight traffic. BNSF told that consultant -- We're not going to cooperate with you. You're on your own. So he took and he did the best he could and went down the line and physically looked to see who was using that line and what was it they're shipping and how often they're going to use it and he prepared his report like that. But he never went to county economic development and said -- What plans do you have in the line? He didn't go to any of the developers or (unintelligible) and say what are you guys developing? What's in the works?

PH3-S23-2  
(cont'd)

PH3-S23-3



**Public Hearing #3**  
**Speaker 23 - Kevin Dawson (cont'd)**



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How is this going to, you know, what's going to expand on this line? And sure enough several months after the report was published there was two articles in the Press Enterprise, one about Smurfit Stone, world's largest manufacturer of corrugated cardboard products, had just inked a contract to build a manufacturing facility down by (unintelligible) down the I-215 corridor where they would get all their raw product and ship out their finished product via the rail line. Couple months later it was a steel manufacturer -- same thing, inked a contract to get all the raw product down the line and ship raw product out. So that report's flawed and yet the DEIR uses it in support of the project.

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(cont'd)

PH3-S23-4

>> Mr. Dawson, can you kind of (unintelligible)?

>> Yes, I will. Because the DEIR used different flawed data, I'm worried about this is the ghost of DHL (phonetic). This is a project getting moved forward due to

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**Public Hearing #3**  
**Speaker 23 - Kevin Dawson (cont'd)**



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economic interests, interests in development and you're using false data. And we're going to have to live with the results of this project for a very long time. It's a permanent thing and I think this tears at the legitimacy of the project. This project should be if it's really legitimate it should be able to stand on its own merits and not be pushed through with false data. And I think it's only right that we should be able to question this project. Our homes and community are on the line. And I want to support public transit -- transportation but I, for one, I smell a rat.

PH3-S23-5  
(cont'd)

>> Thank you.



**Public Hearing #3**  
**May 17, 2010**  
**Speaker 23 – Kevin Dawson**

PH3-S23-1. This comment generally states that the PVL project will have permanent negative impacts to the speaker's neighborhood, including effects on the "health, safety, and general livability" of the community. This comment is incorrect. The Draft EIR evaluated the gamut of environmental issue areas as stipulated by State CEQA Guidelines, including potential impacts to health (Section 4.3, Section 4.6, Section 4.7, Section 4.10, and Section 5.0), safety (Section 2.4, Section 4.6, Section 4.7, Section 4.10, Section 4.11, Section 4.12), and general livability and found that the PVL project will not result in significant, unmitigable impacts.

This comment also generally questions the "legitimacy of this \$230 million project" and states that there are "certain misrepresentations and manipulations" regarding the PVL project. However, the speaker does not provide specific examples or reasons for these beliefs.

Therefore, as no specific concerns were raised, a more specific response is not required (*Browning-Ferris Industries v. City of San Jose* (1986) 1818 Cal. App. 3d 852 [where a general comment is made, a general response is sufficient]). There are no new impacts as a result of this comment and the Draft EIR has not been changed.

PH3-S23-2. The Draft EIR in Section 2.2 provides a description of the Highgrove Station requests and the reasons why it is not being considered as part of the proposed project. The Colton flyover cost, as the speaker suggests, was not a part of the decision-making process. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

PH3-S23-3. See Master Response #5 – Freight Operations. This comment claims, "In your Draft EIR you relied on a report about freight traffic. Well, that report is flawed." This comment supports this claim by telling a story about how the "consultant" who prepared the freight traffic report was not given information from BNSF and therefore had to base conclusions solely on observations. This comment continues by saying that the consultant "never went to county economic development and said – what plans do you have in the line? He didn't go to any of the developers or (unintelligible) and say what are you guys developing? What's in the works?" This comment and the concocted story are incorrect.

It is true that BNSF did not provide information regarding freight traffic on their line; however, this information is rarely made public. Furthermore, BNSF does not dictate or control the freight traffic; they merely provide transportation services to the companies that ship or receive goods via trains. Therefore, even if BNSF did provide information regarding freight traffic, all it would be able to convey are statistics for past shipments, not estimates for future growth. Additionally, if by "county economic



development” the speaker was referring to a County of Riverside employee, they have nothing to do with planning future freight shipments.

As stated in the Draft EIR, Section 2.4.13, what actually occurred during the preparation of the freight traffic study were interviews with the eight shippers located between Riverside and Romoland with sidings off of the SJBL. None of these shippers indicated that the track improvements for the PVL project would result in an increase of their rail shipments. Freight operations are dictated by customer demand; in turn, customer demand is a function of economic conditions. The relationship between track improvements and increased freight operations is tenuous, at best. The business decision to provide freight service along the alignment is profit driven. As long as the customer demand for freight service is low, there is no reason to assume BNSF would increase operations on the SJBL, regardless of the PVL project (Draft EIR, Section 2.4.13).

The freight study, therefore, is not flawed. Contrary to this comment, the report preparers did interview companies that utilize freight trains to ship goods and did not base conclusions solely on observations. In turn, the Draft EIR, which utilized the freight study to evaluate potential environmental impacts, is also not flawed. The analysis in the Draft EIR is correct - there are no significant impacts and no mitigation is required for this issue. No new impacts as a result of this comment were raised and the Draft EIR has not been changed. See also Response to Other Interested Parties Letter #1, which provides a detailed analysis of the Highgrove Station option.

- PH3-S23-4. See Response PH3-S22-3. Again, this comments relays information that is in no way related to the PVL project, it is purely an economic and consumer-driven demand issue. No new impacts as a result of this comment were raised and the Draft EIR has not been changed.
- PH3-S23-5. This comment is conclusory in nature and does not raise specific environmental concerns. Therefore, no response is necessary.



**Public Hearing #3**  
**Speaker 24 - Elizabeth Broeker**



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>> Wickhiesen.

>> Wickhiesen.

>> Wickhiesen.

>> Wickhiesen, all right. All right, go ahead.

>> Yes, I'm a 20-plus-year resident of the UCR neighborhood. I live at 636 Sandalwood Court just up the street from Highland Elementary School. I'm also a Metrolink commuter. I am an environmental biologist. I believe that that mass transit is vital to developing sustainable future. However, trains are noisy. Trains are dirty. Commuter and freight train track sharing is, I think, an incompatible use of the system. And this proposal is not a proposal for the 21st century and beyond. It is deeply flawed. You're proposing to add train traffic to an existing vital community with three schools, a University, a freeway, many elderly residents without

PH3-S24-1



**Public Hearing #3**  
**Speaker 24 - Elizabeth Broeker (cont'd)**



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adequate provision for our health safety. We need to have a visionary and proactive approach to developing transit that does not -- that uses more than just current bus practices but is future-looking and will meet the transportation needs of the county, will emphasize environmental, health and public safety needs. What legacy do you want the transportation commission to have into the future? I submit that this is not it. This is not what you want to leave our county with. That said I will echo the comments of my neighbors. There must be at least one grade separation for this project to go through. There must be air quality impact assessment on an ongoing basis particularly at the three schools. There needs to be an upper limit to the number of trains that are allowed to go through and any more than 12 should trigger a new environmental impact report. There must be adequate noise mitigation and there has to be provision for burial of that

{ PH3-S24-1 (cont'd)  
 { PH3-S24-2  
 { PH3-S24-3  
 { PH3-S24-4  
 { PH3-S24-5





**Public Hearing #3**  
**Speaker 24 - Elizabeth Broeker (cont'd)**



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high pressure jet fuel line and an emergency plan needs to be put  
in place. Thank you.

PH3-S24-6

>> Thanks a lot. And Mr. Wickhiesen (phonetic).

>> Wickhiesen.

>> Wickhiesen. He'll be followed by Dee Andre.



**Public Hearing #3**  
**May 17, 2010**  
**Speaker 24 - Elizabeth Broeker**

PH3-S24-1. This comment states that “we need to have a visionary and proactive approach to developing transit that does not – that uses more than just current bus practices but is future-looking and will meet the transportation needs of the county, will emphasize environmental, health and public safety needs.” The PVL project will meet the transportation needs of the county, as identified in the Draft EIR, Section 2.3 and Section 3.3. The PVL project also emphasizes environmental, health, and public safety needs: it was identified as the environmentally superior alternative (Draft EIR, Section 3.3) and found no significant, unmitigable impacts to environmental issue areas.

No new impacts as a result of this comment were raised and the Draft EIR has not been changed.

PH3-S24-2. See Master Response #12 – Grade Separations. Grade separations, where roadways go under or over railroad tracks, require a specific approach distance to maintain appropriate roadway grades and clearance heights for the tracks. For grade separations to be possible within the UCR neighborhood, many homes would lose vehicle and driveway access. No new impacts as a result of this comment were raised and the Draft EIR has not been changed.

PH3-S24-3. Section 4.3 of the Draft EIR (and the accompanying Air Quality Technical Report) outlines the measures used to calculate the expected emissions due to the implementation of the PVL project. The air quality analysis for the PVL accounted for all relevant project parameters and conditions and ensured that the analysis was done in compliance with the most up-to-date local, state, and federal air quality regulations and guidance. Tables 4.3-7 to 4.3-12 of the Draft EIR show that emissions projected for criteria pollutants, local intersections (CO hotspots), greenhouse gases, mobile source air toxics, construction activities, and locomotive and parking operations all fall below local thresholds of significance and state and federal emissions standards. Further, CARB and SCAQMD operate an ambient air quality-monitoring network throughout the state that monitors air pollutants. This network encompasses every county in the state (including Riverside County where the proposed PVL would operate) and the most current and relevant data from these monitoring stations was used in the air quality analysis. The SCAQMD operates three air quality-monitoring stations in Riverside and one in Perris that measure the local air quality on a continuous basis.

The speaker asserts that if the proposed project is approved that RCTC must monitor air quality on an ongoing basis at the three schools adjacent to the project alignment. As indicated in the Draft EIR, the proposed project is not considered a project of air quality concern with respect to PM<sub>2.5</sub> and PM<sub>10</sub> emissions as defined by 40 CFR 93.123(b)(1) (see



Draft EIR, Section 4.3.4). Moreover, according to the health risk assessment, the calculated risk at the point of greatest concentration of diesel exhaust particulate and acrolein was below the threshold of significance (see Draft EIR, Table 4.3-9). Therefore, the Draft EIR did not identify a significant impact with regard air quality and no mitigation was required. Where no significant impact is identified, CEQA does not require that the lead agency conduct ongoing monitoring (see State CEQA Guidelines § 15097). However, if a significant impact is identified, CEQA requires that the lead agency impose feasible mitigation measures and further requires that the lead agency adopt a program for monitoring or reporting on the mitigation measures imposed, with the decision of which to require being up to the lead agency. (*Id.*) To require ongoing monitoring for an impact that is less than significant (and for which the lead agency did not impose mitigation measures) would be contrary to CEQA's policy of finality (State CEQA Guidelines §§ 15003, 15162(c)).

In addition, the SCAQMD regularly monitors air quality within its jurisdiction, which includes the alignment of the PVL project. According to South Coast Air Quality Management District's Annual Air Quality Monitoring Network Plan, dated July 2010, the District operates 35 permanent monitoring sites for purposes of collecting data on air quality. The Network Plan includes monitoring sites in Perris and Riverside (Magnolia). The Annual Air Quality Monitoring Network Plan is submitted to the EPA annually.

Finally, Division 26 of the Health and Safety Code places specific responsibility for air pollution control at the local level on air pollution control and air quality management districts. According to the Health and Safety Code, the air pollution control and air quality management districts have primary responsibility for controlling air pollution from non-vehicular sources (Health & Safety Code §§ 39002, 40000). A "non-vehicular source" includes all sources of air contaminants, including the loading of fuels into vehicles, except vehicular sources (Health & Safety Code § 39043). A "vehicular source" is a source of air contaminants emitted from motor vehicles. (*Id.* at § 39060.) A "motor vehicle" is a device that is self-propelled and by which a person or property may be propelled, moved or drawn on a highway, except for a device moved exclusively by human power or used exclusively on stationary rails or tracks. (*Id.* at § 39039.) A locomotive is a device that moves on a stationary rail or track and is therefore not considered a "motor vehicle" and is consequently a "non-vehicular source." As a result, regulation and control of air pollution from locomotives falls within the purview of the air quality management district, subject to the limitations set forth in Clean Air Act § 209(e)(1). (42 U.S.C. § 7543(e)(1)).

As a result, RCTC is not obligated to conduct ongoing monitoring of air quality at the three school sites as requested by the speaker.

- PH3-S24-4. If ridership increases in the future, RCTC would build additional stations to meet this demand. RCTC has committed to conducting additional



environmental reviews for any new stations that would be added in the future. There are no new impacts as a result of this comment, the Draft EIR has not been changed.

- PH3-S24-5. See Master Response #6 – Noise. A detailed noise assessment was conducted for project Metrolink trains at properties along the entire project alignment. Where impacts were predicted, noise mitigation including noise barriers and sound insulation were proposed at specific locations to reduce impacts to less than significant levels (see Draft EIR, Section 4.10.5).
- PH3-S24-6. See Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary School and Master Response #7 – Emergency Planning and Response. Though unlikely and unanticipated, if an emergency were to occur near the PVL corridor, the Riverside County Emergency Operations Center (EOC) and/or the City of Riverside Emergency Management Office would be activated and trained professionals would be in place to manage and coordinate the appropriate Emergency Operations Plan (EOP). No new impacts as a result of this comment were raised and the Draft EIR has not been changed.



**Public Hearing #3**  
**Speaker 25 - Ken Wilkizen**



4927 Arlington Avenue  
Riverside, California 92504  
951-779-0787 (V)  
951-779-0980 (Fax)  
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>> My name is Ken Wickhiesen. I live at 3365 Santa Cruz Drive right where Campus View and Santa Cruz come together. We've been opposed to this Perris Valley Line from day one for several reasons. Number one is because of the exhaust from the locomotives coming through. Now anybody who knows or has seen the locomotive knows that a locomotive sits on the track about 12 to 14 feet above grade. It exhausts its spent fuel up about 35 feet in the air. There is no mitigation process available to mitigate the effects of the particulate the locomotive is going to spew over the schools and the community. It is a physical impossibility.

PH3-S25-1



**Public Hearing #3**  
**Speaker 25 – Ken Wilkizen (cont'd)**



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Number two I as opposed to some of my fellow residents I don't have a problem with the Santa Faye Railroad. My problem is with Metrolink in and of itself. In Metrolink's short history it has provided -- it has become number one in the United States in accidents and the number of people it has killed on the rails. There is nothing that these people here in this room or anybody can do to change that. That is the way that it is. We have opposed this from day one. We have been ignored from day one. And I fail to understand how people such as yourselves can look these citizens directly in the face and ignore what they say.

PH3-S25-2



**Public Hearing #3**  
**May 17, 2010**  
**Speaker 25 – Ken Wilkizen**

- PH3-S25-1. The air quality analysis for the PVL accounted for relevant project parameters and conditions and ensured that the analysis was done in compliance with the most up-to-date local, state, and federal air quality regulations and guidance. The manufacturers of the locomotive equipment (as well as the transportation agency using them, Metrolink) are also bound by federal air quality regulations and must meet the emissions criteria. As noted in the Draft EIR, Table 4.3-12, Metrolink would operate the PVL schedule by using six diesel-electric locomotives that meet the USEPA stringent Tier 2 emissions standards for locomotives. By comparison, Tier 2 locomotives restrict pollutant emissions to 90% of Tier 1 standards that were restricted to approximately 60% of Tier 0 or uncontrolled locomotive emissions. By the operating year of the PVL, all new locomotives would be required to meet Tier 3 emissions which require an approximately 50% reduction of Tier 2 emissions. As noted in Table 4.3-12, the expected emissions of the locomotives would be completely offset by the reduction in emissions from diverted vehicular traffic. Moreover, releasing exhaust at a height where it would not be directly inhaled by humans is common practice for the dispersal of exhaust smoke. The high release point for locomotive emissions is a benefit to the community since the higher release point results in a more effective dispersal of pollutant emissions, thus minimizing impacts for ground level receptors.
- PH3-S25-2. See Master Response #3 – Derailment (General). As no specific concerns were raised, a more specific response is not required (Browning-Ferris Industries v. City of San Jose (1986) 1818 Cal. App. 3d 852 [where a general comment is made, a general response is sufficient]). Therefore, the analysis in the Draft EIR is correct - there are no significant impacts and no mitigation is required for this issue. The Draft EIR was changed to further clarify this issue. No new impacts as a result of this comment were raised and no mitigation measures are required.



**Public Hearing #3**  
**Speaker 26 - Dee Andrée**



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951-779-0980 (Fax)  
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>> All right.

>> Dee Andre and you'll be followed by Karen Wright.

>> My name is Dee Andre. I live at 168 Mystic Way. And the question was proposed to Mr. Ayala, the Principal at Hyatt, do any of the children cross the train tracks?

} PH3-S26-1





**Public Hearing #3**  
**Speaker 26 – Dee Andrée (cont'd)**



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Well, any child that lives between Nisbet and Blaine cross the train tracks to go to Hyatt. I personally pick several of those kids up to drive them to school so they can get to school safely because their parents work. Now not only that but these kids ride their bikes to Islander Pool which is a public pool right there at Big Springs and Mount Vernon. And this is all summer these kids are exposed to this. And also what Mr. Ayala did not mention was the squealing of the trains at the school, it caused a fire right next to the playground at the school this year. Now it wasn't a very big fire but, you know, there was brush there. And the squeaking of the trains and their brakes so it causes problems. And nobody has mentioned the rodent population that undermines the trains. The tracks themselves which when we've had a lot of rain like we've had recently will cause the tracks to collapse which did cause one of the derailments at Big Springs. So we need to take this into consideration not only the noise and the air

PH3-S26-1 (cont'd)

PH3-S26-2

PH3-S26-3

PH3-S26-4

PH3-S26-5



**Public Hearing #3**  
**Speaker 26 – Dee Andrée (cont'd)**



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pollution because we are like the worst air quality in the nation  
in Riverside. So we have to take all of this into consideration  
to better our lives as a community so that we have something for  
our children in the future. Thank you.

PH3-S26-5  
(cont'd)

>> Thanks for those -- we appreciate your comments. Thanks for  
those firsthand comments. Appreciate that. Following Ms. Wright  
will be Mamoot Sadigan (phonetic). Close?

>> Pretty close.

**Public Hearing #3**  
**May 17, 2010**  
**Speaker 26 – Dee Andrée**

PH3-S26-1. If unauthorized people enter the ROW, they are considered to be trespassing. This is true if people are “just” crossing the tracks, or if they are walking along the tracks. To increase the awareness of trains and increase safety Metrolink provides “Operation Lifesaver,” a safety education program. Operation Lifesaver provides age appropriate programs for communities and schools within the Metrolink service area. For additional information regarding the program, see the Draft EIR, Section 2.4.14. The Draft EIR found no significant, unmitigable impacts as a result of the PVL project. The project does not increase safety risks, quite the contrary. Instead, the PVL project would upgrade the existing physical condition of the rail line, which would result in a stronger infrastructure, a higher level of maintenance, and enhanced safety.

Therefore, the analysis in the Draft EIR is correct - there are no impacts and no mitigation is required. Additionally, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

PH3-S26-2. The PVL project would replenish ballast, and replace ties, and rail next to Hyatt Elementary School. These track improvements would upgrade the existing physical condition of the rail line, which would result in a stronger infrastructure, a higher level of maintenance, and enhanced operational safety. In addition, what causes a spark is friction between the metal train wheel and the metal rail. The wayside applicators will lubricate the tracks, thus reducing this friction between the train wheels and rail. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

PH3-S26-3. The principal source of noise near the curved area would be wheel squeal. Therefore, as part of the project, wayside applicators are proposed to significantly reduce the noise from wheel squeal at all tight radius curves along the project alignment (see Draft EIR, Section 4.10.4).

PH3-S26-4. The proposed PVL project will improve the rail, ties, and ballast along the project corridor. SCRRRA will be responsible for maintenance of the corridor. There are no new impacts as a result of this comment and the Draft EIR has not been changed.

PH3-S26-5. CARB and SCAQMD operate an ambient air quality-monitoring network throughout the state that monitors air pollutants. This network encompasses every county in the state (including Riverside County where the proposed PVL would operate) and the most current and relevant data from these monitoring stations was used in the air quality analysis. The SCAQMD operates three air quality-monitoring stations in Riverside and one in Perris that measure the local air quality on a continuous basis. See Response to Comment PH2-S4-11.



**Public Hearing #3**  
**Speaker 27 - Karen Doris Wright**



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>> Karen Wright, 4167 Central. My comments are going too scattered and I'm unprepared for this. I was hoping to come early and I thought there would be a presentation. I had to study the map some time ago and noticed that I thought two places where you're putting stops along the whole line either there weren't stops or they had stops in the wrong place. And I can't recall exactly where those were. I believe one may have been in the Van Buren or someplace where there's a lot of people living out there.

PH3-S27-1



**Public Hearing #3**  
**Speaker 27 – Karen Doris Wright (cont'd)**



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And even if you can't afford to put a stop there now, it needs to be designated because there's a lot of commuters there. And for environmental and other reasons, it wouldn't make sense for people to go up Van Buren, get on the freeway and drive one way or the other. So I'm not sure if I'm remembering exactly where the stops off. But there was at least two spaces that were not logical on it. Regarding particulate matter it's largely ignored in Riverside County. They have all these meetings and people say they go to them and they say they're doing a great job. I don't know about in the county so much. Well, maybe I do. Along the -- when I drive along the freeway, I notice they are building housing right up into freeway which it shouldn't. And the city just built low-income housing right identical next to the freeway. So it's being ignored. And I'm not familiar with the lines that these people are talking about but if the particulate matters issued then the schools -- if you have to put that in, you

PH3-S27-1  
(cont'd)

PH3-S27-2



**Public Hearing #3**  
**Speaker 27 – Karen Doris Wright (cont'd)**



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951-779-0787 (V)  
951-779-0980 (Fax)  
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should pay to move the school and everything else because that's deadly and all that. I noticed that this meeting is being held at 6:00. And if people are using a public transportation they couldn't get here maybe before this meeting is over. Also it doesn't seem to be being televised so people could watch from home and give additional comments. I don't see it being videotaped. And I don't see anything information being handed out so people like I could know what the current status of things is. If this is a public meeting where you're taking comments, I think you should also have handout information at least a website and a single map or something. Let me see. I think there needs to be more outreach and it needs to be on the different TV channels. You should work with the different communities like the city of Riverside. They put some of the same things over and over and over on the TV channel three and I think there's other cable channels. And this information and this meeting and what you're

PH3-S27-3



**Public Hearing #3**  
**Speaker 27 – Karen Doris Wright (cont'd)**



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saying could be aired so more people could hear about it and give their concerns. Or maybe some -- somebody may come up with a revelation that would resolve some of your issues. And I know Metrolink could be well used and I don't know too much about where the stops should go. I used a lot of public transit BART in the Bay Area and it's going to be in there. There's going to be -- you'd be lying if you're told there was only going to be 12 trains a day. That's a joke because if that's going to -- those trains run all day long and, I think, it's what? Until 1:00 in the morning. And they run every ten minutes. And this area's growing and it might end up somewhat close to that. So if you're letting them think there's only going to be 12 trains on there a day that's just hardly -- doesn't make any sense. And my nephew one of them would be riding the Metrolink now but they keep raising their fares and forcing them into cars. So for environmental reasons if you're going to want people out of their cars, you have

PH3-S27-3  
(cont'd)

PH3-S27-4

PH3-S27-5



**Public Hearing #3**  
**Speaker 27 – Karen Doris Wright (cont'd)**



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to put those stops in sensible locations. Like if there isn't one at the end of Van Buren or the end of -- or Central or those logical locations. Now they may not be able to be there now but they could be put as proposed and not every train would have to stop at every stop. Maybe the ones with the little bit less traffic only have it stop twice an hour and the other one stop so many times an hour. Okay, good luck.

} PH3-S27-5  
(cont'd)

>> Thanks. And Mr. -- you'll help me with your last name?

>> Sadigan (phonetic).

>> Sadigan. And Mr. Sadigan will be followed by Judy Kohn. Go ahead.



**Public Hearing #3**  
**May 17, 2010**  
**Speaker 27 – Karen Doris Wright**

- PH3-S27-1. The proposed Moreno Valley/March Field Station would be located just south of Alessandro Boulevard and north of Van Buren Boulevard. There is no station proposed at Van Buren Boulevard. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.
- PH3-S27-2. CARB and SCAQMD operate an ambient air quality-monitoring network throughout the state that monitors criteria air pollutants including particulate matter. This network encompasses every county in the state (including Riverside County where the proposed PVL would operate) and the most current and relevant data from these monitoring stations was used in the air quality analysis. The SCAQMD operates three air quality-monitoring stations in Riverside and one in Perris that measure the local air quality on a continuous basis. Further, the SCAQMD (which is responsible for Riverside County) has established daily limits controlling the emissions of particulate matter during the operational and construction phases of a project (see Draft EIR, Table 4.3-5). In addition, SCAG has a TCWG that reviews proposed transportation projects and decides whether or not to designate them as POAQC's with respect to emissions of particulate matter. The TCWG reviewed the proposed PVL project and determined that it was not a POAQC on April 16, 2010. A copy of the TCWG review form is shown in Air Quality Technical Report B, Appendix F..

Section 4.3 of the Draft EIR (and the accompanying Air Quality Technical Report) outlines the measures used to calculate the expected emissions due to the implementation of the PVL project. The air quality analysis for the PVL accounted for all relevant project parameters and conditions and ensured that the analysis was done in compliance with the most up to date local, state, and federal air quality regulations and guidance. Tables 4.3-7 to 4.3-12 of the Draft EIR show that emissions projected for criteria pollutants, local intersections (CO hotspots), greenhouse gases, mobile source air toxics, construction activities and locomotive and parking operations all fall below local thresholds of significance and state and federal emissions standards.

- PH3-S27-3. Public outreach for the PVL project has gone far beyond the minimum requirements for CEQA. The Draft EIR, Section 1.4 explains the steps RCTC has taken so far. RCTC prepared an IS/MND and circulated the document for public and agency review in early 2009. As part of the public involvement for the IS/MND document, RCTC held two public outreach workshops in June 2008, a public information meeting in February 2009, and two public hearings in February 2009. In response to public input, RCTC decided to proceed with an EIR.



On July 28, 2009, two weeks after the NOP was posted by the State Clearinghouse, RCTC conducted a public scoping meeting at the Moreno Valley Towngate Community Center. The intent of this meeting was to receive input on the issues that should be covered in greater detail in the Draft EIR.

The Draft EIR public review and comment period was open for 49 days between April 5, 2010 and May 24, 2010. This exceeds the CEQA prescribed minimum 45-day review period. Initially, two public hearings (April 4, 2010 and April 22, 2010) were scheduled; however, in response to public request, a third public hearing (May 17, 2010) was held. These public hearings were a courtesy of RCTC and not required by CEQA (CEQA Section 15202(a)). Additionally, as stated in the Draft EIR, Section 1.5, the Draft EIR was available for review at RCTC office, Riverside Main Library, Woodcrest Library, Moreno Valley Public Library, Perris Branch Library, and the RCTC webpage (<http://www.perrisvalleyline.info/>). Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

- PH3-S27-4. The speaker doesn't identify a specific BART route for comparison to PVL, but the ridership analysis for the PVL project was based on surrounding land use. The land use of Riverside County is a much lower density than the catchment areas for BART service and therefore can be expected to have lower ridership numbers until density increases are allowed through the local General Plan process.

If ridership increases in the future, RCTC might build additional stations to meet this demand. RCTC has committed to conducting additional environmental reviews for any new stations that would be proposed in the future. There are no new impacts as a result of this comment, the Draft EIR has not been changed.

- PH3-S27-5. As stated in the Draft EIR, Section 2.2, starting in 1988, RCTC initiated studies of potential station sites on the BNSF main line to serve future commuter rail service to Orange County. As the Metrolink system expanded within Riverside County, existing stations were reaching capacity and various station selection studies were undertaken. Based on these studies and projected ridership, four stations were chosen for the opening year of 2012: Hunter Park Station (one of three studied locations), Moreno Valley/March Field Station, Downtown Perris Station, and South Perris Station. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.



**Public Hearing #3**  
**Speaker 28 - Mahmoud Sadeghi**



4927 Arlington Avenue  
Riverside, California 92504  
951-779-0787 (V)  
951-779-0980 (Fax)  
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>> Good evening my name is Mamoot Sadigan and I'm a UCR resident  
living on 465 Mount Vernon Drive. We started seeing many  
derailments and crashes on TV of Metrolink. We do not like to  
witness one in our neighborhood. Although I

} PH3-S28-1



**Public Hearing #3**  
**Speaker 28 – Mahmoud Sadeghi (cont'd)**



4927 Arlington Avenue  
Riverside, California 92504  
951-779-0787 (V)  
951-779-0980 (Fax)  
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am for Metrolink when it comes to removing congestions off our freeways, I think that's a good thing. Other I believe that the EIR should have considered additional options or alternatives.

PH3-S28-1  
(cont'd)

Certainly safety has been an issue that has discussed tonight and I think that I don't know actually that the Environmental Impact Report considered that perhaps making bridges or the crossing such as Iowa -- excuse Spruce or Blaine Street. That would alleviate the -- or mitigate the impact as far as the emergency

PH3-S28-2

people crossings or also safety. Because I've got on BART system in San Francisco and I see that a lot of area they go underground tunnels. And I know this is an expensive alternative. However, I think with the possibility of what the future income it will generate this proposed project it would be very worthwhile to consider that alterative to put a tunnel throughout this area that would alleviate the noise impact as well as the vibration impact and air quality impact. So I'd certainly like to, you know, see

PH3-S28-3



**Public Hearing #3**  
**Speaker 28 – Mahmoud Sadeghi (cont'd)**



4927 Arlington Avenue  
Riverside, California 92504  
951-779-0787 (V)  
951-779-0980 (Fax)  
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those things discussed in the draft EIR or the final otherwise,  
you know, the noble alternative should be considered if they are  
willing to mitigate just by a simple noise wall. Noise walls have  
historically shown that it does not offset the impact noise. As a  
matter of fact studies show that noise walls reflect a noise off  
of the other side of noise wall and vibrate through the adjacent  
neighborhood so it broadens the noise in the area of vibrations.  
So that is not necessarily the best solution. And also vibration  
you should have been discussed more in this document. That's all.)  
Thank you.

PH3-S28-3  
(cont'd)

PH3-S28-4

>> Thanks for those considered comments. Next is Ms. Kohn. And  
she'll be followed by Arlinda Argarus (phonetic).

**Public Hearing #3**  
**May 17, 2010**  
**Speaker 28 – Mahmoud Sadeghi**

- PH3-S28-1. See Master Response #3 – Derailments (General). Section 3.0 of the Draft EIR identifies the various project alternatives that were evaluated first within an Alternatives Analysis, then with the Draft EIR itself. The appropriate range of alternative was considered. The speaker does not identify any other alternatives he believes are feasible, so no further response is required.
- PH3-S28-2. See Master Response #12 – Grade Separations. Grade separations, where roadways go under or over railroad tracks, require a specific approach distance to maintain appropriate roadway grades and clearance heights for the tracks. For grade separations to be possible within the UCR neighborhood, many homes would lose vehicle and driveway access. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.
- PH3-S28-3. State CEQA Guidelines require lead agencies to adopt all “feasible” mitigation measures that would “substantially lessen the significant environmental effects” of a proposed project (Pub. Res. Code § 21002; State CEQA Guidelines § 15021(a)(2)). This principle, however, does not require that a lead agency “adopt every nickel and dime mitigation scheme brought to its attention or proposed in the EIR” (San Franciscans for Reasonable Growth v. City and County of San Francisco (1989) 209 Cal.App.3d 1502, 1519). Instead, the scope of mitigation measures is tempered by the “rule of reason” and the principle that the goal of CEQA is to produce “informational documents” (Concerned Citizens of South Central Los Angeles v. Los Angeles Unified School District (1994) 24 Cal.App.4th 826, 841). The goal of imposing mitigation measures on a proposed action is to reduce potentially significant impacts, not necessarily to eliminate all impacts (Pub. Res. Code § 21100(b)(3); State CEQA Guidelines § 15126.4(a)(1)).

A tunnel is beyond the scope of the PVL project and not economically feasible. Furthermore, since mitigation measures would reduce impacts to less than significant levels, no further mitigation is required. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

- PH3-S28-4. A detailed noise and vibration assessment was conducted for project Metrolink trains at properties along the entire project rail alignment. Where noise impacts were predicted, mitigation, including noise barriers and sound insulation, was proposed at specific locations (see Draft EIR, Section 4.10.4) to reduce impacts to less than significant levels. For projects where sound reflections off noise barriers are of concern, sound absorptive materials are often proposed for use on noise barriers. However, it is not expected that reflections off noise barriers would result in any significant increases in noise levels since the Metrolink alignment



would not be very close to any of the proposed noise barriers (see FTA Manual, page 2-12). Moreover, the speaker provides no evidence showing that noise barriers are ineffective.  
([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))



**Public Hearing #3  
Speaker 29 - Judy Conn**



4927 Arlington Avenue  
Riverside, California 92504  
951-779-0787 (V)  
951-779-0980 (Fax)  
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>> Good evening. Thank you for this opportunity. I live on the  
corner of Mount Vernon Avenue and Nisbet Way. I'm less than 500  
feet from the railroad crossing there. I've lived there for about  
24 years. And I'd like to just throw

PH3-S29-1





**Public Hearing #3**  
**Speaker 29 – Judy Conn (cont'd)**



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Riverside, California 92504  
951-779-0787 (V)  
951-779-0980 (Fax)  
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out a number and that number is 108. That number is the number of times that many of us will hear the blast of the horn per day. 108 times. The intensity will depend on where we are, how close we are to the crossing but with three crossing, 12 trains, three blasts -- minimum blasts a day per train, and crossing 108 times which seems to me a bit excessive and highly indicative of noise pollution. We need quiet zones. Myself 36 times a day and when I say day I'm including the evening trains and then, you know, waking up at 1:00am trains. And I don't think people realize that you can't even have a conversation on your phone. I mean, I've been on the phone where I've gone in my closet to try and finish talking to somebody because it's so loud that I can't hear them and they can't hear me. The second -- the other thing is I've installed double pane windows and that helps with the creaking, clanking and groaning and trust me there is. You'd think there's some beast out there the way this thing grumbles and moans and groans. Sorry I didn't

PH3-S29-1  
(cont'd)

PH3-S29-2



**Public Hearing #3**  
**Speaker 29 – Judy Conn (cont'd)**



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951-779-0787 (V)  
951-779-0980 (Fax)  
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mean to like throw myself into this. But that's done. You know,  
I've mitigated that but as far as the double paned windows  
helping with the earsplitting which one of our students described

PH3-S29-2  
(cont'd)

horns -- no, it doesn't help. It just doesn't help. The other  
thing that I'm concerned about is I don't want to live in a  
sealed house. There -- I like to occasionally open my windows.  
And even with the double paned windows, you know, at night in the  
summer, forget it. You really are jarred awake. You sometimes get  
acclimated to a certain degree but I've lived there 24 years and  
it still wakes me up from time to time. And I hear all the trains  
from when they start it's about 12 to 15 minutes when they start  
at the Spruce one. The Spruce crossing and rumble their way past  
my house about that 12.5 to 15 minutes of noise of some sort. So  
we need quiet zones desperately. The other thing that I did want

PH3-S29-3

to mention, too, is we have some daycare centers -- some family-  
owned daycare centers in the neighborhood. And by law -- it's my

PH3-S29-4



**Public Hearing #3**  
**Speaker 29 – Judy Conn (cont'd)**



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Riverside, California 92504  
951-779-0787 (V)  
951-779-0980 (Fax)  
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understanding -- by law these family-owned day care centers cannot lock their doors. There is a potential that children -- they're excited by trains. They go crazy when trains go by that they could run out. They can't lock them in there. And the other point, too, is that I'm also wondering how I'm going to back out of my driveway. With all those people backed up waiting for these trains to go by, my driveway backs right into Mount Vernon and I'm figuring I'm going to be trapped, you know. So I really think we need to look more carefully at this. I'd like to know what will help all of us trying to back out of our driveways when these trains are going by. And I'd also like us to seriously consider the quiet zones. Thank you.

PH3-S29-4  
(cont'd)

PH3-S29-5

PH3-S29-6

>> Thank you, Ms. Kohn. She'll be followed by Germontel Colsa (phonetic).



**Public Hearing #3**  
**May 17, 2010**  
**Speaker 29 – Judy Conn**

PH3-S29-1. See Master Response #1 – Quiet Zones. The sounding of horns at a rail grade crossing is required by the FRA. According to the FRA's Train Horn Rule, train horns must be sounded in a standardized pattern of 2 long, 1 short and 1 long each time it approaches a traffic grade-crossing. However, based on technical guidance from the FTA, the Metrolink horns that would be used on the proposed PVL project would not be as loud as the horns that are currently sounded by freight trains. In the area of the PVL alignment near the speaker's home, noise barriers are proposed to reduce noise levels to less than significant.

Additionally, a noise barrier is proposed west of Mount Vernon Avenue and south of the tracks that would reduce noise impacts to less than significant levels (see Draft EIR, Table 4.10-11). Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

PH3-S29-2. See Master Response #6 - Noise. While the request for mitigation of residential outdoor uses is understandable, the use of noise barrier mitigation at several properties was deemed not feasible. As a result, sound insulation is proposed at specific properties to ensure interior uses are mitigated. Sound insulation is not limited to double-paned windows and may involve caulking and sealing gaps in the building envelope and installation of specially designed solid-core doors (FTA Manual, Section 6.8.4).  
([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))

PH3-S29-3. See Response to Comment PH3-S29-1.

PH3-S29-4. The Draft EIR found no significant, unmitigable impacts as a result of the PVL project. The project does not increase safety risks. Instead, the PVL project would upgrade the existing physical condition of the rail line, which would result in a stronger infrastructure, a higher level of maintenance, and enhanced safety. Beyond that, it is the responsibility of the daycare centers to watch the children entrusted to them.

To increase the awareness of trains and increase safety Metrolink provides "Operation Lifesaver," a safety education program. Operation Lifesaver provides age appropriate programs for communities and schools within the Metrolink service area. For additional information regarding the program, see the Draft EIR, Section 2.4.14. Please note that Operation Lifesaver is not required as mitigation but is simply a gesture of "good will" by RCTC to provide an additional safety measure. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.



- PH3-S29-5. The PVL train schedule is presented in the Draft EIR in Section 2.4.11. The trains are anticipated to be commuter trains providing passengers with a new mode of transportation to and from work. Therefore, the schedule times were selected to be early in the morning and late in the afternoon. When commuter trains pass through the UCR neighborhood gates at grade crossings would be down for a short period, less than a minute, while the train safely passes through the crossing. Because of the short time period that the crossing gates would be down, traffic is not anticipated to back up on Mount Vernon Avenue. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.
- PH3-S29-6. See Response to Comment PH3-S29-1.



**Public Hearing #3**  
**Speaker 30 - Arlinda Argeris**



4927 Arlington Avenue  
Riverside, California 92504  
951-779-0787 (V)  
951-779-0980 (Fax)  
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>> Good evening, everybody. My name is Arland (phonetic) Archer,  
the owner of Apple Tree Learning Center. And all

} PH3-S30-1



**Public Hearing #3**  
**Speaker 30 – Arlinda Argeris (cont'd)**



4927 Arlington Avenue  
Riverside, California 92504  
951-779-0787 (V)  
951-779-0980 (Fax)  
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of my neighbors have brought out all of the concerns that I have had. The one thing I was concerned about is with our inflation and the problems we're having with our monies, how is this project going to be -- how is it going to be paid for? Are we, the taxpayers, going to have to pay for this? IS this already a done deal? That's right. Bob, where you listening to me?

PH3-S30-1  
(cont'd)

>> I'm sorry.

>> Oh, okay, I just I'm concerned about our neighborhood. I'm concerned about all teachers and the school programs that are being cut back. Now this is not really a good time to have this project going on. And then I heard one rumor that I wanted to know if this was true or not. Has UCR purchased Hyatt Elementary? I'd just like to know. I think --

PH3-S30-2

>> They wouldn't tell us.



**Public Hearing #3**  
**May 17, 2010**  
**Speaker 30 – Arlinda Argeris**

PH3-S30-1. While CEQA requires that the environmental analysis “take into account a reasonable range of environmental, economic, and technical factors, population and geographic areas, and specific sites” (§21159[c]), the specific economic feasibility of a project is outside of the scope of CEQA. In the Draft EIR, Section 3.0, a range of alternatives were evaluated based on their potential environmental, economic, and technical impacts as they relate to the PVL project goals and objectives.

After taking into consideration the variety of potential impacts and how each alternative fulfilled the goals and objectives of the project, RCTC found that the Commuter Rail with New Connection to BNSF at Citrus Street Alternative (“Citrus Connection”) was the Locally Preferred Alternative and the environmentally superior alternative. No further analysis is required. Therefore, as this comment does not raise specific environmental concerns, no further response is necessary.

PH3-S30-2. See Response PH3-S30-1.





**Public Hearing #3**  
**Speaker 31 - Gurumantra Khalsa**



4927 Arlington Avenue  
Riverside, California 92504  
951-779-0787 (V)  
951-779-0980 (Fax)  
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>> I haven't heard that but we'll be happy to --

>> Okay.

>> Jeff.

>> Thanks for your comments. Mr. Colsa and unless there's -- are we having more speaker cards?

>> I have no more.

>> Then we're coming to the last speaker who will be Allen Brewlinger (phonetic), second to last. Go ahead, Mr. Colsa.

>> Good evening ladies and gentleman. I'm Germontel Colsa. I live at 4108 Watkins Drive and I'm here on behalf of the University Neighborhood Association. Many of whom in the standing room only 75 to 100 people are part of that neighborhood association. And we're here as you've heard articulate, informed, intelligent, fully self-expressed.

PH3-S31-1



**Public Hearing #3**  
**Speaker 31 - Gurumantra Khalsa (cont'd)**



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951-779-0787 (V)  
951-779-0980 (Fax)  
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And we're here to insist that you live up to your commitment to public service and our tax dollar (unintelligible) and at least give us the considerations that are here. We cannot any longer be using cost as a reason not to do something. We're seeing how well that's working out in the Gulf. And cost is just something you pay on the backend if you don't take care of this stuff. You've heard all of the neighbors. We all know we're in earthquake territory. We all know what the hazards are here with the gas line. We know that there are train derailments in the past. We know they're likely to happen again in the future. We know that if our three crossings are blocked by a freight train and a chlorine gas cloud happens to be going and blowing the right way, you just got a disaster that is going to make seizing our destiny look a lot like a long-distance off. So if we're going to really seize our destiny and have a city of our dreams. And at the very least we've got to be able to sleep through the night

} PH3-S31-1 (cont'd)

} PH3-S31-2

} PH3-S31-3

} PH3-S31-4

} PH3-S31-5



**Public Hearing #3**  
**Speaker 31 - Gurumantra Khalsa (cont'd)**



4927 Arlington Avenue  
Riverside, California 92504  
951-779-0787 (V)  
951-779-0980 (Fax)  
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and so do you. And you're not going to be able to as long as you don't address these concerns in a legitimate manner. We know what can mitigated. We know we have to do it and cost is simply not going to apply. If we can't do because we can't afford it then maybe we need to wait. Thank you very much.

PH3-S31-6

>> A few more -- it stimulated more. Okay, Mr. Brewlinger -- is he still here? Allan Brewlinger, Ross Court. Oh, there you are. Needs some help -- can we get a hand mic?

>> We can pull one of those.

>> He can use mine.

>> For you articulate speakers, I am not such. Perris Valley compressed Metro gas buses that serves that area --

>> It's not on.

>> It's not on.

**Public Hearing #3**  
**May 17, 2010**  
**Speaker 31 – Gurumantra Khalsa**

- PH3-S31-1. This comment is introductory. No response is necessary.
- PH3-S31-2. See Master Response #2 – Kinder Morgan Pipeline Segment Near Highland Elementary and Master Response #3 – Derailment (General). The existing Kinder Morgan jet fuel line is located with the ROW, however, the PVL project is not planning to relocate or alter the pipeline as it currently exists. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.
- PH3-S31-3. See Master Response #3 – Derailment (General). The PVL project will improve overall track conditions so that both Metrolink and freight can operate safely along the same alignment. The improved rail, ties, and ballast would improve safety, and reduce the potential for rail car derailment. The analysis in the Draft EIR is correct - there are no significant impacts and no mitigation is required for this issue. The Draft EIR was changed to further clarify this issue. No new impacts as a result of this comment were raised and no mitigation measures are required.
- PH3-S31-4. See Master Response #4 – Hazardous Materials Transport. As stated in the Draft EIR in Section 4.7.4: “As a commuter rail line, PVL service is passenger only. As such, there would never be an occasion when hazardous materials would be transported on the commuter trains.” Therefore, less than significant impacts are anticipated for this issue area and no mitigation measures are required.

This comment also expresses concern regarding the fact that freight trains can block every grade crossing in the UCR neighborhood. The PVL project's trains would be commuter trains of only a few cars. These trains are too short to block more than a single crossing. Thus, even in the unanticipated event that a project train stops in the neighborhood, there would be no significant impact because only one of three ingress/egress locations would be affected.

Additionally, with the implementation of the PVL project, the corridor will become a shared corridor with the Metrolink and BNSF under control of SCRRA. Due to the shared nature of the operations, it is not anticipated that trains would be allowed to stop in areas of single track (including the UCR neighborhood) because this would block other trains from passing through. Instead, trains would stop in the areas where there is a bypass track (between MP 7.50 to MP 16.90) and not in the UCR neighborhood. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

- PH3-S31-5. This comment is informational and does not raise specific environmental concerns. Therefore, no response is necessary.



## FINAL ENVIRONMENTAL IMPACT REPORT

### 0.3.4 PUBLIC HEARINGS

#### 0.3.4.3 PUBLIC HEARING #3

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- PH3-S31-6. This comment is informational and does not raise specific environmental concerns. Therefore, no response is necessary.



**Public Hearing #3**  
**Speaker 32 - Allen Brunlinger**



4927 Arlington Avenue  
Riverside, California 92504  
951-779-0787 (V)  
951-779-0980 (Fax)  
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>> Laura, can you --

>> Take this from here.

>> But, of course. Okay, compressed natural gas -- buses are in service of Perris Valley Area. We have high-pressure gas line in the area. When -- not if -- a disaster happens how will we, the

PH3-S32-1

neighbors be notified. Noise -- I live over 1,000, 1,600 feet from the train lines and I don't see (unintelligible). The neighbors that live 50, 75 feet -- some of the speakers tonight that live close to the trains. Like I said over 1,000 feet and I'm awakened several times a night. The other night 10:00, 10:05,

PH3-S32-2

11:07, 12:18. Cost -- the cost is about \$230, \$258 million. It's the loss of sleep, the loss of life when we do have a chemical spill. We need that long-term regardless of what chemicals will be spilled on our children. Why should we have our schedules, our lives dictated by the train schedule? Like we had speakers

PH3-S32-3



**Public Hearing #3**  
**Speaker 32 - Allen Brunlinger (cont'd)**



4927 Arlington Avenue  
Riverside, California 92504  
951-779-0787 (V)  
951-779-0980 (Fax)  
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earlier we had to fix our sleeping schedule and our work schedule around what time the train is not running. I bought a house in the area. I've lived there for 30 years. I bought it for its quiet cove. Now it looks like it's gone. Screeching noise -- it's insane. I think the people that are passing this are trying -- should be forced to live here so that they can enjoy it the way that we do.

PH3-S32-3  
(cont'd)

>> Yeah.

>> The wall. The wall's a joke, laughable. That's not going to stop dust, debris. Again, if I'm over 1,000 feet away and I hear it, what makes you think a 10, 12, 100 foot wall would stop the noise? If Spain put in a 400 miles of Chunnel from 1988 to 1992 for the Olympics maybe the channel's not a bad idea actually.

PH3-S32-4

>> It's be great.

>> Built well, maybe we should be building this train.



**Public Hearing #3**  
**Speaker 32 - Allen Brunlinger (cont'd)**



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Riverside, California 92504  
951-779-0787 (V)  
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>> Maybe a bar, too.

>> Maybe the year after right? California is already bankrupt. You're not willing to or able to buy our houses nor are we wanting to sell them. Cost-benefit analysis -- cost is to our schools, to the residents, to the 22,000 plus University students. The tracks were never engineered for passenger trains. Untold cost, wrong project, wrong time, wrong idea, wrong area. Sorry idea.

PH3-S32-5

>> Appreciate those comments. I thought I heard Mr. Brewlinger's compare the area to a quiet cove. Is that what you said Mr. Brewlinger?

>> Yes, he did. Used to be.

>> Used to be a quiet cove.

>> (inaudible)

>> Okay, thanks for your comments.



**Public Hearing #3**  
**May 17, 2010**  
**Speaker 32 – Allen Brunlinger**

- PH3-S32-1. See Master Response #2 - Kinder Morgan Pipeline Segment Near Highland Elementary School and Master Response #7 – Emergency Planning and Response. Though unlikely and unanticipated, if an emergency were to occur near the PVL corridor, the Riverside County Emergency Operations Center (EOC) and/or the City of Riverside Emergency Management Office would be activated and trained professionals would be in place to manage and coordinate the appropriate Emergency Operations Plan (EOP). There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- PH3-S32-2. Based on the FTA Manual, operational night-time noise related to night-time activity is specifically accounted for with respect to rail project noise assessments performed for residential communities. Because construction will be limited to daytime hours, no night-time construction noise impacts will be result.  
([http://www.fta.dot.gov/documents/FTA\\_Noise\\_and Vibration\\_Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))
- PH3-S32-3. See Master Response #4 – Hazardous Materials Transport and Master Response #6 – Noise. As stated in the Draft EIR, Section 4.10.5, impacts to ambient noise levels will be reduced to less than significant with mitigation incorporated. Additionally, the railroad track has been in that location for over 100 years and the speaker must have known this when he purchased his house. There are no new impacts as a result of this comment and the Draft EIR has not been changed.
- PH3-S32-4. Noise barriers are intended to mitigate project-induced noise so that impacts as defined by CEQA would be less than significant at noise sensitive properties. Noise barriers are recognized by the FTA as a legitimate mitigation option (FTA Manual, Section 6.8.3). Noise barriers are not intended to affect dust and debris.  
([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf))

This comment also suggested building a channel for the train. A channel or a tunnel are beyond the scope of the PVL project and not economically feasible. State CEQA Guidelines require lead agencies to adopt all “feasible” mitigation measures that would “substantially lessen the significant environmental effects” of a proposed project (Pub. Res. Code § 21002; State CEQA Guidelines § 15021(a)(2)). This principle, however, does not require that a lead agency “adopt every nickel and dime mitigation scheme brought to its attention or proposed in the EIR” (San Franciscans for Reasonable Growth v. City and County of San Francisco (1989) 209 Cal.App.3d 1502, 1519). Instead, the scope of mitigation measures is tempered by the “rule of reason” and the principle that the goal of CEQA is to produce “informational documents” (Concerned Citizens of South Central Los Angeles v. Los Angeles Unified School



District (1994) 24 Cal.App.4th 826, 841). The goal of imposing mitigation measures on a proposed action is to reduce potentially significant impacts, not necessarily to eliminate all impacts (Pub. Res. Code § 21100(b)(3); State CEQA Guidelines § 15126.4(a)(1)). Since mitigation measures would reduce impacts to less than significant levels, no further mitigation is required. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

- PH3-S32-5. This comment states that “the tracks were never engineered for passenger trains.” While this comment is currently correct, the PVL project includes track improvements throughout its length to make the track suitable for commuter trains (see Draft EIR, Section 4.2.1). These track improvements would upgrade the existing physical condition of the rail line, which would result in a stronger infrastructure, a higher level of maintenance, and enhanced operational safety. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed. The rest of this comment is informational and does not raise specific environmental concerns. Therefore, no further response is necessary.



**Public Hearing #3**  
**Speaker 33 - Dave Roddy**



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>> Used to be a quiet cove echoes on the range.

>> All right, and next it will be Dave Roddy (phonetic) and he'll be followed by Jens Christian (phonetic).

>> I lived at the top of Big Springs Road for 30 years -- approximately 70 to 100 feet from the tracks. And I -- well, many speakers here already tonight have covered points on the environmental assessment so I'll provide some direct endlessly repeated observations. When I was growing up, I used to think that if the trains were running everything was right in the world. Things have radically changed. So I've done an Environmental Mitigation for 20 years professionally with two degrees from UCR in Biology and Geology. And I've used them well. And I've believed in ambiguous unempirical data and provable evidence. So the screeching and squealing they're talking about that's been enjoyed for the last 10 years. It's basically like fingernails on a chalkboard through a sound system at a

PH3-S33-1



**Public Hearing #3**  
**Speaker 33 - Dave Roddy (cont'd)**



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hospital. Led Zeppelin would be impressed by it. So that goes through everything in the house. The reason for this I've talked in detail with many, many personnel BNSF, surveyors and other staff. And the reason for this is mainly due to the radius of the curvature is smaller than the length of the cars that they're running. And they all uniformly agreed that it's basically greed that propelled this. They could run shorter cars like they used to. The first 20 years I lived there and this wasn't really a problem. It really wasn't and it has been become. The horns are insanely loud at all hours of the night. The quiet zone should sort of have been established long ago. There's no real problem with litigation or legal points. I mean, they should just be truncated a long time ago. It's a half mile to the north of me and it echoes throughout the hills exactly as these people have indicated with the varying styles according to the varying engineers. Sometimes they're pretty aggressive. It makes the coyotes

PH3-S33-1  
(cont'd)

PH3-S33-2

PH3-S33-3



**Public Hearing #3**  
**Speaker 33 - Dave Roddy (cont'd)**



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howl all over the place out here and the dogs, too. The -- I've got thousands of photographs -- nobody else does -- thousands of photographs and thousands of audio recordings. Like I said I believe in unempirical, provable evidence and it's not going to be disputable. I have it all there including all the AAAGH as they go by, you know, at 1:00, 2:00, 3:00 or 4:00 in the morning, let alone in the afternoon. So the thousands of photos and the thousands of audio recordings are mostly of the thousands of students literally probably 10,000 by now that I've observed personally on the way to the city, hiking, partying. They use those tracks. They loiter. They party. They use it as a right away. It's not innocent stuff. Sometimes there's drug deals and gun deals going on there. In 2008 of June or May through June it was a full month of the security guard. I put my house up there with that derailment of five cars. And there was corn spilled out of them. But, of course, if it was something else it would be

PH3-S33-3  
(cont'd)

PH3-S33-4



**Public Hearing #3**  
**Speaker 33 - Dave Roddy (cont'd)**



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like we'd be dead. If it was something along the lines of hazardous materials -- also they wiped out the habitat there that was extended for thousands of years which is really sad to see.

PH3-S33-4  
(cont'd)

There's really no way for increased philosophy here so I'm going to be talk about high-speed trains moot. It's not appropriate for the grade and for the way the tracks are configured. And it would impact the habitat in ways that basically garner non-attention much attention at least by our species. As people have already stated sound walls and any other sound mitigation would be inadequate and ineffective. It's just that straightforward. And we just need a different, a rail technology apply if this is

PH3-S33-5

really going to go through. The last point that I'd like to attend is this safe crossing. I consider it a non-issue. I mean, I know that some people feel they have legitimate points. I've observed this literally 10,000. It's a 24/7 problem 365. Students will be up there as much or more night hiking.

PH3-S33-6



**Public Hearing #3**  
**Speaker 33 - Dave Roddy (cont'd)**



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And as the anonymously excessive pediatrician traffic during the day they put my home in a marked street. They use that as a just a proprietary self-entitled thoroughfare to go, you know, suit themselves and do whatever they're going to do up there. And that generally includes no respect for the environment. If you go up there and you see there's groups of 20, 30, 40 sometimes and they're all doing things generally in an inebriated state -- not always but it's usually immature also. So the 10,000 students there's not been a single incident where a kid got nailed. And that the engineers come through and have to lay on their horn at the students in front of my house, students get out of the way. And if they're not getting out of the way it's because they're playing chicken with the train. And that's always intentional. There's not been one single incident. So we can't really tunnel under the tracks. We can't really preclude them from going by across the tracks. That's just the way it is. That's practical reality. And

PH3-S33-6  
(cont'd)



**Public Hearing #3**  
**Speaker 33 - Dave Roddy (cont'd)**



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like I said I've got the evidence. I've got thousands of photos  
and thousands of audio recordings to exactly point out with an  
out ambiguity what I'm telling you. So I'll be happy to entertain  
any -- if you'd like some of the evidence, I'll be happy to give  
it to you.

PH3-S33-6  
(cont'd)

>> Anything you wish to present you can send to commission and  
we'll get a copy of it. So thanks Mr. Roddy. Christian and then  
the final speaker, I believe, will be Abderomen Coaxial  
(phonetic).





**Public Hearing #3**  
**May 17, 2010**  
**Speaker 33 – Dave Roddy**

- PH3-S33-1. As part of the project, wayside applicators are proposed to significantly reduce the noise from wheel squeal at tight radius curves along the project alignment (see Draft EIR, Section 4.10.4). The sounding of horns at a rail grade crossing is required by the FRA. However, based on technical guidance from the FTA, the Metrolink horns that would be used as part of the proposed PVL project will not be as loud as the horns that are currently sounded by freight trains. In addition, by shortening trains as the speaker suggests, the number of PVL trains would have to actually increase in order to support the same number of estimated future passengers.
- PH3-S33-2. See Master Response #1 – Quiet Zones.
- PH3-S33-3. Concerning noise reflections and echoes off Box Springs Mountain, since the face of the mountain is in general angled upward and not a smooth surface, the train noise reflections would be dispersed sufficiently so as not to add significant noise to proposed project operations.
- PH3-S33-4. See Master Response #3 – Derailment (General) and Master Response #4 – Hazardous Materials Transport. The PVL project will improve overall track conditions so that both Metrolink and freight trains can operate safely along the same alignment. The improved, rail, ties, and ballast would improve safety, and reduce the potential for rail car derailment. Therefore, the analysis in the Draft EIR is correct - there are no significant impacts and no mitigation is required for this issue. The Draft EIR was changed to further clarify this issue. No new impacts as a result of this comment were raised and no mitigation measures are required.
- PH3-S33-5. RCTC is proposing to extend Metrolink service from Riverside to south of the City of Perris. This would be the extension of the existing 91 line from downtown Los Angeles. RCTC is not proposing high-speed train service along this corridor. If another agency is proposing high-speed train service along the PVL corridor then they will have to have approval from RCTC, the landowner.

The PVL project includes track improvements throughout its length to make the track suitable for commuter trains (see Draft EIR, Section 4.2.1). These track improvements would upgrade the existing physical condition of the rail line, which would result in a stronger infrastructure, a higher level of maintenance, and enhanced operational safety. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

- PH3-S33-6. See Master Response #8 – Grade Crossings. If unauthorized people enter the ROW, they are considered to be trespassing. This is true if



people are “just” crossing the tracks, or if they are walking along the tracks.

In general, noise barriers would not completely eliminate noise levels. They are however, intended to mitigate project-induced noise so that impacts as defined by CEQA are less than significant at noise sensitive properties. Sound insulation is also proposed at several affected properties where noise barriers are not feasible. The FTA recognizes noise barriers as an effective and legitimate noise mitigation option (FTA Manual, Section 6.8.3).

([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf)).

Therefore, the analysis in the Draft EIR is correct - there are no impacts and no mitigation is required. Additionally, there are no new impacts as a result of this comment and the Draft EIR has not been changed.



**Public Hearing #3**  
**Speaker 34 - Jens Christian**



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like I said I've got the evidence. I've got thousands of photos and thousands of audio recordings to exactly point out with an out ambiguity what I'm telling you. So I'll be happy to entertain any -- if you'd like some of the evidence, I'll be happy to give it to you.

>> Anything you wish to present you can send to commission and we'll get a copy of it. So thanks Mr. Roddy. Christian and then the final speaker, I believe, will be Abderomen Coaxial (phonetic).

>> Thank you, Mr. Buster. I've lived at 119 Masters Avenue which is maybe 1/2 mile from where that track runs through there. And I would just like to echo the sentiment of everyone here today that it's really become a serious quality of life issue for everybody with the noise. There are countless times where I'm awoken at night by trains and it's very, very annoying. And let's just put it this way, you know, you guys work for us and no means no. And we

PH3-S34-1



**Public Hearing #3**  
**Speaker 34 – Jens Christian (cont'd)**



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from the very beginning have been opposed to this. We don't need  
any more rail traffic going through this area than what we  
already have. So with that said remember you work for us. No  
means no. Thank you.

PH3-S34-1  
(cont'd)

>> Very good.



**Public Hearing #3**  
**May 17, 2010**  
**Speaker 34 – Jens Christian**

PH3-S34-1. The impact of early morning PVL train operations was taken into consideration in the noise assessment (see Draft EIR, Section 4.10.4). Subsequently, the noise study conducted for the proposed PVL project found that noise impacts as defined by the FTA Manual would not occur for residences with the proposed mitigation measures. These measures include noise barriers at selected locations and sound insulation for specific properties (see Draft EIR, Tables 4.10-9 to 4.10-11). With respect to the home on 119 Masters Avenue, according to the FTA Manual, noise sensitive properties located 1,600 feet from a rail alignment do not require consideration in a noise assessment (FTA Manual, Table 4-1). As a result, no mitigation was required for the property at 119 Masters Avenue. ([http://www.fta.dot.gov/documents/FTA Noise and Vibration Manual.pdf](http://www.fta.dot.gov/documents/FTA%20Noise%20and%20Vibration%20Manual.pdf))



**Public Hearing #3**  
**Speaker 35 - Abdurrahman Koksai**



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>> And our last speaker Mr. -- is it Coaxial?

>> Coaxial.

>> Coaxial, yes.

>> Good evening. My name is Laprama Coaxial (phonetic). I live at 304 Centers (phonetic) Drive. Since this project is on the plan, I think, we should think (inaudible) about the system. I mean, these are technologies -- these are all technologies we know that. This is going to be for the future plan, for everybody, for our kids. And my daughter goes (inaudible). My son is the Highland Elementary School. I am concerned about their safety.

Okay, since

PH3-S35-1



**Public Hearing #3**  
**Speaker 35 – Abdurrahman Koksai (cont'd)**



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everything is a nice project. Everything is ground, you know, everybody's talking about. Let's take the worst case scenario like what happened in the Gulf. I would end up like that my kids, my wife, my life is not even to, you know, my house is not inevitable to that. So another thing if you're all thinking that this is such a system, I read the part sect essay let's say there's a chlorine spill. How are we going to handle that one?

PH3-S35-1  
(cont'd)

Okay, one time I work at the UCR and I was coming to home -- going to home. Mount Vernon was closed and Blaine Street was closed. I want to go home. I cannot go my house. How does it work? I mean, what kind of companies? I was thinking. How am I to go home? My car is not airborne. I wait there. So I know maybe it's a close thing but let's think about the true nature of the system. So let's air pollution let's affected environment

PH3-S35-2

and, you know, this good people that lives here. I want to continue to live there. Thank you very much.

PH3-S35-3



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**May 17, 2010**  
**Speaker 35 – Abdurrahman Koksai**

PH3-S35-1. See Master Response #3 – Derailment (General) and Master Response #4 – Hazardous Materials Transport. The Draft EIR found no significant, unmitigable impacts as a result of the PVL project. The project does not increase safety risks. Instead, the PVL project would upgrade the existing physical condition of the rail line, which would result in a stronger infrastructure, a higher level of maintenance, and enhanced safety.

To increase the awareness of trains and increase safety Metrolink provides “Operation Lifesaver,” a safety education program. Operation Lifesaver provides age appropriate programs for communities and schools within the Metrolink service area. For additional information regarding the program, see the Draft EIR, Section 2.4.14. Please note that Operation Lifesaver is not required as mitigation but is simply a gesture of “good will” by RCTC to provide an additional safety measure. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.

PH3-S35-2. This comment expresses concern regarding the fact that freight trains can block every grade crossing in the UCR neighborhood. The PVL project’s trains would be commuter trains of only a few cars. These trains are too short to block more than a single crossing. Thus, even in the unanticipated event that a project train stops in the neighborhood, there would be no significant impact because only one of three ingress/egress locations would be affected.

Additionally, with the implementation of the PVL project, the corridor will become a shared corridor with the Metrolink and BNSF under control of SCRRRA. Due to the shared nature of the operations, it is not anticipated that trains would be allowed to stop in areas of single track (including the UCR neighborhood) because this would block other trains from passing through. Instead, trains would stop in the areas where there is a bypass track (between MP 7.50 to MP 16.90) and not in the UCR neighborhood. Therefore, there are no new impacts as a result of this comment and the Draft EIR has not been changed.





- PH3-S35-3. Section 4.3 of the Draft EIR (and the accompanying Air Quality Technical Report) outlines the measures used to calculate the expected emissions due to the implementation of the PVL project. The air quality analysis for the PVL accounted for all relevant project parameters and conditions and ensured that the analysis was done in compliance with the most up-to-date local, state, and federal air quality regulations and guidance. Tables 4.3-7 to 4.3-12 of the Draft EIR show that emissions projected for criteria pollutants, local intersections (CO hotspots), greenhouse gases, mobile source air toxics, construction activities and locomotive and parking operations all fall below local thresholds of significance and state and federal emissions standards.



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>> Thank you.

>> That's our last speaker. I want to thank the audience for your comments and everyone almost to all the 32 speakers that kept them very brief and concise and yet added a lot of important detail here tonight that I think really going to help these commissioners. And we are going to convey back to our fellow commissioners some of the sentiments here. And, of course, all your comments have been recorded and we're coming up in June -- is that right, Ms. Rosso? We're going to have our hearing on what's the date?

>> We haven't raised the document yet but it's tentative for the end of June.

>> But that will be published in the newspaper when we have our hearing. We'll get a final document on incorporating all these comments and responses to these comments in June. Is that correct?



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- >> No, in June will be the settled document.
- >> Why don't you get a --
- >> We'll give you somewhat what the timeline is for the schedule is for this process.
- >> For this particular document the CEQA document -- the state document -- it's scheduled for going December of 2010. What we're going to have in the meantime it's the release of the NEPA document and that will be released sometime around the end of June beginning of July. And then we'll have another public hearing for that document as well.
- >> All right, thanks, maybe dividing my fellow -- you have a question on the timeline?
- >> Well, when is the time that we can see the things that have been draft? These concerns expressed -- when will that be answered? When will you come to us and say, "You



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know what? We're not going to include this but we are going to include that. What's that happen?

>> If you want to help me here, I think the comments from today will be incorporated into the document where the document will be available for approval in December of 2010.

>> The final document will address all the comments that (inaudible). It would be like in about October is when that document will be -- the commission will actually act upon the schedule for the (inaudible).

>> Okay, coming up in the fall and if you'll leave your web site. I know the notice for this hearing was in the newspaper last week. (Unintelligible) not (unintelligible) too far in advance. I know. I know. It's never a perfect science notification. But certainly if you leave your names with us or (unintelligible), in the office will make sure you're personally notified. And if you know of any



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other local organization or (unintelligible) schools any other key businesses like that should be notified we'll try to make that effort.

>> Can't people still comment on this through May 24th? I forgot to ask, and I didn't get (unintelligible) did anybody comment on no transit that (unintelligible) wiping out houses or the impact of the brick falling?

>> Written comments will be taken through what date?

>> May 24th.

>> Through May 24th.

>> Is it noon on the 24th? Is that when they last take them?

>> 5 p.m.

>> By the close of business.

>> Mr. (Unintelligible).



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>> For those of you who want to stay informed, check out the University Neighborhood's web site that's [universityneighborhood.net/wordpress](http://universityneighborhood.net/wordpress). Sign up, and you'll be on the list and be notified of what happens from our point of view.

>> Okay, Mr. Block?

>> The staff has stated that the final day for receiving public comments that will be accepted is May 24th and that presumably is 5 p.m. (unintelligible) RCTC web site (unintelligible) that address. But I want to add that legally the commission is required to consider all comments. It doesn't have to respond in writing. Comments submitted by May 24th have to be responded to in writing by the RCTC staff (unintelligible).

>> Sometimes you'll get an idea out of the comments or questions in the response. And sometimes there are several iterations of that like a tennis ball going over the net.



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And you'll think of something maybe the last day of the hearing,  
and I've seen on some occasions that late information making a  
real difference. Go ahead.

>> I'm sorry.

>> Go ahead. I forgot your name.

>> Beth Breaker.

>> Breaker.

>> In interests of transparency and availability of information  
to the public, I'd like to make two suggestions for future  
hearings held by this commission. One is to have key dates and  
deadlines posted so that people who come into the meeting can  
visually see that and write it down. Second is for members of the  
commission and staff not to use acronyms and jargon, but rather  
clearly state what CEQA and NEPA stand for because most members  
of the public will not necessarily know the implications of those



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(unintelligible). > Good points. Good points. Any further points?

Mr. (Unintelligible) quickly.

>> I'd like to ask everybody the look on your web site  
highgrovehappenings.net. There's eight and a half years of  
information there.

>> All right. We have a lot of good news broadcasters here. My  
fellow commissioners, you want to make any comments? Mayor?

>> No.

>> I just want to thank everybody for keeping this an orderly  
hearing. We're listening to everything that you said, and we're  
glad that you said it in a calm and sophisticated manner. Thank  
you.

>> Vice chairman (unintelligible), you want to make any comments.





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>> (Unintelligible) this has been a very good hearing and certainly the largest in attendance and that's been good for us too, to see that people are interested.

>> Supervisor Ashley?

>> We do appreciate the turn out and the comments were very, very well prepared and well thought out. And I too -- I grew up in living about 500 feet from the same railroad track and it went through (unintelligible) and it was a lot busier then than it is now. That was back when agriculture and all the potato sheds were going. My family owned a potato shed, and we lived on the other side of the tracks. And we had kids all over the place, and we played with the railroad. We thought that was our (unintelligible) no one was ever -- like I said we all stayed out of the way. The only person I ever heard that was run over, there was a beer joint in (unintelligible) dirt floor and very popular, one of the old-time residents there, one that worked in the

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potato shed for my father and I, he was in his 70's. He had a little bit too much to drink, and he was going home. You have to get through a fence. They cut a hole in the fence to get a shortcut. He got hit by the train. That's the only person I ever heard about there that's affected by that. But still it's there. All these comments are good. I mean, right now, where I live, I live in Perris, and I live quite a ways away on the hill. And I hear every train that's going by every time they toot their horn, I hear it. Every night just like you do. And that's something we got used to. It's like it didn't bother me. It's been part of me forever it seems like. But I understand your comments. These are real. And right now if we don't do anything -- if there is no project, those freight trains keep going, and there's going to be more of them. And that track is really -- not in the best shape now. So whatever we do, we not only have to make sure, you know, that the Metro Link is safe and quiet and health and safety is addressed, but



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we also have to make that existing situation significantly better. I think that's where we really make a gain. So if we don't do anything, you still have all -- most of the complaints are about situations that already exist -- not about the project. I mean, it's about the project too, but we have an existing situation that has to be addressed and improved on as well. And that's not going to go away no matter what we do. We don't have control over that.

>> Commissioner (unintelligible).

>> Yes, I just wanted to thank you for coming and for your very good remarks. And several of the things -- your problems were new today. And I heard you. I listened to you. And I will be looking into those. And I thank you very much for coming.

>> Our director Anne Mayer. You've been very courteously -- her and her staff standing for all this time. Did you have any concluding comments?



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>> Just thank you for your participation.

>> And for me -- you really made vivid what I anticipated a couple years ago. This is a very sticky wicket to get through. With additional service you have this close conjunction geographic and the physical here of this steep grade, the winding track, the important facilities, the underground pipeline, and the recent history pointed out and potential that we've seen in the inland area whether Cajon Pass or any of the local tracks here of serious incidents. Now it convinced me then that the mitigation to reduce that to no significant impact was going to be so expensive that it would be much better off and far quicker to put in quick bus service, the fanciest buses available, called "Bus Rapid Transit," it's the BRT is the acronym now, between Perris and Riverside, much more flexible, could have been done to 10 to 15 million bucks at that time and to test out what the actual demand was and encourage demand. And then as technology improved we could make a



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case to do what's necessary here in this very close knit  
(unintelligible) grown up around the historic railroad tracks  
which have always been at low levels of freight. Now, there have  
been improvements. I mean we're talking about Positive Train  
Control that ultimately -- supposedly the ultimate safety system  
to separate the passenger rail -- freight rail from passenger  
rail. That's coming. They've got the first allocation for that.  
So whether or not we can say at this time that we're going to  
have a net improvement in all these respects, primarily safety,  
but also the other types of problems that have been illustrated  
here tonight. Whether we can say if we're going to have a net  
improvement with this project, with the addition of these  
passenger trains and the (unintelligible) freight over the --  
over if there were no project -- someone asked (unintelligible)  
no project alternative would the growth in freight that could  
occur -- there's some increase there already, I don't know. We  
don't think that's going to be

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that substantial, that will some in some industries that  
(unintelligible) so there could be some. So whether or not we can  
make that case that this will be a better community, safer  
community, less environmental impacts because of this project  
when it's all said and done, I can't say. What I can see is it's  
going to be extremely expensive to do the things that are  
necessary to reduce the impacts down to below these threshold  
levels. And that's what I'm afraid about. So I'm kind of alone on  
the commission. No one joined me a couple years ago. In fact, it  
was (unintelligible) newspaper made the suggestion -- I think  
there was a handful of people who called me -- I had no calls  
from anyone in the city backing me up, you know, liked it or  
otherwise. I had no calls from the school district supporting me  
at that time. So maybe as the years have gone by, people begin to  
realize this project is heading toward -- you know, trains are  
going to start running, and there's federal money available to  
fund a



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May 17, 2010**



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substantial portion of it. And we're in the final stages of this consideration, and yet this is the only first hearing where we've got the full -- I mean you've really given us the full spectrum of legitimate concerns in this one area. There's been other concerns in -- but this one area compresses in the most vivid form what the (unintelligible) is of modern -- particularly modern rail, commuter rail in areas that have already been built up. And whether we're going to be able to meet those challenges with the measures we have and the money we've got in our pocket, I doubt, I doubt. But this commission wants to go ahead with this so it's my task I see to represent you -- try to insist on the most comprehensive and more than adequate improvements and mitigation in this area. So your testimony tonight has really filled up -- as I said the spectrum -- legitimate spectrum of concerns out of just this one area along this seven-mile route. So we really



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appreciate your coming tonight, and we'll look for any further comments you have. And we stand adjourned.

>> Before you adjourn can you remind people who you five people are? Some people don't know who you are and why you're sitting there.

>> We introduce ourselves at the beginning of the meeting.

(End of tape)





### 0.3.5 References

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## 0.4 MITIGATION MONITORING AND REPORTING PLAN

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### 0.4.1 Introduction and Summary

Pursuant to Section 21081.6 of the Public Resources Code and the *California Environmental Quality Act (CEQA) Guidelines* Section 15097, public agencies are required to adopt a monitoring or reporting program to assure that the mitigation measures and revisions identified in the Environmental Impact Report (EIR) are implemented. As stated in Section 21081.6 of the Public Resources Code:

*“...the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.”*

Pursuant to Section 21081(a) of the Public Resources Code, findings must be adopted by the decision maker coincidental to certification of the EIR. The Mitigation Monitoring and Reporting Plan (MMRP) must be adopted when making the findings (at the time of approval of the project).

As defined in the *CEQA Guidelines*, Section 15097, “reporting” is suited to projects that have readily measurable or quantitative measures or which already involve regular review. “Monitoring” is suited to projects with complex mitigation measures, such as wetland restoration or archaeological protection, which may exceed the expertise of the local agency to oversee, are expected to be implemented over a period of time, or require careful implementation to assure compliance. Both reporting and monitoring would be applicable to the proposed project.

The EIR prepared for the Perris Valley Line (SCH No. 2009011046) provided an analysis of the environmental effects resulting from construction and operation of the project. A thorough scientific and engineering evaluation of each alternative was undertaken in compliance with CEQA, including the identification of measures designed to avoid or substantially reduce the potential adverse effects of each alternative.

### 0.4.2 Mitigation Monitoring and Reporting Plan Table

To track and document the status of mitigation measures, a mitigation matrix was prepared and includes the following components:

- Mitigation measure
- Schedule
- Responsible for Mitigation
- Actions Taken to Implement Mitigation
- Verification

Mitigation measure timing of verification has been apportioned into several specific timing increments. The mitigation matrix is included in Table 0.4-1. Of these, the most common are:

1. Prior to construction of the project
2. During construction of the project
3. During operation of the project



**Table 0.4.2-1  
Mitigation Monitoring and Reporting Plan**

Mitigation Measure	Schedule	Responsible for Mitigation	Actions Taken to Implement Mitigation	Verification
<b>AESTHETICS</b>				
AS-1: To minimize light spill over into residential areas during construction, light attenuating barriers or directed lighting shall be used.	During construction	<ul style="list-style-type: none"> <li>Construction Manager</li> </ul>	Installation of temporary barriers, or directed lighting, at each light sensitive location	
<b>BIOLOGICAL RESOURCES</b>				
BR-1: The project biologist shall prepare and conduct pre-construction training for project personnel prior to any ground disturbing activities. At a minimum, the training shall include a description of the target species of concern, its habitats, the general provisions of the ESA and the MSHCP, the need to adhere to the provision of the MSHCP, the penalties associated with violating the provisions of the ESA, the general measures that are being implemented to conserve target species of concern as they relate to the project, any provisions for wildlife movement, and the access routes to and from project site boundaries within which the project activities must be accomplished.	Prior to construction	<ul style="list-style-type: none"> <li>Construction Manager</li> <li>Project Biologist</li> </ul>	RCTC approves training program prior to the start of construction	
BR-2: Equipment storage, fueling and staging areas shall be located to minimize the risks of direct drainage into riparian areas or other environmentally sensitive habitats. The project specific SWPPP shall identify appropriate construction related BMPs (such as drip pans, straw wattles, and silt fence) to control anticipated pollutants (oils, grease, etc.).	Prior to and during construction	<ul style="list-style-type: none"> <li>Construction Manager</li> <li>Project Biologist</li> </ul>	On-going surveillance by the Construction Manager and Project Biologist	



Mitigation Measure	Schedule	Responsible for Mitigation	Actions Taken to Implement Mitigation	Verification
<i>BR-3:</i> Stockpiling of materials shall be limited to disturbed areas without native vegetation, areas to be impacted by project development or in non-sensitive habitats. These staging areas shall be approved by the project biologist, and shall be located more than 500 feet from environmentally sensitive areas.	Prior to and during construction	<ul style="list-style-type: none"> <li>Construction Manager</li> <li>Project Biologist</li> </ul>	On-going surveillance by the Construction Manager and Project Biologist	
<i>BR-4:</i> "No-fueling zones" shall be established at least 10 meters (33 feet) from drainages and fire sensitive areas.	Prior to and during construction	<ul style="list-style-type: none"> <li>Construction Manager</li> <li>Project Biologist</li> </ul>	On-going surveillance by the Construction Manager and Project Biologist	
<i>BR-5:</i> The project biologist shall monitor construction activities at a minimum of three days per week throughout the duration of the project to ensure mitigation measures are being employed to avoid incidental disturbance of habitat and any target species of concern outside the project footprint. Construction monitoring reports shall be completed describing field conditions and construction activities. The project biologist shall be empowered to halt work activity if necessary to confer with RCTC to ensure the proper implementation of species habitat and habitat protection measures.	During construction	<ul style="list-style-type: none"> <li>Construction Manager</li> <li>Project Biologist</li> </ul>	On-going surveillance by the Construction Manager and Project Biologist	
<i>BR-6:</i> To avoid attracting predators that may prey upon protected species, the project site shall be kept clean of trash and debris. Food related trash items shall be disposed of in sealed containers and removed from the site with regular trash removal, at least weekly. Pets of project personnel shall not be allowed on site.	During construction	<ul style="list-style-type: none"> <li>Construction Manager</li> </ul>	On-going surveillance by the Construction Manager and Project Biologist	



Mitigation Measure	Schedule	Responsible for Mitigation	Actions Taken to Implement Mitigation	Verification
<i>BR-7:</i> If dead or injured listed species are located, initial notification must be made within three working days, in writing to the USFWS Division of Law Enforcement in Torrance California, and by telephone and in writing to the applicable jurisdiction, Carlsbad Field Office of the USFWS, and the CDFG.	During construction	<ul style="list-style-type: none"> <li>Construction Manager</li> <li>Project Biologist</li> </ul>	Copies of all communication with USFWS and CDFG	
<i>BR-8:</i> Narrow Endemic Plants have the potential to occur in the areas near the San Jacinto River. If Narrow Endemic Plants are identified 90% of the population shall be preserved, as required in the MSHCP.	During construction	<ul style="list-style-type: none"> <li>Construction Manager</li> <li>Project Biologist</li> </ul>	Project Biologist to conduct the survey prior to construction	
<i>BR-9:</i> There is a potential to impact western spadefoot toads with the work on the San Jacinto River Bridge and Overflow Channel Bridge. A pre-construction survey for western spadefoot toads shall be conducted within 30 days prior to site disturbance to determine if western spadefoot toads are present within the designated construction area. Should western spadefoot toads be identified within the construction area, the project biologist shall prepare a relocation program that shall be approved by RCA prior to implementation.	Prior to construction	<ul style="list-style-type: none"> <li>Construction Manager</li> <li>Project Biologist</li> </ul>	Project Biologist to conduct the survey prior to construction	
<i>BR-10:</i> The MSHCP requires both protocol surveys and preconstruction surveys for burrowing owls. Pre-construction surveys shall be conducted within 30 days prior to ground disturbance to avoid direct take. If owls are found to be present, the following measures will be implemented: prior to burrowing owl nesting season, passive relocation will occur and active burrows will be destroyed; after burrows are destroyed,	Prior to construction	<ul style="list-style-type: none"> <li>Construction Manager</li> <li>Project Biologist</li> </ul>	Project Biologist to conduct the survey prior to construction	



Mitigation Measure	Schedule	Responsible for Mitigation	Actions Taken to Implement Mitigation	Verification
artificial burrows will be created in suitable habitat that is contiguous with the foraging habitat of affected owls; a monitoring plan will be implemented to monitor the success of the mitigation program.				
<i>BR-11:</i> If nests are identified at the billboards located on the I-215 corridor, then a project biologist shall determine if the nests are active. If the biologist determines a nest to be active, appropriate buffers shall be used until the birds have fledged and the nest shall be removed with the approval of regulatory agencies.	Prior to and during construction	<ul style="list-style-type: none"> <li>Construction Manager</li> <li>Project Biologist</li> </ul>	On-going surveillance by the Construction Manager and Project Biologist	
<i>BR-12:</i> There is a potential for impacts to southwestern willow flycatchers in the southern area of the Box Springs Reserve. To avoid potential impacts to nesting birds, culvert work proposed for this area shall be completed outside the bird breeding season (May 15 <sup>th</sup> to July 17 <sup>th</sup> ) [Santa Ana Watershed Association (SAWA), 2004].	During construction	<ul style="list-style-type: none"> <li>Construction Manager</li> </ul>	On-going surveillance by the Construction Manager and Project Biologist	
<i>BR-13:</i> There is a potential for impacts to least Bell's vireo in the southern area of Box Springs Reserve. To avoid potential impacts to nesting birds, culvert work proposed for this area shall be completed outside the bird breeding season (April 10 <sup>th</sup> to July 31 <sup>st</sup> ) (SAWA, 2004).	During construction	<ul style="list-style-type: none"> <li>Construction Manager</li> </ul>	On-going surveillance by the Construction Manager and Project Biologist	
<i>BR-14:</i> The project is within the SKR Fee area. RCTC shall pay \$500 per acre to the SKR for development outside the existing right-of-way. This fee shall be paid at the time of the grading permit submittal. The fee will include sites for the Citrus Connection,	At time of grading permit submittal	<ul style="list-style-type: none"> <li>RCTC</li> </ul>	Receipt for payment to Riverside County when the grading permit is submitted for approval	



Mitigation Measure	Schedule	Responsible for Mitigation	Actions Taken to Implement Mitigation	Verification
Hunter Park Station, South Perris, and Layover Facility (approximately 65 acres).				
<i>BR-15:</i> There is a potential for impacts to California horned lark in the area of the South Perris Station and the Layover Facility if the agricultural fields are allowed to fallow. To avoid potential impacts to nesting birds, the ground preparation work shall be conducted outside of the bird nesting season (March 1 <sup>st</sup> to July 31 <sup>st</sup> ) (County of Santa Barbara, 2009) and maintained to ensure that no birds then use the area for nesting prior to construction.	During construction	<ul style="list-style-type: none"> <li>Construction Manager</li> </ul>	On-going surveillance by the Construction Manager and Project Biologist	
<i>BR-16:</i> There is a potential for impacts to the coastal California gnatcatcher within the Box Springs Canyon Reserve. To avoid potential impacts to nesting birds, culvert work proposed for this area shall be completed outside the bird breeding season (February 15 <sup>th</sup> to August 30 <sup>th</sup> ) (SAWA, 2004).	During construction	<ul style="list-style-type: none"> <li>Construction Manager</li> </ul>	On-going surveillance by the Construction Manager and Project Biologist	
<i>BR-17:</i> Prior to any construction impacts to jurisdictional areas, RCTC shall obtain permit approval from the USACE, CDFG and the RWQCB. The mitigation for jurisdictional area impacts will be to purchase mitigation credits for permanent impacts at a 1:1 ratio (total of 0.085 acres) from a local mitigation bank. The temporary impacts, 0.335 acres, will be mitigated by restoration/enhancement on land owned by RCTC near or adjacent to the project area.	Prior to construction	<ul style="list-style-type: none"> <li>RCTC</li> </ul>	On-going surveillance by the Construction Manager and Project Biologist	



Mitigation Measure	Schedule	Responsible for Mitigation	Actions Taken to Implement Mitigation	Verification
<b>CULTURAL RESOURCES</b>				
<p><i>CR-1:</i> A qualified archaeologist and Native American monitor shall monitor ground disturbing construction activities between MP 3.50 and 4.50, and between MP 5.60 and 6.50. These monitors shall have the authority to temporarily halt or divert construction equipment to examine potential resources, assess significance, and offer recommendations for the procedures deemed appropriate to either further investigate or mitigate any adverse impacts. CA-RIV-2384, CA-RIV-4497/H and AE-CB-2 sites shall be avoided during project construction through the establishment of ESA and delineated by exclusionary fencing.</p>	During construction	<ul style="list-style-type: none"> <li>• Construction Manager</li> <li>• Archaeological Monitor</li> <li>• Native American Monitor</li> </ul>	Project Archaeologist to flag environmental sensitive areas (ESA) to exclude construction activities. The construction monitoring activities will be described in field monitoring logs.	
<p><i>CR-2:</i> Replacement of four wood box culverts (MP 1.60, 5.30, 6.11 and 18.10) and two bridges (MP 20.70 and 20.80) along the SJBL alignment shall be mitigated by detailed documentation according to Historic American Buildings Survey/ Historic American Engineering Record/ Historic American Landscape Survey standards.</p>	Prior to construction	<ul style="list-style-type: none"> <li>• Construction Manager</li> <li>• RCTC</li> <li>• Qualified Historian</li> </ul>	A qualified historian will complete the HABS/HAER/HALS documentation for submittal to the Information Center	
<p><i>CR-3:</i> Ground-disturbing activities shall be monitored by a qualified paleontologist at the Citrus Connection, South Perris Station and Layover Facility. The monitor shall also be present at locations where excavation is anticipated to be deeper than four feet. The monitor shall have the authority to temporarily halt or divert construction equipment to allow for removal of specimens. The monitor shall be equipped to salvage</p>	During construction	<ul style="list-style-type: none"> <li>• Construction Manager</li> <li>• Paleontological Monitor</li> </ul>	On-going surveillance by the Paleontologist Monitor with activities documented in daily log sheets	





Mitigation Measure	Schedule	Responsible for Mitigation	Actions Taken to Implement Mitigation	Verification
<p>any fossils unearthed during project construction, and shall be prepared to collect sediment samples that are likely to contain the remains of small fossil invertebrates and vertebrates.</p> <p>To mitigate adverse impacts to any paleontological resources encountered during construction, recovered specimens shall be identified, prepared for permanent preservation, and curated at the San Bernardino County Natural History Museum with permanent retrievable paleontological storage. A report of findings that includes an itemized inventory of specimens shall accompany the recovered specimens for curation and storage.</p>				
<p><i>CR-4:</i> In the event cultural or paleontological resources are encountered during construction, ground-disturbing activity shall cease in the immediate area. A qualified archaeologist (cultural resources) and/or paleontologist (paleontological resources) shall be retained to examine the materials encountered, assess significance, and recommend a course of action to further investigate and/or mitigate adverse impacts to those resources that have been encountered.</p>	During construction	<ul style="list-style-type: none"> <li>Construction Manager</li> <li>Archaeological Monitor and/or Paleontological Monitor</li> </ul>	On-going surveillance by the Archaeological Monitor/Paleontologist Monitor with activities documented in daily log sheets	
<p><i>CR-5:</i> In the event that unanticipated discovery of human remains occurs during project construction, the procedures outlined in §15064.5(e) of the CEQA Guidelines shall be strictly followed. These procedures specify that upon discovery, no further excavation or disturbance of the site or any</p>	During construction	<ul style="list-style-type: none"> <li>Construction Manager</li> <li>Archaeological Monitor</li> </ul>	On-going surveillance by the Archaeological Monitor with activities documented in daily log sheets	



Mitigation Measure	Schedule	Responsible for Mitigation	Actions Taken to Implement Mitigation	Verification
<p>nearby area reasonably suspected to overlie adjacent human remains can occur. The county coroner must be contacted to determine if the remains are Native American. If the remains are determined to be Native American, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC shall identify the Most Likely Descendent (MLD). The MLD shall make recommendations for the appropriate treatment and disposition of the remains and any associated grave goods in accordance with PRC §5097.98.</p>				
<b>HAZARDS AND HAZARDOUS MATERIALS</b>				
<p><i>HHM-1:</i> Soil contamination is suspected at the following locations:</p> <ul style="list-style-type: none"> <li>• 6400 Fischer Road, Riverside – diesel AST release</li> <li>• 13260 Highway 215, Riverside – gasoline UST release</li> <li>• 2 South D Street, Perris – gasoline UST release</li> <li>• 24 D Street, Perris – gasoline UST release</li> <li>• 101 and 102 South D Street, Perris – gasoline UST release and waste oil release</li> <li>• 210 West San Jacinto Avenue, Perris – gasoline and diesel UST release</li> </ul> <p>Prior to construction soil characterization shall occur and includes sampling and analysis, and drilling shall be coordinated with and under the guidance of the Riverside County Department of Environmental Health.</p>	<p>During construction</p>	<ul style="list-style-type: none"> <li>• Construction Manager</li> </ul>	<p>Construction Manager to submit soil sample analysis to RCTC for areas where soil will be disturbed</p>	



Mitigation Measure	Schedule	Responsible for Mitigation	Actions Taken to Implement Mitigation	Verification
RCTC shall contract with a qualified environmental consultant to determine if the soil has been sampled, characterized and disposed of properly according to state and federal regulations.				
<i>HHM-3:</i> Prior to construction RCTC shall prepare a traffic management plan. The traffic management plan shall be prepared in consultation with local jurisdictions to determine detour routes, length and timing of any closures, temporary access routes, signage, coordination with police and fire departments regarding changes in emergency access routes. An additional component of the plan shall be coordinating with local emergency response agencies to identify emergency evacuation routes in the event of a wildland fire near PVL facilities. This traffic management plan is the same as the traffic management plan required by Mitigation Measure TT-4.	Prior to construction	<ul style="list-style-type: none"> <li>• RCTC</li> <li>• Contractor</li> </ul>	Construction Manager/contractor to prepare plan prior to construction and receive approval from RCTC prior to implementation	
<i>HHM-4:</i> See Mitigation Measure HHM-3 above.	Prior to construction	<ul style="list-style-type: none"> <li>• RCTC</li> <li>• Construction Manager</li> </ul>		
<b>NOISE AND VIBRATION</b>				
<i>NV-1:</i> Noise barriers shall be constructed at the following locations (based on 30% Design Drawings): <ul style="list-style-type: none"> <li>• NB 1: 10' high and 530' long between Sta. 264+00 and Sta. 269+30</li> <li>• NB 2: 13' high and 570' long between Sta. 269+30 and Sta. 275+00</li> <li>• NB 3: 9' high and 680' long between Sta. 283+00 and Sta. 289+40</li> </ul>	Prior to operation	<ul style="list-style-type: none"> <li>• RCTC</li> <li>• Construction Manager</li> </ul>	The Construction Manager's bid package will be based on the adherence to all specifications called for in the Noise Barrier Engineering Plans	



Mitigation Measure	Schedule	Responsible for Mitigation	Actions Taken to Implement Mitigation	Verification
<ul style="list-style-type: none"> <li>• NB 4: 12' high and 600' long between Sta. 289+40 and Sta. 295+40</li> <li>• NB 5: 8' high and 530' long between Sta. 297+70 and Sta. 303+00</li> <li>• NB 6: 8' high and 800' long between Sta. 303+00 and Sta. 311+00</li> <li>• NB 7: 10' high and 800' long between Sta. 322+00 and Sta. 330+00</li> <li>• NB 8: 11' high and 320' long between Sta. 331+00 and Sta. 334+20</li> <li>• NB 9: 13' high and 950' long between Sta. 323+40 and Sta. 332+40</li> <li>• NB 10: 13' high and 250' long between Sta. 332+80 and Sta. 334+80</li> <li>• NB 11: 9' high and 310' long between Sta. 336+00 and Sta. 339+10</li> <li>• NB 12: 9' high and 310' long between Sta. 339+10 and Sta. 342+20</li> <li>• NB 13: 13' high and 380' long between Sta. 342+20 and Sta. 346+00</li> </ul>				
<p>NV-2: Based on the topography and engineering constraints at seven residential locations and St. George's Episcopal Church (eight properties total), the use of noise barriers will not provide adequate noise reduction. Improving the sound insulation of these properties by replacing windows facing the tracks with new sound-rated windows, as well as caulking and sealing gaps in the building envelope, eliminating operable windows and installing specially designed solid-core doors, would reduce noise to below the FTA impact criteria, and to less than significant levels. Sound insulation for eight properties shall be provided at the</p>	<p>Prior to operation</p>	<ul style="list-style-type: none"> <li>• RCTC</li> <li>• Construction Manager</li> </ul>	<p>Construction Manager to prepare plan prior to construction and receive approval from RCTC prior to implementation</p>	



Mitigation Measure	Schedule	Responsible for Mitigation	Actions Taken to Implement Mitigation	Verification
<p>following locations:</p> <ul style="list-style-type: none"> <li>Northeast corner of the grade crossing at West Blaine Street (619 West Blaine Street)</li> <li>Northeast corner of the grade crossing at Mount Vernon Avenue (116 East Campus View Drive)</li> <li>Southwest corner of the grade crossing at Mount Vernon Avenue (first home on Mount Vernon Avenue)</li> <li>Northeast corner of the grade crossing at Citrus Street (1027 Citrus Street)</li> <li>Northeast corner of the grade crossing at Spruce Street (first two homes on Kentwood Drive)</li> <li>Southeast corner of the grade crossing at Spruce Street (first home on Glenhill Drive)</li> <li>St. George's Episcopal Church</li> </ul>				
<p>NV-3: Ballast Mats: A ballast mat consists of a rubber (such as shredded rubber tires), cork or other type of resilient elastomer pad that is placed under the normal ballast, ties, and rail. The ballast mat shall be placed on a concrete or asphalt layer to be most effective. Ballast mats can provide 5 to 12 dB attenuation at frequencies above 25 to 30Hz.</p>	<p>Prior to operation, if resiliently supported ties are not used.</p>	<ul style="list-style-type: none"> <li>RCTC</li> <li>Construction Manager</li> </ul>	<p>Construction Manager to prepare plan prior to construction and receive approval from RCTC prior to implementation</p>	
<p>NV-4: Resiliently Supported Ties (Under-Tie Pads): This treatment consists of resilient rubber pads placed underneath concrete ties. A resiliently supported tie system consists of</p>	<p>Prior to operation, if ballast mats are not used.</p>	<ul style="list-style-type: none"> <li>RCTC</li> <li>Construction Manager</li> </ul>	<p>Construction Manager to prepare plan prior to construction and receive approval from RCTC prior</p>	



Mitigation Measure	Schedule	Responsible for Mitigation	Actions Taken to Implement Mitigation	Verification
<p>concrete ties supported by rubber pads. The rails are fastened directly to the concrete ties using standard rail clips.</p> <p>*Implementation by RCTC of either one of the above described vibration mitigation measures (NV-3 or NV-4) between Sta. 263+00 and 275+00 will eliminate the 2 VdB impact predicted in the UCR area of Riverside (affecting a total of 14 homes extending approximately 1,200 feet along the eastern side of the proposed PVL alignment just south of Spruce Street and north of Highland Elementary School).</p>			to implementation	
<b>TRANSPORTATION AND TRAFFIC</b>				
<p><i>TT-1:</i> Cactus Avenue at Old 215 (for Moreno Valley/March Field Station)</p> <p>Reduce north/southbound Old 215's maximum green time to 15 seconds during the PM (5-6 PM) analysis hour. This will reduce delays for westbound Cactus Avenue's through movement from 240 to 116 seconds, and improve the overall intersection LOS from LOS F with 146 seconds of delay to LOS E with 72 seconds of delay, while maintaining LOS C for Old 215.</p>	Design Prior to operation	<ul style="list-style-type: none"> <li>RCTC</li> <li>Construction Manager</li> </ul>	City of Perris Public Works/Engineering Administration Division to implement traffic-related actions.	
<p><i>TT-2:</i> SR-74 (4th Street) at D Street (for Downtown Perris Station)</p> <p>Reduce the maximum green time for the east/westbound SR-74 left-turn phase to 14 seconds during the PM (5-6 PM) analysis hour. The levels of service for north and southbound D Street's through/left-turn movements, and the overall intersection, will</p>	Design Prior to operation	<ul style="list-style-type: none"> <li>RCTC</li> <li>Construction Manager</li> </ul>	City of Perris Public Works/Engineering Administration Division to implement traffic-related actions.	



Mitigation Measure	Schedule	Responsible for Mitigation	Actions Taken to Implement Mitigation	Verification
<p>be improved beyond future levels of service without the project during the PM analysis hour with this mitigation measure.</p>				
<p><i>TT-3:</i> Bonnie Drive at southbound I-215 ramps (for South Perris Station)</p> <p>Install a new traffic signal. This will improve eastbound Bonnie Drive's right-turn movement from LOS F to LOS B during the PM (5-6 PM) analysis hour and left-turn movement from LOS F to LOS C during the AM (6-7 AM) and PM analysis hours.</p> <p>*RCTC shall design the above-proposed improvements, and execute agreements with the affected jurisdictions to provide funding for the installation of the signals or to install the signals in conjunction with the development of the project. With these mitigation measures in place, the significant impacts of the proposed project at the three above-mentioned intersections will be eliminated (out of the six locations where significant impacts are expected). At the remaining three locations where significant impacts are expected (San Jacinto and Redlands Avenues, SR-74 at northbound I-215 Off-Ramp, and SR-74 at Sherman Road), traffic signals are planned to be installed by other projects (unrelated to the PVL) as part of the future condition without the project. Therefore, no mitigation measures will need to be implemented by the proposed PVL project at these intersections. However, in the event that the signalization of these three locations by other projects (unrelated to the PVL) does not occur prior to</p>	<p>Design Prior to operation</p>	<ul style="list-style-type: none"> <li>• RCTC</li> <li>• Construction Manager</li> </ul>	<p>Construction Manager to design the proposed signal and receive approval from RCTC and/or Public Works/Engineering Administration Division prior to implementation.</p>	



Mitigation Measure	Schedule	Responsible for Mitigation	Actions Taken to Implement Mitigation	Verification
<p>the 2012 opening year of the PVL, the installation of traffic signals at these additional locations will be incorporated as PVL project features.</p>				
<p><i>TT-4:</i> RCTC shall develop a traffic management plan in consultation with local jurisdictions to minimize impacts to existing traffic levels of service. At a minimum, the traffic management plan shall address: detours; coordination with other construction projects (if applicable); length and timing of any street closures; length and timing of any grade crossing closures; coordination with police and fire departments regarding changes in emergency access routes; temporary access routes and signage if any commercial properties are affected; and contact information for RCTC and its contractors.</p>	<p>Prior to construction</p>	<ul style="list-style-type: none"> <li>• RCTC</li> <li>• Contractor</li> </ul>	<p>Construction Manager/contractor to prepare plan prior to construction and receive approval from RCTC prior to implementation.</p>	