



County of San Diego

ERIC GIBSON
INTERIM DIRECTOR

DEPARTMENT OF PLANNING AND LAND USE

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August 17, 2007

Jessica Kirchner, Associate Environmental Planner
Southern California Association of Governments (SCAG)
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COMMENTS ON THE NOTICE OF PREPARATION (NOP) OF A PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR) FOR THE 2008 REGIONAL TRANSPORTATION PLAN (RTP) AND 2008 REGIONAL COMPREHENSIVE PLAN (RCP)

The County of San Diego has received and reviewed the Notice of Preparation (NOP) of a Program Environmental Impact Report (PEIR) for the 2008 Regional Transportation Plan (RTP) and 2008 Regional Comprehensive Plan (RCP) dated June 27, 2007 and appreciates this opportunity to comment. In response to the document, the County has comments that identify the potentially significant environmental issues that may have an affect on the unincorporated lands of San Diego County that the County will need to have explored in the environmental document.

In response to the NOP, County Department of Planning and Land Use (DPLU), Department of Parks and Recreation (DPR) and the Department of Public Works (DPW) are providing the following comments:

TRAFFIC AND TRANSPORTATION

1. The RTP and PEIR should address inter-regional traffic that is impacting San Diego County freeways and the neighboring counties. SCAG should coordinate with the San Diego Association of Governments (SANDAG) to develop

- RTP/RCP strategies for addressing intra-regional commuters and their traffic impacts to the I-5, I-15, and I-8 corridors. The I-15 corridor has especially experienced a tremendous increase in daily traffic volumes due to commuters that reside in Riverside County and work in San Diego County. Both SCAG and SANDAG should work together to identify improvement projects and funding sources that would result in freeway improvements that would be mutually beneficial for both regional planning areas.
2. The 2008 RTP/RCP and the PEIR should address traffic impacts resulting from the development and expansion of tribal casino facilities. SCAG and Riverside County officials should coordinate with SANDAG and the North County communities to develop RTP/RCP strategies for addressing the traffic impacts from the North San Diego County and Southern Riverside County casinos that are affecting traffic along I-15, SR-76, and SR-79.
 3. In the preparation of the 2008 RTP/RCP, SCAG should coordinate with SANDAG and CalTrans District 11 to develop consistent forecast projections for the freeway facilities that are located within both San Diego County and the neighboring SCAG counties such as I-5, I-15, and I-8.
 4. The PEIR should evaluate how the forecasted traffic volumes of 250,000 plus commuters in the year 2030 from Riverside County into San Diego County will be mitigated.
 5. The RTP and PEIR should address the difference between CalTrans road improvement plans in Riverside County and San Diego County for I-15. Currently, CalTrans is planning a 12-lane road from Riverside County to the San Diego County border, but an 8-lane road from the Riverside County border into San Diego County. An optional toll facility that would widen I-15 from Riverside County to SR-78 has been discussed but not approved for the SANDAG RTP.
 6. The RTP and PEIR should address funding mechanisms to mitigate the impacts of commuter traffic from Riverside County into San Diego County. The draft SANDAG RTP does not include adequate funding for road improvements to State facilities such as I-15, SR-76, SR-78. In addition, funding is inadequate to mitigate traffic, land use and other associated impacts to the unincorporated County communities of Fallbrook, Bonsall, North County Metro, and Rainbow that results from Riverside County commuter traffic.
 7. The Regional Transportation Plan (RTP) and Regional Comprehensive Plan (RCP) documents do not address non-motorized transportation elements. It is recommended that the RTP include all modes of alternative transportation. Transportation corridors, new and upgraded, should allow and incorporate a non-motorized trails and pathways system. Trails/pathways systems provide another

functional transportation infrastructure that when planned with foresight compliments any coordinated effort on growth, development and environmental protection. Furthermore, the incorporation of trails and pathways could help to achieve regional improvements in energy conservation, air quality, transportation and circulation, and recreation.

AIR QUALITY

8. Air pollution caused by commuter traffic from Riverside County into San Diego County should be addressed in the PEIR.

PARKS AND RECREATION

9. It is recommended that the Counties of Orange, Los Angeles and Ventura review the proposed and exiting locations for the California Coastal Trail to ensure its development and local connectivity are enhanced and incorporated into the planning of the RTP and RCP. The California Coastal Trail is officially recognized and designated as California's Millennium Legacy Trail and the California Legislature has recognized it as a part of the statewide trail system. In addition, the trail is recognized as both a statewide and national resource and should be incorporated into regional transportation planning efforts.

The County of San Diego appreciates the opportunity to continue to participate in the environmental review process for this project. We look forward to receiving and future environmental documents related to this project, the PEIR for review, or providing additional assistance at your request. If you have any questions regarding these comments, please contact Jennifer Campos at (858) 495-5204.

Sincerely,



ERIC GIBSON, Interim Director
Department of Planning and Land Use

cc: Rosemary Rowan, Planning Manager, Department of Planning and Land Use,
M.S. O650
Maeve Hanley, Group Project Manager, Department of Public Works, M.S. O336
Priscilla Jaskowiak, Administrative Secretary, Department of Planning and
Land Use, M.S. O650

Francisco "Nick" Ortiz, Project Manager, Department of Public Works,
Transportation Division, M.S. 0334
Vince Nicoletti, CAO Staff Officer, DCAO, M.S. A6
Phil Rath, District 5 Policy Advisor, Board of Supervisors, M.S. A500
Mike Hix, Principal Transportation Planner, San Diego Association of
Governments (SANDAG), 401 B Street, Suite 800; San Diego, CA 92101
Jacob Armstrong, Associate Transportation Planner, Development Review,
California Department of Transportation (CalTrans), MS 240.

Reference Project # 3999 07-038



ORANGE COUNTY COUNCIL OF GOVERNMENTS

August 29, 2007

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Transportation Corridor Agencies

The Honorable Jon Edney, Chair
Community, Economic and Human Development Committee
Southern California Association of Governments
818 West Seventh Street
Los Angeles, California 90017-3435

Chair Edney:

RE: SCAG Program EIR for the 2008 Regional Transportation Plan Update and Regional Comprehensive Plan

At its meeting of August 23, 2007, the Board of Directors of the Orange County Council of Governments (OCCOG) discussed three major work efforts underway at the Southern California Association of Governments (SCAG):

- the federal and state mandated 2008 update to the Regional Transportation Plan (RTP);
- the comprehensive update to SCAG's Regional Comprehensive Plan (RCP); and,
- SCAG's proposal to prepare one Program Environmental Impact Report (PEIR) that would environmentally clear both the 2008 RTP Update and the RCP.

The OCCOG Board expresses concern with the pursuit of a combined EIR that would environmentally clear both the Regional Transportation Plan and the Regional Comprehensive Plan, and respectfully urges SCAG to consider a separation of the environmental processes and environmental documents for each Plan. The OCCOG Board's recommendation is based upon the following considerations:

- 1) Both the Regional Transportation Plan and the Regional Comprehensive Plan are significant undertakings that require extensive consultation and outreach to achieve consensus.

One undertaking, the 2008 Regional Transportation Plan update, is mandated and must be adopted by early 2008 to be forwarded to state and federal agencies for approval.

The other undertaking, the Regional Comprehensive Plan, is a voluntary effort not governed by statute or deadline.

As outlined in SCAG's major issues and framework for the next Regional Transportation Plan, there are significant RTP issues need to be vetted with stakeholders, including the subregions, the county transportation commissions, the private sector, and our air quality agencies in order to achieve an RTP that can meet air quality conformity and address mobility.

The OCCOG Board shares with SCAG's policy committees and its Regional Council its belief that at this point in time, the Regional Transportation Plan is an urgent regional priority, and that we must focus our efforts to address the full plate of RTP challenges and deliver an RTP update and an attendant EIR on time to address federal and state mandates and enable critical transportation projects to move forward.



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- 2) The Regional Comprehensive Plan is akin to a local jurisdiction's General Plan, setting forth policies and action statements on nine subject areas for the six-county SCAG region. It is our understanding that the last Regional Comprehensive Plan was adopted many years ago. Thus, the RCP under development would essentially constitute a new framework of policies for local jurisdictions, special districts and other agencies to consider, in conjunction with new development or re-development proposals.

The OCCOG Board recognizes that public outreach and public comment on the Regional Comprehensive Plan is essential. However, the OCCOG Board also recognizes that the planning and public outreach process on the Regional Comprehensive Plan could and should result in many comments and recommendations that are all valid, but with differing perspectives, which will warrant careful consideration and deliberation.

It is the OCCOG Board's concern that the necessary discussion and deliberations on the Regional Comprehensive Plan could endanger the compressed timeline and deadlines of the mandated Regional Transportation Plan; and that the construct of a single EIR for both the RTP and RCP could pose an unnecessary, but avoidable constraint, to timely RTP adoption.

- 3) In light of legislative proposals under consideration by State legislators, the guiding measures and action items that are proposed in the Regional Comprehensive Plan could take on a much more significant role than we currently understand. The Regional Comprehensive Plan must receive full public and local review in consideration of the possibility that proposed state legislation could place much more significance on local government implementation of the plan through the linking of transportation funding to consistency between general plans and the RCP. Separating the environmental review for the Regional Transportation Plan and the Regional Comprehensive Plan will allow for a full discussion and disclosure of the ramifications of any state law changes that affect compliance with the proposed RCP.

Further, the OCCOG Board pledges its commitment to undertake its subregional responsibilities and outreach to Orange County jurisdictions, transportation agencies, special districts, resource agencies, the private sector, and public interest groups, to request their review of the Regional Comprehensive Plan and to secure their input and recommendations on the proposed Plan policies.

Based upon these considerations and concerns, it is the OCCOG Board's recommendation that the environmental processes and environmental documents for the Regional Transportation Plan and the Regional Comprehensive Plan be separated now, to allow both Plans to move forward, yet independently, in their respective discussions, deliberations, environmental clearance and adoption.

Respectfully and on behalf of the OCCOG Board of Directors,

Dennis R. Wilberg
OCCOG Interim Executive Director



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East Orange Water District
El Toro Water District
Irvine Ranch Water District
OC Sanitation District
OC Transportation Authority
OC Water District
Transportation Corridor Agencies

cc: The Honorable Gary Ovitt, SCAG Regional Council President
The Honorable Alan D. Wapner, Chair, SCAG Transportation and Communications Committee
The Honorable Debbie Cook, Chair, SCAG Energy and Environment Committee
Mr. Mark Pisano, Executive Director, SCAG
Council Member Art Brown, Chair, OCCOG Board of Directors
Council Member Cheryl Brothers, Vice-Chair, OCCOG Board of Directors
OCCOG Board Members
OCCOG Member Agencies
OCCOG Subregional Representatives to SCAG Policy Committees
Mr. Art Leahy, Chief Executive Officer, OCTA
Ms. Bev Perry, SCAG
Mr. Darin Chidsey, SCAG
Mr. Miles Mitchell, Chair, SCAG Subregional Coordinators Group
Mr. Kia Mortazavi, OCTA
Mr. Kurt Brotcke, OCTA
Mr. David Simpson, OCTA
Mr. Michael Litschi, OCTA
Ms. Karen Hamman, OCCOG Interim Clerk of the Board

CITY OF LAKE FOREST



October 3, 2007

The Honorable Debbie Cook, Chair
SCAG Energy and Environment Committee
818 West Seventh Street, 12th Floor
Los Angeles, CA 90017-3435

Mayor
Richard T. Dixon

Mayor Pro Tem
Mark Tettemer

Council Members
Peter Herzog
Kathryn McCullough
Marcia Rudolph

City Manager
Robert C. Dunek

Subject: 2008 PEIR for the RCP

Chair Cook:

In an August 23 letter to the Community, Economic & Human Development Committee (CEHD), the Board of Directors of the Orange County Council of Governments (OCCOG) requested the environmental review process for the Regional Comprehensive Plan (RCP) and Regional Transportation Plan (RTP) be separated, rather than the current SCAG approach of preparing a combined Program Environmental Impact Report (PEIR) for both documents. We understand that the CEHD Committee took action to have the Energy and Environment Committee (EEC) review the OCCOG request, and that SCAG staff is recommending the EEC continue with the current approach of a combined environmental review.

On behalf of the City of Lake Forest, I must respectfully request that the EEC not approve the staff recommendation, and instead take additional time to evaluate the OCCOG proposal. Regardless of any additional costs associated with bifurcating the environmental review for the RCP and RTP, the two Plans require extensive consideration and significant outreach, and more time is needed to consider the impact of any state law changes that could affect local compliance with the RCP. Further, the RTP is an urgent priority, and should be the focus of current efforts to ensure the update is on time and complies with federal and state mandates. In fact, we believe that the RCP may not require an EIR, and that any environmental review of the RCP's *voluntary* policies and principles should be undertaken by participating jurisdictions.

For these and other reasons, we ask that you do not approve the staff recommendation and instead separate the environmental processes for the RTP and RCP, allowing both Plans to move forward independently.

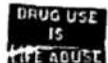
Thank you for your consideration. The Lake Forest City Council appreciates your continual efforts to explore innovative approaches to land use and transportation planning. Should you have any questions regarding our comments, please contact Benjamin Siegel, Assistant to the City Manager, at (949) 461-3537.

www.ci.lakc-forest.ca.us

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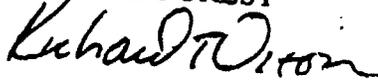
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Building/Planning/Public Works Fax: (949) 461-3512

The Honorable Debbie Cook
October 3, 2007

Sincerely,

CITY OF LAKE FOREST



Richard T. Dixon
Mayor

C: Orange County Mayors
The Honorable Pat Bates
League of California Cities
League of California Cities - Orange County Division
Emanuel Jones & Associates

EDMUND G. BROWN JR.
Attorney General

State of California
DEPARTMENT OF JUSTICE



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October 19, 2007

By Telecopy and Mail

Jessica Kirchner
Southern California Association of Governments
818 W. Seventh Street, 12th Floor
Los Angeles, CA 90017-3435

RE: Comments on the Notice of Preparation for Draft Environmental Impact Report For the 2008 Regional Transportation Plan and 2008 Regional Comprehensive Plan (SCH Number 2007061126)

Dear Ms. Kirchner:

The Attorney General submits these comments to the Southern California Association of Governments ("SCAG") on the Notice of Preparation for the Draft Environmental Impact Report ("EIR") for the proposed 2008 Regional Transportation Plan ("Transportation Plan") and 2008 Regional Comprehensive Plan ("Comprehensive Plan") (jointly "Regional Plans" or "Plans"). Although the deadline for comments on the Notice of Preparation has passed, we request that SCAG consider these comments in preparing the draft EIR.

The Notice of Preparation states that by preparing these Plans simultaneously, SCAG is undertaking "an integrated and innovative approach to land use and transportation planning" and that taken together, the Plans will "provide a long-term comprehensive land use and transportation planning blueprint for the region." We commend SCAG for pursuing this coordinated planning effort. As the California Energy Commission recently noted:

"Opportunities exist at all levels of government for integrated planning that would reduce energy demand and greenhouse gas emissions as well as eliminate redundant or conflicting efforts."¹

We also commend SCAG for the efforts it has already undertaken in the Compass Blueprint to identify smart growth development scenarios that reduce vehicle emissions associated with new development. We encourage SCAG to fully embrace the opportunity it has

¹2007 Integrated Energy Policy Report (California Energy Commission, Draft Committee Report, October 2007) at 248.

in these Regional Plans and the accompanying EIR, to show further leadership by identifying a comprehensive and coordinated land use and transportation strategy to reduce emissions of greenhouse gasses (“GHG”) that cause global warming, one of the most critical environmental challenges facing our communities.

Global Warming in California

The Intergovernmental Panel on Climate Change of the United Nations has found overwhelming evidence that global warming is occurring and is caused by human activity.² The California Climate Change Center reports that temperatures in the State are expected to rise 4.7 to 10.5°F by the end of the century.³ These increases would have serious consequences, including substantial loss of snowpack, an increase of as much as 55% in the risk of large wildfires, reductions in the quality and quantity of agricultural products, exacerbation of California's air quality problems, and adverse impacts on human health from increased heat stress and heat related deaths, and increases in asthma, respiratory and other health problems.⁴ According to NASA's James Hansen, proceeding at the greenhouse gas emissions rate of the past decade will result in “disastrous effects, including increasingly rapid sea level rise, increased frequency of droughts and floods, and increased stress on wildlife and plants due to rapidly shifting climate zones.”⁵ And, the experts tell us, we have less than a decade to take decisive action.⁶ If we continue our business-as-usual emissions trajectory, dangerous climate change will become unavoidable. To avoid this scenario, it is imperative to address GHG emissions from the transportation sector, which is the single largest source of GHG emissions in California. According to a California Energy Commission, transportation accounted for 41.2% of GHG emissions in the state in 2002.⁷

² “Climate Change 2007: The Physical Science Basis, Summary For Policymakers” (Fourth Assessment Report of the IPCC, February 2007).

³ Amy Lynd Luers, Daniel R. Cayan et. al, *Our Changing Climate: Assessing the Risks to California* (July 2006) at p. 2. The report was prepared by the Climate Change Center at the direction of CalEPA pursuant to its authority under Executive Order S-3-5.

⁴ *Id.* at pp. 2, 10; Executive Order S-3-05.

⁵<http://www.giss.nasa.gov/research/news/20070530/>; see also Hansen et al., *Dangerous human-Made Interference with Climate* (2007) 7 Atmos. Chem. Phys. 2287-2312 http://pubs.giss.nasa.gov/docs/2007/2007_Hansen_etal_1.pdf

⁶*Id.* For further discussion of dangerous climate change, see IPCC 4th, WG III, Ch. 1 at pp. 6-7 http://www.mnp.nl/ipcc/pages_media/FAR4docs/chapters/CH1_Introduction.pdf

⁷ “Inventory of California Greenhouse Gas Emissions and Sinks: 1990 to 2002 Update.” (California Energy Commission, June 2005) at pp. 6-7.

The Legislature recognized the need to address the threat of catastrophic climate change in adopting Assembly Bill 32, the California Global Warming Solutions Act of 2006, codified at Health and Safety Code Section 38500, et seq. ("AB 32").⁸ AB 32 requires reduction of the state's GHG emissions to 1990 levels by 2020.⁹ This emissions cap is equal to a 25% reduction from current levels.¹⁰ Under AB 32, the California Air Resources Board will adopt comprehensive regulations that will go into effect in 2012 to require the actions necessary to achieve the GHG emissions cap by 2020.¹¹ In addition, the Governor has issued Executive Order S-3-05, which sets an additional target of reducing GHG emissions in California to 80 percent below 1990 levels by 2050.

California Environmental Quality Act

As the legislature recently recognized, global warming is an "effect on the environment" as defined by the California Environmental Quality Act ("CEQA"), and a project's contribution to global warming can be significant. (See Pub. Res. Code section 21083.05, subd. (a); see also Sen. Rules Com., Off. of Sen. Floor Analyses, Analysis of Sen. Bill No. 97 (2007-2008 Reg. Sess.) Aug. 22, 2007.) The projects authorized in the Transportation Plan will result in significant increases in GHG emissions, and any increase in such emissions will make it more difficult to achieve the GHG reductions that are needed to avoid catastrophic climate change.

CEQA was enacted to ensure that public agencies do not approve projects unless they include feasible alternatives or mitigation measures that substantially reduce the significant environmental effects of the project.¹² CEQA requires that "[e]ach public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so."¹³ This requirement is extremely important and is recognized as "[t]he core of an EIR"¹⁴ Therefore, an EIR must identify mitigation measures and examine

⁸ Health & Safety Code § 38501.

⁹ Health & Safety Code § 38550.

¹⁰ 9/27/2006 Press Release from the Office of the Governor, available at <http://gov.ca.gov/index.php?/print-version/press-release/4111>.

¹¹ Health & Safety Code § 38562.

¹² Public Resources Code § 21002.

¹³ Public Resources Code §§ 21002.1(b) and 21081; see also, *Mountain Lion Foundation v. Fish and Game Commission*, 16 Cal.4th 105, 134 (1997).

¹⁴ *Citizens of Goleta Valley v. Board of Supervisors of Santa Barbara County* (1990) 52 Cal.3d 553, 564-65.

alternatives that would reduce the emissions of greenhouse gases that contribute to global warming.¹⁵ These requirements of CEQA are consistent with the applicable federal law that requires the Transportation Plan to consider projects and strategies that will “protect and enhance the environment” and “promote energy conservation” and to discuss “potential environmental mitigation activities.” (23 U.S.C.A. §§ 134(h) and 134(i)(2)(B)(i)).

The Proposed Plans and EIR Should Consider Global Warming Impacts, Mitigation Measures and Alternatives to Reduce Global Warming Impacts

As noted above, the projects included in SCAG’s Transportation Plan will contribute cumulatively to the GHG load. The Plan will authorize road construction and improvements that will provide new road capacity, accommodate more vehicles, and allow new development to occur. Implementing the Transportation Plan will also generate large amount of GHG emissions during construction of the authorized projects, which constitutes a significant cumulative impact on global warming. SCAG expects that the Transportation Plan will authorize expenditure of \$413 billion for transportation projects.

Significant opportunities for reducing transportation-related GHG emissions have been identified in the Climate Action Team Report to Governor Schwarzenegger and the Legislature (CalEPA March 2006) and the Climate Action Program at Caltrans.¹⁶ These documents identify two broad strategies: Measures to Improve Transportation Energy Efficiency and Smart Land Use and Intelligent Transportation. (Report at p.57.) Smart land use strategies “encourage jobs/housing proximity, promote transit oriented development, and encourage high-density residential/commercial development along transit corridors.” (*Ibid.*) The Caltrans Climate Action Program also identifies the need to “[m]ainstream energy efficiency and GHG emissions reductions measures into land use and transportation decisions.”¹⁷ Therefore, the EIR should discuss how these strategies for reducing GHG emissions are included in the Regional Plans and whether they are being implemented and funded to the maximum extent feasible.

The way a transportation plan allocates funds among potential transportation projects can make a significant difference in the amount of transportation-generated GHG emissions in the future. Thus, SCAG can directly impact how much transportation-related GHG emissions will increase through its funding decisions. Accordingly, the EIR should discuss whether the Transportation Plan maximizes the use of available funds for public transit, alternative fuel vehicles, carpool, vanpool, rideshare, pedestrian and bicycle projects (including Safe Routes to School programs), and other measures that reduce vehicle travel and/or GHG emissions.

¹⁵Public Resources Code § 21002.1(a); Cal. Code Regs., tit. 14, § 15130, subd. (b)(5).

¹⁶Climate Action Program at Caltrans (California Department of Transportation, Business, Transportation, and Housing Agency, December 2006).

¹⁷*Id.*, p. 6, Table 1.

There are many policies and/or projects that SCAG could consider to help achieve the goal of reducing GHG emissions. While this letter is not intended to provide a complete list, some of the possibilities include: adopt funding priorities that target spending for transportation infrastructure to serve infill and mixed use development located near employment centers and provide incentives for such development, and withhold transportation infrastructure funding from greenfield development at the urban edge; evaluate and adopt policies to direct new residential development to areas that are accessible to employment centers and have access to high capacity public transit, and to require that such development has sufficient density to support use of public transit; implement feasible measures to reduce electricity use in the transportation sector (which is in large part generated from natural gas, thus producing GHG emissions), including replacing all traffic lights, street lights, and railroad crossing lights with LED technology; include on-site generation using solar photovoltaic panels on building roofs or solar carports/parking lots where feasible; convert county and municipal fleets to alternative fuel vehicles; provide incentives for use of public transit, ridesharing and carpools; expand public transit routes and increase frequency of operation; authorize construction of electric vehicle charging stations and alternative fueling stations; require electrification of truck stops and warehouse and distribution facilities; use parking pricing to reduce the number of vehicle trips; and use congestion pricing to reduce vehicle travel in the most congested urban areas.

Another measure that SCAG could include in the Regional Plans is adoption of policies for sustainable airport development, management and airfield design to reduce air pollution and GHG emissions from operations, including cargo operations, ground support and access to and from airports.¹⁸

The EIR should also consider feasible measures to reduce emissions of criteria pollutants (particulate matter and nitrous oxide) from diesel buses, such as replacing diesel buses with the lowest-emitting available alternative fuel buses, and requiring that all new buses have the lowest level of emissions feasible. This is a critical health issue for the region. Another possible mitigation measure that the EIR could evaluate is including a “green construction” policy in the Transportation Plan. A green construction policy could require:

- all off-road construction vehicles should be alternative fuel vehicles, or diesel-powered vehicles with Tier 3 or better engines or retrofitted/repowered to meet equivalent emissions standards as Tier 3 engines¹⁹;

¹⁸See Los Angeles World Airports “Sustainability Vision and Principles.” <http://www.lawa.org/news/newsDisplay.cfm?newsDI=949> and Green LA, An Action Plan to Lead the Nation In Fighting Global Warming, at p.6 (May 2007) <http://www.lacity.org/mayor>

¹⁹Similarly, the South Coast Air Quality Management District has called for the state, in selecting projects that will be funded from Proposition 1B, to impose a condition that requires “use of lowest emitting construction equipment and fuels available.” (Resolution of SCAQMD

- use the minimum feasible amount of GHG emitting construction materials (cement, asphalt, etc.)²⁰;
- use cement blended with the maximum feasible amount of flyash or other materials that reduce GHG emissions from cement production;
- use asphalt with light colored additives and chemical additives that increase reflectivity and therefore reduce contribution to the heat island effect;
- require recycling of construction debris to maximum extent feasible;
- incorporate planting of shade trees into construction projects where feasible.

Attached is a list of ways to reduce vehicle miles traveled prepared by the Federal Highway Administration that might be useful for preparing the EIR. In addition, attached is a list prepared by the Attorney General's Office of mitigation measures that can be employed to reduce GHG emissions more broadly from new residential and commercial development. The EIR should discuss whether these are appropriate mitigation measures.

Global warming presents California with one of its greatest challenges. SCAG has the opportunity to continue addressing global warming in a constructive manner while educating the public and decision-makers. We urge SCAG to meet the challenge with these Regional Plans and environmental impact report. Please do not hesitate to contact me if the Attorney General's Office can be of any assistance.

Sincerely,

SANDRA GOLDBERG
Deputy Attorney General

For EDMUND G. BROWN JR.
Attorney General

Expressing Conditions for Funding Projects with Proposition 1B Funds in the South Coast District, Resolution No. 07-07, April 6, 2007).

²⁰A new production method known as "warm-mix" asphalt technology that significantly reduces GHG emissions is currently being evaluated and may prove to be a feasible alternative road paving material. See, "Warm-Mix Asphalt (WMA) Potentially Can Provide Important Benefits for Paving Contractors, Reduce Fuel Costs and Diminish Green-House Gases" in Construction Equipment, March 1, 2007 (www.constructionequipment.com/article/CA6421459.html).

NATIVE AMERICAN HERITAGE COMMISSION

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August 15, 2007

Ms. Jessica Kirchner

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG)

818 W. Seventh Street, 12th Floor
Los Angeles, CA 90017-3435

Re: SCH# 2007061126: CEQA Notice of Preparation (NOP) draft Environmental Impact Report (DEIR) for Regional Transportation Plan for LA, Ventura, San Bernardino, Riverside, Orange counties, California

Dear Ms. Kirchner:

Thank you for the opportunity to comment on the above-referenced document. **The following advisories apply to the implementation of the Regional Transportation Plan when 'ground-breaking' activity is proposed:** The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR per CEQA guidelines § 15064.5(b)(c). In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE),' and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

√ Contact the appropriate California Historic Resources Information Center (CHRIS). Contact information for the 'Information Center' nearest you is available from the State Office of Historic Preservation in Sacramento (916/653-7278). The record search will determine:

- If a part or the entire (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded in or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- √ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
- The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological information center.
- √ Contact the Native American Heritage Commission (NAHC) for:
- * A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity who may have information on cultural resources in or near the APE. Please provide us site identification as follows: USGS 7.5-minute quadrangle citation with name, township, range and section. This will assist us with the SLF.
 - Also, we recommend that you contact the Native American contacts on the attached list to get their input on the effect of potential project (e.g. APE) impact. In many cases a culturally-affiliated Native American tribe or person will be the only source of information about the existence of a cultural resource.
- √ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
- Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.

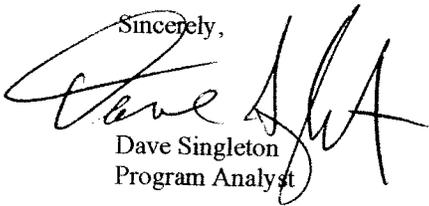
√ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigations plans.

- CEQA Guidelines §15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the Initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American groups, identified by the NAHE, to ensure the appropriate and dignified treatment of Native American human remains and any associated grave goods.
- Health and Safety Code §7050.5, Public Resources Code §5097.98 and CEQA Guidelines §15064.5(d) mandate procedures to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

√ Lead agencies should consider avoidance, as defined in CEQA Guidelines §15370 when significant cultural resources are discovered during the course of project planning or execution.

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Singleton". The signature is stylized and written over the printed name and title.

Dave Singleton
Program Analyst

Attachment: Native American Contact List

Native American Contacts
LA, Ventura, San Bernardino, Riverside and Orange Counties
November 15, 2007

Cabazon Band of Mission Indians
John A. James, Chairperson
84-245 Indio Springs Parkway Cahuilla
Indio, CA 92203-3499
(760) 342-2593
(760) 347-7880 Fax

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

Cahuilla Band of Indians
Anthony Madrigal, Jr., Interim-Chairperson
P.O. Box 391760 Cahuilla
Anza, CA 92539
tribalcouncil@cahuilla.net
(951) 763-2631

(951) 763-2632 Fax

Soboba Band of Mission Indians
Robert J. Salgado, Chairperson
P.O. Box 487 Luiseno
San Jacinto, CA 92581
varres@soboba-nsn.gov
(951) 654-2765
(951) 654-4198 - Fax

Pechanga Band of Mission Indians
Paul Macarro, Cultural Resource Center
P.O. Box 1477 Luiseno
Temecula, CA 92593
(951) 308-9295 Ext 8106
(951) 676-2768
(951) 506-9491 Fax

Torres-Martinez Desert Cahuilla Indians
Raymond Torres, Chairperson
PO Box 1160 Cahuilla
Thermal, CA 92274
(760) 397-0300
(760) 397-8146 Fax

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

Twenty-Nine Palms Band of Mission Indians
Mike Darrell, Chairperson
46-200 Harrison Place Chemehuevi
Coachella, CA 92236
tribal-epa@worldnet.att.net
(760) 775-5566
(760) 775-4639 Fax

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

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

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**Native American Contacts
LA, Ventura, San Bernardino, Riverside and Orange Counties
November 15, 2007**

Chemehuevi Reservation
Charles Wood, Chairperson
P.O. Box 1976
Chemehuevi Valley , CA 92363
chemehuevit@yahoo.com
(760) 858-4301
(760) 858-5400 Fax

Chemehuevi

San Fernando Band of Mission Indians
John Valenzuela, Chairperson
P.O. Box 221838
Newhall , CA 91322
tsen2u@msn.com
(661) 753-9833 Office
(760) 885-0955 Cell
(760) 949-1604 Fax

Fernandeño
Tataviam
Serrano
Vanyume
Kitanemuk

Fort Mojave Indian Tribe
Tim Williams, Chairperson
500 Merriman Ave
Needles , CA 92363
(760) 629-4591
(760) 629-5767 Fax

Mojave

Torres-Martinez Desert Cahuilla Indians
Ernest Morreo
PO Box 1160
Thermal , CA 92274
maxtm@aol.com
(760) 397-0300
(760) 397-8146 Fax

Cahuilla

Ti'At Society
Cindi Alvitre
6515 E. Seaside Walk, #C
Long Beach , CA 90803
calvitre@yahoo.com
(714) 504-2468 Cell

Gabrielino

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

Gabrielino Tongva

Juaneno Band of Mission Indians Acjachemen Nation

David Belardes, Chairperson
31742 Via Belardes
San Juan Capistrano , CA 92675
(949) 493-0959
(949) 493-1601 Fax

Juaneno

AhaMaKav Cultural Society, Fort Mojave Indian Tribe
Linda Otero, Director
P.O. Box 5990
Mohave Valley , AZ 86440
ahamakav@citlink.net
(928) 768-4475
(928) 768-7996 Fax

Mojave

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Native American Contacts
LA, Ventura, San Bernardino, Riverside and Orange Counties
November 15, 2007

Santa Rosa Band of Mission Indians
John Marcus, Chairman
P.O. Box 609 Cahuilla
Hemet , CA 92546
srtribaloffice@aol.com
(951) 658-5311
(951) 658-6733 Fax

Gabrielino Band of Mission Indians of CA
Ms. Susan Frank
PO Box 3021 Gabrielino
Beaumont , CA 92223
(951) 897-2536 Phone/Fax

Augustine Band of Cahuilla Mission Indians
Mary Ann Green, Chairperson
P.O. Box 846 Cahuilla
Coachella , CA 92236
(760) 369-7171
760-369-7161

Morongo Band of Mission Indians
Britt W. Wilson, Cultural Resources-Project Manager
49750 Seminole Drive Cahuilla
Cabazon , CA 92230 Serrano
britt_wilson@morongo.org
(951) 755-5206
(951) 755-5200/323-0822-cell
(951) 922-8146 Fax

Gabrielino/Tongva Council / Gabrielino Tongva Nation
Sam Dunlap, Tribal Secretary
761 Terminal Street; Bldg 1, 2nd floor Gabrielino Tongva
Los Angeles , CA 90021
office @tongvatribes.net
(213) 489-5001 - Officer
(909) 262-9351 - cell
(213) 489-5002 Fax

San Manuel Band of Mission Indians
Ann Brierty, Environmental Department
101 Pure Water Lane Serrano
Highland , CA 92346
abrierty@sanmanuel-nsn.gov
(909) 863-5899 EXT-4321

(909) 862-5152 Fax

Juaneno Band of Mission Indians Acjachemen Nation
Anthony Rivera, Chairman
31411-A La Matanza Street Juaneno
San Juan Capistrano , CA 92675-2674
arivera@juaneno.com
949-488-3484
949-488-3294 Fax

Torres-Martinez Desert Cahuilla Indians
William J. Contreras, Cultural Resources Coordinator
P.O. Box 1160 Cahuilla
Thermal , CA 92274
cultural_monitor@yahoo.com
760) 397-0300
(760) 275-2686-CELL
(760) 397-8146 Fax

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Native American Contacts
LA, Ventura, San Bernardino, Riverside and Orange Counties
November 15, 2007

Soboba Band of Luiseño Indians
Bennae Calac, Cultural Resource Director
P.O. Box 487 Luiseno
San Jacinto , CA 92581
bcalac@soboba-nsn.gov
(951) 663-8332
(951) 654-4198 - FAX

Agua Caliente Band of Cahuilla Indians
Richard Milanovich, Chairperson
5401 Dinah Shore Drive Cahuilla
Palm Springs , CA 92262
lfreogoz@aguacaliente.net
(760) 325-3400
(760) 325-0593 Fax

Juaneno Band of Mission Indians Acjachemen Nation
Joyce Perry , Tribal Manager & Cultural Resources
31742 Via Belardes Juaneno
San Juan Capistrano , CA 92675
(949) 493-0959
(949) 293-8522 Cell
(949) 493-1601 Fax

Morongo Band of Mission Indians
Robert Martin, Chairperson
11581 Potrero Road Cahuilla
Banning , CA 92220 Serrano
britt_wilson@morongo.org
(951) 849-8807
(951) 755-5200
(951) 922-8146 Fax

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

Pechanga Band of Mission Indians
Mark Macarro, Chairperson
P.O. Box 1477 Luiseno
Temecula , CA 92593
tbrown@pechanga-nsn.gov
(951) 676-2768
(951) 695-1778 Fax

Juaneno Band of Mission Indians
Adolph "Bud" Sepulveda, Chairperson
P.O. Box 25828 Juaneno
Santa Ana , CA 92799
bssepul@yahoo.net
714-838-3270
714-914-1812 - CELL
bsepul@yahoo.net

Serrano Nation of Indians
Goldie Walker
6588 Valaria Drive Serrano
Highland , CA 92346
(909) 862-9883

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**Native American Contacts
LA, Ventura, San Bernardino, Riverside and Orange Counties
November 15, 2007**

Agua Caliente Band of Cahuilla Indians THPO
Richard Begay, Tribal Historic Preservation Officer
5401 Dinah Shore Drive Cahuilla
Palm Springs, CA 92264
rbegay@aguacaliente.net
(760) 325-3400 Ext 6906
(760) 699-6906
(760) 699-6925- Fax

Juaneno Band of Mission Indians
Joe Ocampo
1108 E. 4th Street
Santa Ana, CA 92701
(714) 547-9676
(714) 623-0709-cell

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ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE



BY PERSONAL DELIVERY

November 1, 2007

Regional Council
Southern California Association of Governments
818 W. 7th Street, 12th Floor
Los Angeles California 90017

Re: Comments on Treatment of the 2008 RTP and RCP under CEQA

To the Members of the Regional Council:

The Endangered Habitats League wishes to express its support for the SCAG staff's recommendation to analyze the 2008 Regional Transportation Plan (2008 RTP) and the Regional Comprehensive Plan (RCP) in an integrated Programmatic EIR. We agree with staff that this approach saves resources, permits an integrated review and analysis of infrastructure and the land uses it would facilitate, and allows all options to be considered for both plans. This integrated analysis can easily be accomplished without interfering with the progress of the approval of the RTP within applicable deadlines.

By contrast, piecemeal review of these plans, as is proposed by the City of Lake Forest and Orange County interests, would make review and analysis more expensive. It would also illogically divorce programmatic environmental analysis of the impacts of regional infrastructure from analysis of the land uses the RTP would facilitate, and would impermissibly foreclose analysis options during the subsequent review of the RCP to those already made in the RTP Final PEIR.

The latter approach not only makes no sense, it would also violate CEQA. A "project" under CEQA includes "the whole of an action" that may result in either a direct or reasonably foreseeable indirect physical change in the environment." (*CEQA Guidelines*, § 15378.) In the seminal case of *Bozung v. Local Agency Formation Commission* (1975) 13 Cal. 3d 263, 283-284, the Supreme Court emphasized that to avoid piecemealing, the scope of the impacts of a series of government actions with overlapping effects must be considered cumulatively. Thus, "an EIR must include an analysis of the environmental effects of future expansion or other action if (1) it is a reasonably foreseeable consequence of the initial project; and (2) the future expansion or

action will be significant in that it will likely change the scope or nature of the initial project *or its environmental effects.*" (*Laurel Heights Improvement Ass'n v. Regents of the University of California* (1988) 47 Cal. 3d 376, 396, emphasis added.) Otherwise, the analysis for the latter project will likely be "nothing more than post hoc rationalizations to support the actions already taken." (Id.)

These legal principles mandate that the environmental analysis for the 2008 RTP and the RCP be integrated consistent with staff's position. The 2008 RTP constitutes a comprehensive set of transportation infrastructure investments amounting to hundreds of billions of dollars, a series of investments that will have profound impacts on the amount and the type of growth that will result in the region. The RCP, in turn, is an attempt to address the *consequences* of this regional growth that the 2008 RTP will facilitate. Thus, if environmental review of the RCP is conducted only after the conclusion of the review for the 2008 RTP, it will necessarily be reduced to a post-hoc rationalization for actions and alternatives already selected in the 2008 RTP analysis, in violation of CEQA.

For these reasons, EHL asks that the Regional Council adopt staff's recommendation to integrate the two processes as CEQA requires.

Respectfully submitted,



Michael D. Fitts
Staff Attorney

cc: Mark Pisano



ARNOLD SCHWARZENEGGER
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT
DIRECTOR

Notice of Preparation

November 8, 2007

To: Reviewing Agencies
Re: Regional Transportation Plan
SCH# 2007061126

Attached for your review and comment is the Notice of Preparation (NOP) for the Regional Transportation Plan draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Jessica Kirchner
Southern California Association of Governments
818 W. Seventh Street, 12th Floor
Los Angeles, CA 90017-3435

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Project Analyst, State Clearinghouse

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2007061126
Project Title Regional Transportation Plan
Lead Agency Southern California Association of Governments

Type NOP Notice of Preparation
Description SCAG is preparing the 2008 RTP for the SCAG region. The RTP is the culmination of a multi-year effort with a focus on improving the balance between land use and transportation systems, both current and future. SCAG is required by federal law to create a RTP that determines the needs of the transportation system and prioritizes proposed transportation projects. The RTP is also necessary to obtain and allocate federal funding for regional transportation projects. Under new federal laws as contained in the Safe, Accountable, Flexible, Efficient, Transportation Equity Act- a Legacy for Users (SAFETEA-LU), the RTP must be comprehensively updated once every four years to ensure that the plan adequately addresses future travel needs and is consistent with the federal Clean Air Act. SCAG does not implement individual projects in the RTP; these projects will be implemented by agencies other than SCAG.

Lead Agency Contact

Name Jessica Kirchner
Agency Southern California Association of Governments
Phone (213) 236-1983 **Fax**
email kirchner@scag.ca.gov
Address 818 W. Seventh Street, 12th Floor
City Los Angeles **State** CA **Zip** 90017-3435

Project Location

County Los Angeles, Orange, San Bernardino, Riverside, Ventura, ...
City
Region
Cross Streets
Parcel No.

Township	Range	Section	Base
-----------------	--------------	----------------	-------------

Proximity to:

Highways
Airports
Railways
Waterways
Schools
Land Use

Project Issues Air Quality; Archaeologic-Historic; Biological Resources; Landuse; Noise; Other Issues; Population/Housing Balance; Public Services; Traffic/Circulation; Water Supply

Reviewing Agencies Resources Agency; Department of Conservation; California Energy Commission; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game, Headquarters; Office of Emergency Services; Native American Heritage Commission; Public Utilities Commission; Caltrans, Division of Aeronautics; Caltrans, Division of Transportation Planning; California Highway Patrol; Air Resources Board, Airport Projects; Air Resources Board, Transportation Projects; State Water Resources Control Board, Division of Water Quality

Date Received 11/08/2007 **Start of Review** 11/08/2007 **End of Review** 12/07/2007

From: Labudzki, Mike [MLabudzki@ci.burbank.ca.us]

Sent: Thursday, November 15, 2007 2:10 PM

To: Jessica Kirchner

Subject: 2008 RTP - Recirculation of the Notice of Preparation, November 7, 2007

RE: 2008 RTP – Recirculation of the Notice of Preparation, November 7, 2007

Dear Mr. Kirchner,

This message is a response to SCAG call for public involvement in development of the Regional Transportation Plan. I have been participating in SCAG 2008 RTP meetings and workshops. Considering information present to date I would like to make couple of requests.

SCAG analyzes regional mobility and accessibility (M&A) for the entire region and by counties. Preliminary RTM results imply that there would be a substantial difference in changes of M&A in areas that are currently highly urbanized (area types: Core, Business Districts, and Urban) and the rest of the region (area types: Suburban and Rural). I would like to ask SCAG to explicitly address the differences and provide related statistics. I believe that such an approach would be consistent with 2008 RTP priorities of: system monitoring, evaluation, maintenance, and preservation. Separate analysis of M&A in these two areas would assist in identifying and quantifying changes in development patterns and travel behaviors that are essential to preserve sustainable and livable agglomeration.

Strong growth of goods movement has affected regional transportation system. Available data, including traffic counts, indicate that the Super Heavy Duty Trucks have been a fastest growing vehicle category. I would like to request that SCAG explicitly quantifies and qualifies growing demand of truck traffic, and particularly SHD truck traffic, on regional highway system.

Sincerely,

R. Mike Labudzki

Community Development Department/Transportation
City of Burbank
141 North Glenoaks Blvd.
Burbank, CA 91502
818-238-5277
fax 818-238-5254
Email: MLabudzki@ci.burbank.ca.us

AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION



November 19, 2007

Jessica Kirchner
Southern California Associations of Governments
818 West Seventh Street, 12th Floor
Los Angeles, CA 90017-3435

Re: Request for Consultation on Preparation of the Cultural Resources Component of the 2008 RTP/RCP PEIR, Riverside County, California

Dear Ms. Kirchner:

The Agua Caliente Band of Cahuilla Indians appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in your project. Meaningful consultation is useful in the planning process to identify areas of cultural sensitivity, and to manage/minimize impacts to resources thereby preserving a portion of the Tribe's cultural heritage. The consultation process is to facilitate an open line of communication between the agencies and tribes.

The Agua Caliente Band of Cahuilla Indians ("Tribe") is concerned about the preservation and management of its cultural heritage. The Tribe established the Tribal Historic Preservation Office (THPO) through the National Parks Service (NPS) to handle all cultural resources issues. We request that agencies, such as yours, contact the Tribe regarding the identification, preservation and management of cultural resources (including burials) throughout Riverside County, especially in the Coachella Valley. The Tribe's Traditional Use Area (TUA) includes the reservation and areas extending far beyond the reservation boundaries, in fact, the County incorporates a significant portion of the Tribe's TUA.

The THPO should be a primary contact for consulting on cultural resources with the Tribe. Our office provides services such as Records Check (we may have information that the Eastern Information Center does not have), review, recommendations on site management, site interpretation, and consultation.

The Tribe has a mutual understanding with many Lead Agencies, and Developers, on the importance of Native American monitoring on development projects because of the high probability of encountering buried cultural resources, including burials, in the Coachella Valley. The THPO has a respected Monitoring Program and is willing to make contractual agreements with developers, landowners and consulting firms for the purpose of providing monitoring services. As a part of the overall permitting process, we have worked with Riverside County and several cities such as the City of Palm Springs and Desert Hot Springs to include a standard clause in their Conditions of Approval in their Permitting process to require the use of Native American Monitors on survey and excavation projects in their jurisdictions.

In addition, the curation of cultural materials is an issue that must be addressed prior to any collection of artifacts. Most, if not all, of the archaeological material that may be recovered during survey/testing/data recover may be Native American, specifically ancestral Agua Caliente. Therefore, the Tribe recommends curation at the Agua Caliente Cultural Museum. The current museum has already accepted materials from excavation projects from throughout the Coachella Valley. Again, consultation with the Tribe is strongly encouraged when cultural materials are found during archaeological excavations or development activities.

Furthermore, the THPO must be consulted on cultural resources issues on the Agua Caliente Indian Reservation, and must concur and/or make determinations of significance, pursuant to the National Historic Preservation Act (NHPA), on cultural resources (traditional cultural places, archaeological sites, historic buildings, etc.) when a federal action is involved (i.e. use of federal funds, issuance of permits, licenses, leases, etc.). Consultation with the Bureau of Indian Affairs is required for allotted Indian lands. All reports generated should address land status and associated information regarding these issues.

Please be aware that archaeological site locations and records are not to be distributed to the general public to prevent disturbance of those resources (including preventing archaeological 'looting'). The report should clearly state the locational information of cultural resources (including sacred places) but are not subject to "freedom of information" laws, regulations, or ordinances. Many cities (Lead Agencies) are unaware of this requirement and allow the public free access to the survey reports. Please remind SCAG employees that site records and survey reports are to be kept confidential.

Finally we request SCAG please provide copies of the PEIR and any associated cultural resource reports that might be generated in connection with these efforts for review and comment. We will review the information and will provide additional comments, such as proposed mitigation measures or conditions of approval, at that time.



The THPO is happy to work with you to develop a cooperative relationship. These are general comments to clarify our departments' goals and intensions. We are available to discuss these in detail. You may contact me, at 760-699-6907, ptuck@aguacaliente.net. You may also contact Richard Begay, Director of Tribal Historic preservation Office at 760-699-6906, or by email at [email at rbegay@aguacaliente.net](mailto:rbegay@aguacaliente.net), if you have any questions or concerns. Thank you for including Agua Caliente in the Consultation Process.

Cordially,

Patricia Tuck
Archaeologist
Tribal Historic Preservation Office
**AGUA CALIENTE BAND
OF CAHUILLA INDIANS**

C: Agua Caliente Cultural Register
Leslie Mouriquand, Riverside County Archaeologist

X:\CONSULTATIONS Letters\2007\External\Traditional Use Area\SCAG_NOP_RTP_RCP_PEIR_11_19_07



City of Temecula

Planning Department

43200 Business Park Drive • Temecula, CA 92590 • Mailing Address: P.O. Box 9033 • Temecula, CA 92589-9033
(951) 694-6400 • FAX (951) 694-6477

November 19, 2007

Jessica Kirchner, Senior Regional Planner
Southern California Association of Governments
818 W. Seventh Street, 12th Floor
Los Angeles, CA 90017

SUBJECT: Notice of Preparation of a Programmatic Environmental Impact Report for the 2008 Regional Transportation Plan

Dear Ms. Kirchner:

Thank you for the opportunity to comment on the Notice of Preparation (NOP) for the Programmatic Environmental Impact Report (PEIR) for the 2008 Regional Transportation Plan (RTP).

We have reviewed the background information provided with the NOP and provide the following comment:

The NOP suggests that impacts of highway noise will be evaluated as a result the implementation of the 2008 RTP; however, if the RTP includes alternatives that support airport expansion, then noise impacts as a result of such expansion should also be evaluated within the PEIR.

We look forward to reviewing the draft Programmatic EIR during the public review period. If you should have any questions regarding this correspondence, please do not hesitate to contact me at (951) 694-6400.

Sincerely,

Dale West
Associate Planner

DW/ks



COUNTY OF LOS ANGELES

DEPARTMENT OF PARKS AND RECREATION

"Creating Community Through People, Parks and Programs"

Russ Guiney, Director

November 20, 2007

Jessica Kirchner, Senior Regional Planner
Southern California Association of Governments
818 West Seventh Street, 12th Floor
Los Angeles, CA 90017-3435

Dear Ms. Kirchner:

PROGRAMMATIC ENVIRONMENTAL IMPACT REPORT (PEIR)
FOR THE REGIONAL TRANSPORTATION PLAN (RTP)

The Notice of Preparation for the above PEIR has been reviewed for potential impacts on the facilities under the jurisdiction of this Department. We suggest that the PEIR include the following:

1. An analysis of the impacts that RTP projects would have on existing open space and recreation lands including public parks and recreational facilities/areas. Specific impacts that should be evaluated include, but are not limited to, the following:
 - Potential loss or disturbance of existing open space and recreation lands;
 - Potential for transportation projects to cut off a neighborhood's access to a park or recreational area;
 - Potential noise impacts to park patrons as a result of RTP projects; and
 - Potential increase in air pollutant emissions (e.g. diesel/toxics) near a recreational or open space area.
2. A map identifying the location of all existing open space and recreation lands in the SCAG region, including public parks, recreational facilities, and other open space and recreational areas owned/maintained by non-profit, local, state, and federal agencies. This is important because the RTP would likely have a significant impact on open space and recreation lands.
3. An analysis of impacts to existing and proposed trails used for hiking, biking, and horseback riding. Please refer to the map of riding and hiking trails in Los Angeles County sent to you on July 30, 2007.

4. At a minimum, mitigation measures to:

- Reduce conflicts between transportation uses and open space and recreation lands;
- Minimize the loss or displacement of existing park land or open space, through the acquisition of replacement land, dedication, or payment of in-lieu fees;
- Require project implementing agencies to conduct the appropriate project-specific environmental review, including consideration of loss of open space and recreation lands prior to final approval of each project;
- Require project implementing agencies to ensure that projects are consistent with local, regional, state, and federal plans to preserve parks and open space;
- Require the use of corridor realignment, buffer zones, setbacks, berms and fencing to avoid open space and recreation land; and
- Ensure that future impacts to open space and recreation lands would be minimized through cooperation, information exchange, and program development.

Thank you for including this Department in the environmental review process. If we may be of further assistance, please contact me at (213) 351-5127 or clau@parks.lacounty.gov

Sincerely,



Clement Lau, AICP
Park Planner



Mojave Desert Air Quality Management District

14306 Park Avenue, Victorville, CA 92392-2310

760.245.1661 • fax 760.245.2699

Visit our web site: <http://www.mdaqmd.ca.gov>

Eldon Heaston, Executive Director

November 20, 2007

Jessica Kirchner, Senior Regional Planner
SCAG
818 W. Seventh St., 12th Fl.
Los Angeles, CA 90017

RE: PEIR - RTP

Dear Ms Kirchner:

The Mojave Desert Air Quality Management District (District) has reviewed the notice of preparation for the programmatic environmental impact report for the regional transportation plan.

Based on our review of the notice and on the information available to us at this time, we have no comments.

Thank you for the opportunity to review this planning document. If you have any questions regarding this letter, please contact me at (760) 245-1661, extension 6726, or Roseana Navarro-Brasington at extension 5706.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan J. De Salvio". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Alan J. De Salvio
Supervising Air Quality Engineer

RNB/AJD

SCAG_PEIR_RTP



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

November 20, 2007

Ms. Jessica Kirchner
Senior Regional Planner
Southern California Association of Governments
818 W. Seventh Street, 12th Floor
Los Angeles, CA 90017

Dear Ms. Kirchner:

Recirculated Notice of Preparation of a Draft Environmental Impact Report (Draft EIR) for the Regional Transportation Plan

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The SCAQMD's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the draft environmental impact report (EIR). Please send the SCAQMD a copy of the Draft EIR upon its completion. **In addition, please send with the draft EIR all appendices or technical documents related to the air quality analysis and electronic versions of all air quality modeling and health risk assessment files. Without all files and supporting air quality documentation, the SCAQMD will be unable to complete its review of the air quality analysis in a timely manner. Any delays in providing all supporting air quality documentation will require additional time for review beyond the end of the comment period.**

Air Quality Analysis

The SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. The SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the SCAQMD's Subscription Services Department by calling (909) 396-3720. Alternatively, the lead agency may wish to consider using the California Air Resources Board (CARB) approved URBEMIS 2007 Model. This model is available on the SCAQMD Website at: www.aqmd.gov/ceqa/models.html.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, that is, sources that generate or attract vehicular trips should be included in the analysis.

The SCAQMD has developed a methodology for calculating PM_{2.5} emissions from construction and operational activities and processes. In connection with developing PM_{2.5} calculation methodologies, the SCAQMD has also developed both regional and localized significance thresholds. The SCAQMD requests that the lead agency quantify PM_{2.5} emissions and compare the results to the recommended PM_{2.5} significance thresholds. Guidance for calculating PM_{2.5} emissions and PM_{2.5} significance thresholds can be found at the following internet address: http://www.aqmd.gov/ceqa/handbook/PM2_5/PM2_5.html.

In addition to analyzing regional air quality impacts the SCAQMD recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LST's can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore, when preparing the air quality analysis for the proposed project, it is recommended that the lead agency perform a localized significance analysis by either using the LSTs developed by the SCAQMD or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at <http://www.aqmd.gov/ceqa/handbook/LST/LST.html>.

It is recommended that lead agencies for projects generating or attracting vehicular trips, especially heavy-duty diesel-fueled vehicles, perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment ("Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis") can be found on the SCAQMD's CEQA web pages at the following internet address: http://www.aqmd.gov/ceqa/handbook/mobile_toxic/mobile_toxic.html. An analysis of all toxic air contaminant impacts due to the decommissioning or use of equipment potentially generating such air pollutants should also be included.

Mitigation Measures

In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate significant adverse air quality impacts. To assist the Lead Agency with identifying possible mitigation measures for the project, please refer to Chapter 11 of the SCAQMD CEQA Air Quality Handbook for sample air quality mitigation measures. Additional mitigation measures can be found on the SCAQMD's CEQA web pages at the following internet address: www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html Additionally, SCAQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook contain numerous measures for controlling construction-related emissions that should be considered for use as CEQA mitigation if not otherwise required. Other measures to reduce air quality impacts from land use projects can be found in the SCAQMD's Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning. This document can be found at the following internet address: <http://www.aqmd.gov/prdas/aqguide/aqguide.html>. In addition, guidance on siting incompatible land uses can be found in the California Air Resources Board's Air Quality and Land Use Handbook: A Community Perspective, which can be found at the following internet address: <http://www.arb.ca.gov/ch/handbook.pdf>. Pursuant to state CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed.

Data Sources

SCAQMD rules and relevant air quality reports and data are available by calling the SCAQMD's Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available via the SCAQMD's World Wide Web Homepage (<http://www.aqmd.gov>).

The SCAQMD is willing to work with the Lead Agency to ensure that project-related emissions are accurately identified, categorized, and evaluated. Please call Charles Blankson, Ph.D., Air Quality Specialist, CEQA Section, at (909) 396-3304 if you have any questions regarding this letter.

Sincerely,



Steve Smith, Ph.D.
Program Supervisor, CEQA Section
Planning, Rule Development and Area Sources

SS:CB:LI
ALL071113-11AK
Control Number



California Regional Water Quality Control Board Lahontan Region



Linda S. Adams
Secretary for Environmental
Protection

Victorville Office
14440 Civic Drive, Suite 200, Victorville, California 92392
(760) 241-6583 • Fax (760) 241-7308
<http://www.waterboards.ca.gov/lahontan>

Arnold Schwarzenegger
Governor

November 26, 2007

File: Environmental Doc Review
Los Angeles County

Ms. Jessica Kirchner, Senior Planner
Southern California Association of Governments
818 W. Seventh Street, 12th Floor
Los Angeles, CA 90017
FAX (213) 239-1825

COMMENTS ON THE NOTICE OF PREPARATION FOR THE ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED IMPROVEMENTS TO BALANCE LAND USE AND TRANSPORTATION ACTIVITIES, BOTH CURRENT AND FUTURE THROUGHOUT SOUTHERN CALIFORNIA (SCH # 2007061126)

California Regional Water Quality Control Board, Lahontan Region (Water Board) staff has reviewed the Notice of Preparation dated November 7, 2007 for an Environmental Impact Report (EIR) on the above-referenced Project.

General Comments

The Regional Board has adopted a Water Quality Control Plan for the Lahontan Region (Basin Plan), which contains prohibitions, water quality standards, and policies for implementation of those standards. The Basin Plan is available on line at the Regional Board's Internet site at <http://www.waterboards.ca.gov/lahontan/>. The Project must comply with all applicable water quality standards and prohibitions of the Basin Plan.

Our comments are submitted in compliance with California Environmental Quality Act (CEQA) Guidelines §15096, which requires CEQA responsible agencies to specify the scope and content of the environmental information germane to their statutory responsibilities and lead agencies to include that information in the environmental document for their project. The State Water Resources Control Board (SWRCB) and the Water Board regulate discharges which could affect the quality of water of the State in order to protect the chemical, physical, biological, bacteriological, radiological, and other properties and characteristics of water which affects its use.¹ A number of activities associated with the project will apparently require permits issued by the SWRCB. The required entitlements may include:

- Discharge of fill material - Clean Water Act (CWA) §401 water quality certification for federal waters; or Waste Discharge Requirements for non-federal waters, and

¹ Water Code section 13050(g)

- Land disturbance - CWA § 402(p) stormwater permit (Construction Stormwater Permit)

Hydrology and Water Quality

The proposed Project involves the development on currently vacant and undeveloped land. This development will alter the existing drainage patterns of rainfall absorption and surface water runoff, causing an increase in rates of stormwater discharge.

Urban development degrades water quality through a complex of interrelated causes and effects, which, unmanaged, ultimately destroy the physical, chemical, and biological integrity of the watersheds in which they occur. The primary potential adverse impacts of urban development projects on water quality are:

- the direct physical impacts to aquatic, wetland, and riparian habitat and other beneficial uses;
- generation of construction-related and post-construction urban pollutants;
- alteration of flow regimes and groundwater recharge as a result of impervious surfaces and storm drain collector systems; and
- disruption of watershed level aquatic functions, including pollutant removal, floodwater retention, and habitat connectivity.

These factors have historically resulted in a cycle of destabilized stream channels, poor water quality, and engineered solutions to disrupted flow patterns, culminating in loss of natural functions and societal values in the affected basins. The number and variability of the pathways through which water quality degradation can occur complicates analysis, but understanding how these pathways operate within the specific circumstances of this project is essential to effectively mitigating the adverse effects.

In order to evaluate the project regarding the above potential impacts, the Project must describe how it will avoid or minimize each potential cause of water quality degradation, what effects will remain unmitigated through project design, and the magnitude of the remaining adverse effects.

It must also address how hydromodification may result in substantial additional sources of polluted runoff, and promote recharge of poorer quality water or otherwise substantially degrade groundwater quantity or quality. Drainage channels should be avoided to minimize impacts, and any unavoidable impacts to these waters of the State must be mitigated. Mitigation must be identified in the EIR including timing of construction. Mitigation must replace functions and values of drainages lost. It is not sufficient to state that mitigation will be accomplished through permits acquired and that appropriate governmental agencies will be notified.

Additionally, please be sure that the EIR completely evaluates the potential cumulative impacts of the project considering other existing and potential projects.

Effective Stormwater Management

The EIR for this project must specifically identify features for both the short-term (construction) and the post-construction periods that will control stormwater on-site or prevent pollutants from non-point sources from entering and degrading groundwater. The foremost method of reducing impacts to watersheds from urban development is "Low Impact Development" (LID), the goals of which are maintaining a landscape functionally equivalent to predevelopment hydrologic conditions and minimal generation of nonpoint source pollutants. LID results in less surface runoff and less pollution routed receiving waters. Principles of LID include:

- Maintaining natural drainage paths and landscape features to slow and filter runoff and maximize groundwater recharge,
- Reducing the impervious cover created by development and the associated transportation network, and
- Managing runoff as close to the source as possible.

We understand that LID development practices that would maintain aquatic values could also reduce local infrastructure requirements and could benefit energy conservation, air quality, open space, and habitat. Many planning tools exist to implement the above principles, and a number of recent reports and manuals provide specific guidance regarding LID. These principles can be incorporated into the proposed project design.

Natural drainage patterns must be maintained and/or restored to the extent feasible. Designs that use vegetated areas for stormwater management and infiltration on-site are preferable and are the most effective means of filtering sediment and pollution, and regulating the volume of runoff from land surfaces to adjacent washes.

Minimum-disturbance activities (such as preservation of vegetation and grade) protect and preserve the natural drainage system. They emulate and preserve the natural hydrologic cycle, moving stormwater slowly over large permeable surfaces to allow it to percolate into the ground. In addition, preservation and minimum-disturbance activities may be more cost effective than revegetation practices or structural controls, especially long-term. Design features of future development should be incorporated to ensure that runoff is not concentrated by the proposed project, thereby causing downstream erosion. Storm drain systems do not promote the same beneficial uses as a natural ecosystem.

Thank you for the opportunity to comment on your project. If you have any questions regarding our comments, please contact me at (760) 241-7376, or e-mail me at mhakakian@waterboards.ca.gov.

Sincerely,



Mack Hakakian, PG
Engineering Geologist

MH/rc/CEQA comments/So. Ca Association of Government-RTP

DEPARTMENT OF TRANSPORTATION

DIVISION OF AERONAUTICS – M.S.#40

1120 N STREET

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SACRAMENTO, CA 94273-0001

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TTY 711

*Flex your power!
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November 26, 2007

Ms. Jessica Kirchner
Southern California Association of Governments
818 W. Seventh Street, 12th Floor
Los Angeles, CA 90017-3435

Dear Ms. Kirchner:

Southern California Association of Governments' Notice of Preparation of a Draft Environmental Impact Report for the 2008 Regional Transportation Plan; SCH# 2007061126

The California Department of Transportation (Caltrans), Division of Aeronautics (Division), reviewed the above-referenced document with respect to airport-related noise and safety impacts and regional aviation land use planning issues pursuant to the California Environmental Quality Act (CEQA). The Division has technical expertise in the areas of airport operational safety and airport land use compatibility. We are a funding agency for airport projects and we have permit authority for public-use and special-use airports and heliports.

The proposal is for the Southern California Association of Governments (SCAG) 2008 Regional Transportation Plan (RTP). The SCAG region is comprised of six counties, Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura. The RTP is a long-range multimodal transportation plan "representing a vision for a better transportation system, integrated with the best possible growth pattern for the region over the plan horizon of 2035."

Within the SCAG region are numerous airports and heliports. Aviation plays a significant role in California's transportation system. The regional transportation planning process provides the opportunity to discuss the connection between land use and transportation planning and should address regional aviation issues and needs. Strong and effective local, regional, and state policies minimize adverse impacts arising from the encroachment of incompatible land uses around airports, adverse noise impacts on communities near airports, and congestion and delays related to airport ground access.

The protection of airports from incompatible land use encroachment is vital to the safety of airport operations and the well being of the communities around airports. As discussed in the Division's "Aviation Planning Guidelines for Regional Transportation Plans," available on our website, the best way to preserve and improve airports and their associated economic and quality-of-life benefits is to take timely proactive measures. Incompatible land uses around airports often result in public pressure to restrict operations (curfews, aircraft size limits, etc.), and impose noise and growth controls. Failure to protect the airport may result in permanent closure, thereby reducing or eliminating its benefits. For questions concerning these guidelines, please contact the Division's liaison for the SCAG region RTP review, Philip Crimmins at (916) 654-6223.

The California Airport Land Use Planning Handbook is also an excellent resource that should be applied to all public-use airports and is available on-line at <http://www.dot.ca.gov/hq/planning/aeronaut/>.

Ms. Jessica Kirchner
November 26, 2007
Page 2

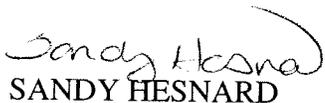
Aviation plays a significant role in California's transportation system. This role includes the movement of people and goods within and beyond our State's network of over 250 airports. Aviation contributes nearly 9 percent of both total State employment (1.7 million jobs) and total State output (\$110.7 billion) annually. These benefits were identified in a study entitled, "Aviation in California: Benefits to Our Economy and Way of Life," which is available on-line at <http://www.dot.ca.gov/hq/planning/aeronaut/>. Aviation improves mobility, generates tax revenue, saves lives through emergency response, medical and fire fighting services, annually transports air cargo valued at over \$170 billion and generates over \$14 billion in tourist dollars, which in turn improves our economy and quality of life.

Although the need for compatible and safe land uses near airports in California is both a local and a State issue, it is also a regional issue. Airport staff, Airport Land Use Commissions (ALUC) and airport land use compatibility plans are key to protecting an airport and the people residing and working in the vicinity of an airport. Coordinating the RTP with these other agencies should help to relieve future conflicts between airports and their neighbors.

These comments reflect the areas of concern to the Division with respect to airport-related noise and safety impacts and regional airport land use planning issues. We advise you to contact our Caltrans district offices concerning surface transportation issues.

Thank you for the opportunity to review and comment on this proposal. If you have any questions, please call me at (916) 654-5314.

Sincerely,



SANDY HESNARD

Aviation Environmental Specialist

c: State Clearinghouse, Imperial County ALUC, Los Angeles County ALUC, Orange County ALUC, Riverside County ALUC, San Bernardino County ALUC, Ventura County ALUC



November 26, 2007

Ms. Jessica Kirchner
Senior Regional Planner
Southern California Association of Governments
818 West Seventh Street, 12th Floor
Los Angeles, California 90017-3435

Subject: Review of Recirculated Notice of Preparation of a Program Environmental Impact Report (PEIR) for the 2008 Regional Transportation Plan (RTP)

Dear Ms. Kirchner:

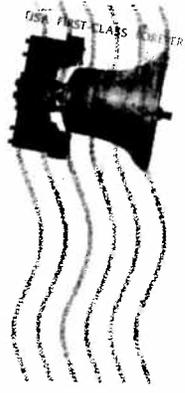
Thank you for the opportunity to comment on the recirculated Notice of Preparation for the Program Environmental Impact Report for the 2008 Regional Transportation Plan (RTP). City staff has reviewed the Notice of Preparation and does not have any comments at this time. However, we look forward to reviewing both the RTP and the PEIR for the RTP as it become available, and request to be kept informed of opportunities to participate in this project. Please forward copies of all additional documentation associated with this project to my attention.

If you have any questions, please contact me at (949) 724-6521 or by email at bjacobs@ci.irvine.ca.us.

Sincerely,

BILL JACOBS, AICP
Principal Planner

Mary Harris
PO Box 1113
10000 Ukiah
Calif 91358



SCAG
NOV 9 2007

MAILED

Southern California
Association of Governments
c/o Jessica Kinchen Senior
Regional Planner 818 West
Seventh Street 12th Floor
Los Angeles California
90017

Jessica Kinchner,
Senior Regional planner
SCAG.

My name is Mary
Harris I'm a disabled
Citizen my Mailing address
is po Box 1413 1000 oaks
California 91358.

And I Received the
Letter in the Mail As
Far As the Regional
transportation plan, And
as a public transit
user, I Support A

Regional Transportation
plan where people
can get from City to
City, County to County
and Beyond, and where

disabled people can go
places anytime, Night
or day without Barriers
and Having extra hours
day or night that's
what I want. But I
don't Agree with the
Land use issues Being

● Brought into the Regional Transportation plan, planning Issue. Should stay with our local City's and our ● local Counties And Lets keep transit issues Seperate and focus on Getting transit to be better. I've been trying to get our ● City to Abide and our County As well

For what Good its
doing, And its Very
Frustrating I Must
add, But Im Not
Giving up Id fight
on. Im an Advocate
for issues I Believe
in. And incase you
need to Contact Me
for input. By phone
my number is
 is I dont
Answer let My phone

Ring Several Times and
my voice mail will
pick up, and eventually
I'll Call you Back, But
don't Give My Number
out its unlisted.

Anyway Keep Me
Advised on this
Issue

Sincerely
Mary Harris
oaks California transit
user.

Directors
CLAUDIA ALVAREZ
PHILIP L. ANTHONY
WES BANNISTER
KATHRYN L. BARR
DENIS R. BILODEAU
JAN DEBAY
SHAWN NELSON
IRV PICKLER
STEPHEN R. SHELDON
ROGER C. YOH



Officers
PHILIP L. ANTHONY
President

JAN DEBAY
First Vice President

KATHRYN L. BARR
Second Vice President

—
MICHAEL R. MARKUS
General Manager

ORANGE COUNTY WATER DISTRICT

Orange County's Groundwater Authority

December 5, 2007

Jessica Kirchner
SCAG
818 W. Seventh Street, 12th Floor
Los Angeles, CA 90017

Subject: Recirculated Notice of Preparation of Program Environmental Impact Regional Transportation Plan

Dear Ms. Kirchner,

The Orange County Water District (OCWD) appreciates the opportunity to review the Notice of Preparation (NOP) of Draft Program Environmental Impact Report (PEIR) for SCAG's Regional Transportation Plan. The Orange County Water District is the manager of the Orange County Groundwater Basin. The groundwater basin provides underground water supplies to 23 cities and over 2 million residents in Orange County. Therefore, our interest in the proposed project is focused on water resources.

It is our understanding that the Draft PEIR will evaluate at least three project alternatives and that each alternative would include a range of land use densities and intensities for the SCAG region. For each alternative, the Draft PEIR should consider water supply reliability. A significant portion of the water supplies to the SCAG region are imported water supplies from Northern California and the Colorado River. Given the cutbacks on imported water from Northern California and the drought conditions within the Colorado River Watershed, the Draft PEIR should consider water supply reliability to accommodate future growth. Additionally, the Draft PEIR should identify and discuss approaches to increase water reliability within the region, including increased water recycling and increased water conservation practices.

Once again, thank you for the opportunity for allowing OCWD to be part of the environmental review process for the project. When available we would appreciate receiving a copy of the Draft PEIR. Please feel free to call me at (714) 378-3256, if you have any questions concerning our comments.

Sincerely,

Dan Bott
Senior Planner
Planning & Watershed Management

PUBLIC UTILITIES COMMISSION

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



December 5, 2007

Jessica Kirchner
Southern California Association of Governments
818 W. Seventh Street, 12th Floor
Los Angeles, CA 90017-3435

Dear Ms. Kirchner:

Re: SCH# 2007061126; Regional Transportation Plan (RTP)

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

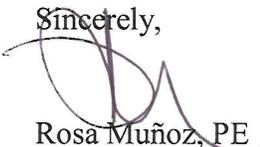
The Commission's Rail Crossings Engineering Section (RCES) is in receipt of the *Notice of Completion & Environmental Document Transmittal-NOP* from the State Clearinghouse. RCES recommends that the Southern California Association of Governments (SCAG) add language to the RTP so that any future planned development adjacent to or near any railroad, and/or rail transit right-of-way is planned with the safety of the rail corridor in mind. New developments may increase traffic volumes not only on streets and at intersections, but also at at-grade highway-rail crossings. This includes considering pedestrian circulation patterns/destinations with respect to railroad right-of-way, which is especially true for Transit Oriented developments.

Mitigation Measures to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade highway-rail crossings due to increase in traffic volumes and continuous vandal resistant fencing or other appropriate barriers to limit the access of trespassers onto the railroad right-of-way.

The Commission has also adopted the Federal Railroad Administration's policy on reducing the number of at-grade crossings, and accordingly does not approve the construction of new at-grade crossings unless the applicant can provide substantial evidence that a grade separation is not practicable.

SCAG should inform its member agencies about the above-mentioned safety considerations as mitigation measures when considering approval for the new developments. If you have any questions in this matter, please contact me at (213) 576-7078 or at rxm@cpuc.ca.gov.

Sincerely,



Rosa Muñoz, PE
Utilities Engineer
Rail Crossings Engineering Section
Consumer Protection & Safety Division

ERIC GIBSON
INTERIM DIRECTOR



County of San Diego

DEPARTMENT OF PLANNING AND LAND USE

5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CALIFORNIA 92123-1666
INFORMATION (858) 694-2960
TOLL FREE (800) 411-0017

December 6, 2007

Jessica Kirchner, Associate Environmental Planner
Southern California Association of Governments (SCAG)
818 West Seventh Street, 12th Floor
Los Angeles, CA 90017-3435
213-236-1983
kirchner@scag.ca.gov

COMMENTS ON THE RECIRCULATED NOTICE OF PREPARATION (NOP) OF A PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR) FOR THE 2008 REGIONAL TRANSPORTATION PLAN (RTP)

The County of San Diego has received and reviewed the recirculated Notice of Preparation (NOP) dated November 7, 2007 for a Program Environmental Impact Report (PEIR) for the 2008 Regional Transportation Plan (RTP) with the understanding that the 2008 Regional Comprehensive Plan (RCP) is no longer part of the project description. The County of San Diego submitted comments on the original NOP dated June 27, 2007. The comments identified potentially significant issues related to Traffic and Transportation, Air Quality, and Parks and Recreation that may have an affect on the unincorporated lands of San Diego County.

Upon review of the recirculated NOP for the PEIR for the 2008 RTP the County has determined that the previous comments still apply and has no additional comments. The following comments have been revised to remove the references to the RCP.

TRAFFIC AND TRANSPORTATION

1. The RTP and PEIR should address inter-regional traffic that is impacting San Diego County freeways and the neighboring counties. SCAG should coordinate with the San Diego Association of Governments (SANDAG) to develop RTP strategies for addressing intra-regional commuters and their traffic impacts to the I-5, I-15, and I-8 corridors. The I-15 corridor especially has experienced a

tremendous increase in daily traffic volumes due to commuters that reside in Riverside County and work in San Diego County. SCAG and SANDAG should work together to identify improvement projects and funding sources that would result in freeway improvements that would be mutually beneficial for both regional planning areas.

2. The 2008 RTP and the PEIR should address traffic impacts resulting from the development and expansion of tribal casino facilities. SCAG and Riverside County officials should coordinate with SANDAG and the North County communities to develop RTP strategies for addressing the traffic impacts from the North San Diego County and Southern Riverside County casinos that are affecting traffic along I-15, SR-76, and SR-79.
3. In the preparation of the 2008 RTP, SCAG should coordinate with SANDAG and CalTrans District 11 to develop consistent forecast projections for the freeway facilities that are located within both San Diego County and the neighboring SCAG counties such as I-5, I-15, and I-8.
4. The PEIR should evaluate how the forecasted traffic volumes of 250,000 plus commuters in the year 2030 from Riverside County into San Diego County will be mitigated.
5. The RTP and PEIR should address the difference between CalTrans road improvement plans in Riverside County and San Diego County for I-15. Currently, CalTrans is planning a 12-lane road from Riverside County to the San Diego County border, but an 8-lane road from the Riverside County border into San Diego County. An optional toll facility that would widen I-15 from Riverside County to SR-78 has been discussed but not approved for the SANDAG RTP.
6. The RTP and PEIR should address funding mechanisms to mitigate the impacts of commuter traffic from Riverside County into San Diego County. The draft SANDAG RTP does not include adequate funding for road improvements to State facilities such as I-15, SR-76, SR-78. In addition, funding is inadequate to mitigate traffic, land use and other associated impacts to the unincorporated County communities of Fallbrook, Bonsall, North County Metro, and Rainbow that results from Riverside County commuter traffic.
7. The Regional Transportation Plan (RTP) does not address non-motorized transportation elements. The County of San Diego recommends that the RTP include all modes of alternative transportation. Transportation corridors, new and upgraded, should allow and incorporate a non-motorized trails and pathways system. Trails and pathway systems provide another functional transportation infrastructure that when planned with foresight complements any coordinated effort on growth, development and environmental protection. Furthermore, the

incorporation of trails and pathways could help to achieve regional improvements in energy conservation, air quality, transportation and circulation, and recreation.

AIR QUALITY

8. Air pollution caused by commuter traffic from Riverside County into San Diego County should be addressed in the PEIR.

PARKS AND RECREATION

9. It is recommended that the Counties of Orange, Los Angeles and Ventura review the proposed and exiting locations for the California Coastal Trail to ensure its development and local connectivity are enhanced and incorporated into the planning of the RTP. The California Coastal Trail is officially recognized and designated as California's Millennium Legacy Trail and the California Legislature has recognized it as a part of the statewide trail system. In addition, the trail is recognized as both a statewide and national resource and should be incorporated into regional transportation planning efforts.

The County of San Diego appreciates the opportunity to continue to participate in the environmental review process for this project. We look forward to receiving future environmental documents related to this project, the PEIR for review, or providing additional assistance at your request. If you have any questions regarding these comments, please contact Bobbie Stephenson at (858) 694-3680.

Sincerely,



ERIC GIBSON, Interim Director
Department of Planning and Land Use

- cc: Rosemary Rowan, Planning Manager, Department of Planning and Land Use,
M.S. O650
Maeve Hanley, Group Project Manager, Department of Public Works, M.S. O336
Priscilla Jazkowiak, Administrative Secretary, Department of Planning and
Land Use, M.S. O650
Francisco "Nick" Ortiz, Project Manager, Department of Public Works,
Transportation Division, M.S. O334
Vince Nicoletti, CAO Staff Officer, DCAO, M.S. A6

Phil Rath, District 5 Policy Advisor, Board of Supervisors, M.S. A500
Mike Hix, Principal Transportation Planner, San Diego Association of
Governments (SANDAG), 401 B Street, Suite 800; San Diego, CA 92101
Jacob Armstrong, Associate Transportation Planner, Development Review,
California Department of Transportation (CalTrans), MS 240.

Reference Project # 3999 07-038



Homeowners of Encino

December 7, 2007

◆ *Serving the Homeowners of Encino* ◆

GERALD A. SILVER
President
PO BOX 260205
ENCINO, CA 91426
Phone (818)990-2757

Jessica Kirchner,
Senior Regional Planner, SCAG
818 W. 7th St., 12th floor
Los Angeles, CA 90017

RE: 2008 RECIRCULATED REGIONAL TRANSPORTATION PLAN (RTP)

Please enter our comments into the formal record, regarding the Recirculated 2008 RTP. We reserve the right to make additional comments at a later date.

SCAG is preparing the 2008 RTP for the SCAG region. This is a multi-year effort to improve the balance between land use and transportation systems, both current and future. SCAG is required to create a RTP that determines the needs of the transportation system and prioritizes proposed transportation projects. The RTP is necessary to obtain and allocate federal funding for regional transportation projects.

The RTP is a set of policies, strategies and projects that serve as the transportation action plan for the SCAG region. The RTP is updated once every four years to ensure that the plan adequately addresses future travel needs and is consistent with the Federal Clean Air Act.

The 2008 RTP is should be a vision for a better transportation system, integrated with the best possible growth pattern for the region. It should not create more environmental problems than it solves.

A major flaw in SCAG's vision is the blind acceptance of growth in this region, as though it is inevitable. SCAG appears bent on providing transportation infrastructure without consideration for the finite limits of other resources in the region.

SCAG has done a poor job of consulting the public most affected by the RTP proposals. The Recirculated RTP will be worthless, and merely a fruitless planning exercise, unless there is broad public acceptance of its proposals. This must include acceptance by local residents who will be severely and negatively impacted. Few people who are directly impacted know of the Recirculated RTP, nor are participating in its development.

Among the recommendations in the RTP is a proposal to add two High Occupancy Toll (HOT) lanes in each direction on the Ventura Freeway between the Ventura County line and SR 134/SR 170. We strongly oppose adding two additional lanes in each direction to the Ventura Freeway. We believe that adding two HOT lanes in each direction on the Ventura Freeway will bring more traffic, noise, congestion, pollution and construction impacts to our neighborhoods.

Your wrap-up Workshop on October 25, 2007 clearly stated that this effort will be met with strong community opposition and right-of-way constraints. Among the objections are:

Inadequate funding commitment
Right-of-way constraints
Major community opposition

We ask that SCAG and Caltrans and the City of Los Angeles not approve any funding or study of any EXPANSION projects on this route. This project is located directly adjacent to residents and businesses that would be displaced or condemned. Expansion would create environmental problems that cannot be mitigated.

It is essential that SCAG look at other alternatives to freeway expansion as a means of improving air quality or traffic mobility.

We ask that SCAG not include the Ventura Freeway expansion project in the Recirculated RTP. We believe that SCAG must use an integrated approach to transportation planning in Los Angeles--one that has the support and consensus of the communities that are impacted. We do not support transportation projects such as the Ventura Freeway expansion. There is enormous community opposition to expansion because it requires land takes and condemnations.

However, we do support the implementation of some "system fixes" that have minimal negative impacts on existing communities. Some examples of "system fixes" might be adding missing freeway ramps, removing problematic ramps, adding missing interchange connectors, improving arterials without converting them to Super Streets, etc.

Whatever is done must have the support of the communities that are impacted. This letter is intended to show our opposition to SCAG including Ventura Freeway expansion in its forthcoming 2008 IRP.

Cordially yours,



Gerald A. Silver,
President, Homeowners of Encino

Cc: Elected Officials,



Mayor
Richard T. Dixon

Mayor Pro Tem
Mark Tettemer

Council Members
Peter Herzog
Kathryn McCullough
Marcia Rudolph

City Manager
Robert C. Dunek

December 7, 2007

Jessica Kirchner
Associate Environmental Planner
SCAG
818 West Seventh Street, 12th Floor
Los Angeles, CA 90017-3435

Subject: Comments on Recirculated Notice of Preparation of a PEIR for the 2008 RTP

Dear Ms. Kirchner:

Thank you for the opportunity to comment on the scope and content of the environmental information that will be evaluated in the Program Environmental Impact Report (PEIR) for the 2008 Regional Transportation Plan (RTP). We are pleased with the SCAG Regional Council's decision to prepare two separate PEIRs, one for the RTP and one for the Regional Comprehensive Plan (RCP).

For the 2008 RTP, SCAG has distributed for review and comment two Year 2035 growth scenarios:

1. A draft Baseline growth forecast which includes local input from all SCAG subregions, including the 2006 Orange County Projection (OCP)
2. A draft Policy growth forecast which represents a possible re-distribution of future growth.

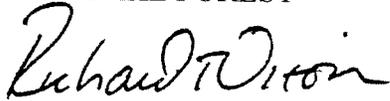
Our primary concern is that the draft Policy forecast is inconsistent with OCP 2006 and may not uphold local jurisdictions' planned land uses and General Plans. For this reason, it is critical that SCAG only adopt a forecast that is consistent with OCP 2006 and incorporates all local input as the official growth forecast for both the Constrained Plan and Strategic Plan components of the 2008 RTP. Adoption of a forecast that does not incorporate the OCP 2006 would be inconsistent with local General Plans, would raise concerns about the integrity of Orange County's transportation projects, and may put funding for important transportation projects in jeopardy.

Ms. Jessica Kirchner
December 7, 2007

Again, thank you for the opportunity to submit comments. The Lake Forest City Council appreciates your continual efforts to explore innovative approaches to land use and transportation planning. Should you have any questions regarding our comments, please contact Benjamin Siegel, Assistant to the City Manager, at (949) 461-3537.

Sincerely,

CITY OF LAKE FOREST



Richard T. Dixon
Mayor

c: Orange County Mayors
OCCOG Board of Directors
Dennis Wilberg, City of Mission Viejo
Tracy Sato, City of Anaheim
Gail Shiomoto Lohr, GSL Associates
League of California Cities
League of California Cities – Orange County Division
Emanuel Jones & Associates



City of Mission Viejo

Community Development Department

Gail Reavis
Mayor
John Paul "J.P." Ledesma
Mayor Pro Tempore
Trish Kelley
Council Member
Lance R. MacLean
Council Member
Frank Ury
Council Member

December 10, 2007

Ms. Jessica Kirchner, Senior Regional Planner
Southern California Association of Governments
818 West Seventh Street, 12th Floor
Los Angeles, California 90017

Dear Ms. Kirchner:

Subject: City of Mission Viejo Comments: SCAG Notice of Preparation of a Programmatic Environmental Impact Report (PEIR) for the 2008 Regional Transportation Plan

The City of Mission Viejo respectfully offers the following comments on the Notice of Preparation of a Programmatic Environmental Impact Report (PEIR) for the Southern California Association of Governments (SCAG) 2008 Regional Transportation Plan (RTP).

SCAG Regional Transportation Plan Preliminary Plan Alternatives/Scope of Environmental Analysis

The Notice of Preparation identifies three initial alternatives under development for the SCAG Regional Transportation Plan:

- 1) No Project Alternative
- 2) Envision Alternative
- 3) Modified 2004 RTP Alternative

None of these alternatives, as presented in the NOP, includes the forecasts of the land use plans of the SCAG subregions and local jurisdictions, and for Orange County, the consideration of the Orange County Projections-2006, which was developed through SCAG's Integrated Growth Forecast process.

Comment #1:

At minimum, the PEIR needs to identify and analyze for air quality conformity, the specific RTP Alternative that includes the growth forecast of the land use plans of the SCAG subregions and local jurisdictions in addition to the list of transportation projects and programs of the county transportation commissions.

The RTP Alternative that includes the growth forecast of the land use plans of the SCAG subregions and local jurisdictions would address and comply with the federal requirement that Metropolitan Planning Organizations consider the transportation projects and strategies in Regional Transportation Plans that "promote consistency between transportation improvements and State and local planned growth and economic development patterns." [Title 23-Highways, Section 134: Metropolitan Transportation Planning, Section (h) Scope of Planning Process].

Comment #2:

The PEIR shall include in its appendices, detailed documentation of the growth forecast socioeconomic variables (population, households and employment) used in each RTP alternative, to allow interested



parties the opportunity to confirm the land use pattern being represented in each RTP alternative, as discussed in Comment #1 above.

The summary of each growth forecasts' socioeconomic variables shall be presented with a regional, subregional, county and jurisdiction-level totals to allow interested parties to confirm whether the RTP alternatives under analysis in the PEIR, appropriately represent the land use patterns of each jurisdiction.

Comment #3:

The State Government Code identifies that a transportation planning agency such as SCAG *may* prepare at least one "alternative planning scenario" as part of the RTP planning process. This "alternative planning scenario" shall accommodate the same amount of population growth as projected in the Plan, but shall be based on an alternative that attempts to reduce growth in traffic congestion [Section 65080.3].

The State Government Code further states:

(c) The alternative planning scenario shall be developed in collaboration with a broad range of public and private stakeholders, including local elected officials, city and county employees, relevant interest groups, and the general public...."

(f) The alternative planning scenario and accompanying report shall not be adopted as part of the regional transportation plan, but it shall be distributed to cities and counties within the region and to other interested parties, and may be a basis for revisions to the transportation projects that will be included in the regional transportation plan.

(g) Nothing in this section grants transportation planning agencies any direct or indirect authority over local land use decision.

1) The PEIR shall include discussion and confirmation that the RTP plan analyzed in the RTP PEIR represents the growth forecast as developed through SCAG's Integrated Growth Forecast process that represent local jurisdiction and subregional input, and for Orange County, the adopted OCP-2006 projections.

2) The PEIR shall further identify and so designate any RTP Alternatives as proposed by SCAG, that are contrary to the growth forecasts as presented by local jurisdiction and subregional input but which implement the objectives of State Government Code 65080.3 governing the development of an "alternative planning scenario." In conducting such an identification, the PEIR shall:

a) Identify the differences in the distribution of population, households and employment, at a subregional, county and jurisdiction-level totals, that any RTP Alternatives may propose as a redistribution of the local input, to achieve a reduction in traffic congestion, as identified in Section 65080.3(b) of the Government Code.

b) Identify and detail any differences and distinctions in the local and regional transportation improvements from the RTP plan that represents the local and subregional growth forecasts and the improvements of the county transportation commissions, against the alternative planning scenarios, due to the redistribution population, households and employment from the local and subregional input. For example, would any proposed redistribution of households and employment across SCAG counties require additional transit improvements and services to achieve reduced congestion or any changes in proposed transportation improvements?

3) The PEIR shall further identify if any of the "alternative planning scenarios" meet the Government Code provision that said scenarios have been developed in collaboration with "local elected officials and city and county employees" and if documentation of such collaboration and concurrence are on file. At

this point in time, the City of Mission Viejo has not received any outreach from SCAG on city level or traffic analysis zone level information on the Envision Alternative, and how this alternative is different from the city's local input as represented in the Orange County Projections-2006 database.

Comment #4:

The PEIR shall include, for review and comment, documentation of the assumptions and methodologies used to calculate emissions, Vehicles Miles Traveled, and percentage share of trips of each means of travel, for SCAG's proposed land use strategy of re-distributing housing and employment near existing and proposed transit stations and employment centers.

Comment #5:

The PEIR shall identify the manner and degree to which each alternative discussed in the RTP EIR is capable of achieving the region's air quality conformity requirements.

Comment #6:

Where applicable, the PEIR shall identify if any of the growth forecasts representing RTP alternative planning scenarios, represent a proposed and updated 2008 "SCAG Compass 2% Strategy" land use plan. Where applicable, the PEIR shall further identify if any of the RTP alternative planning scenarios that represent an updated 2008 SCAG Compass 2% Strategy land use plan, would further represent the region's Compass Blueprint Plan as defined by the State of California.

Comment #7:

The PEIR shall identify all responsible parties for all mitigation measures proposed in the RTP EIR, with particular attention to mitigation measures that would be the responsibility of local jurisdictions, special districts, county transportation commissions and transportation agencies such as the Transportation Corridor Agencies (TCA) in Orange County. The PEIR shall further identify whether the requirements of any of the mitigation measure strategies are mandatory or voluntary.

The City of Mission Viejo Community Development Department and Public Works Department appreciate the opportunity to comment on the Notice of Preparation for the SCAG 2008 Regional Transportation Plan Programmatic Environmental Impact Report. Please feel free to contact either the Director of Community Development or the Director of Public Works, should you have any questions on any of the submitted comments.

With appreciation,



Mr. Charles Wilson
Director of Community Development
949/470-3024
cwilson@cityofmissionviejo.org



Mr. Loren Anderson
Director of Public Works
949/470-3078
landerson@cityofmissionviejo.org

cc: City Manager
City Council
Planning and Transportation Commission
City Planning Manager
City Transportation Manager
City Engineer
Mr. Michael Litschi, Orange County Transportation Authority
Ms. Deborah Diep, Center for Demographic Research