

Notice Of Determination

To:

Office of Planning and Research

U.S. Mail:
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Sacramento, CA 95814

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County of: County of Los Angeles
Address: 12400 East Imperial Highway
Norwalk, CA 90650
AND
County of San Bernardino
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San Bernardino, CA 92415-0022

From:

Public Agency: Metro Gold Line Foothill
Extension Construction Authority
Address: 406 East Huntington Dr., Suite 202
Monrovia, CA 91016-3633
Contact: Lisa Levy Buch
Phone: (626) 471-9050

Lead Agency (if different from above):

Address: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2010121069

Project Title: Metro Gold Line Foothill Extension Project Phase 2B (Azusa to Montclair)

Project Applicant: Metro Gold Line Foothill Extension Construction Authority

The project would provide Light Rail Transit (LRT) service from the City of Azusa in

Project Location (include county): Los Angeles County to the City of Montclair in San Bernardino County

Project Description: Metro Gold Line Foothill Extension – Azusa to Montclair project (Project). Modifications to the Project (“Project Modifications”) consisting of constructing and operating the Project in three phases, rather than two phases; implementing a new mitigation measure that re-stripes the traffic lanes on White Avenue in the City of La Verne (between 1st Street and 6th Street) to include two lanes in the northbound direction and one lane in the southbound direction, including a dedicated median turn lane, changes to the track alignment in the City of Glendora, and transportation circulation improvements as described in the Final Supplemental EIR.

This is to advise that the Metro Gold Line Foothill Extension Construction Authority has approved the above described Project Modifications on July 10, 2019 and has made the following determinations regarding the above described Project Modifications.

- 1. The project [will will not] have a significant effect on the environment.
- 2. A Supplemental Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
- 3. Mitigation measures [were were not] made a condition of the approval of the project.
- 4. A mitigation reporting or monitoring plan [was was not] adopted for this project.
- 5. A statement of Overriding Considerations [was was not] adopted for this project.
- 6. Findings [were were not] made pursuant to the provisions of CEQA.

This is to certify that the Board of Directors of the Metro Gold Line Foothill Extension Construction Authority certified the Final Supplemental Environmental Impact Report, and approved the Project Modifications. The record of project approval is available to the general public at: the offices of the Metro Gold Line Foothill Extension Construction Authority, 406 East Huntington Drive, Suite 202, Monrovia, CA 91016-3633.

Signature (Public Agency): [Signature] Title: CEO
Governor's Office of Planning & Research

Date: 7/10/19 Date Received for filing at OPR: _____

Authority cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.

JUL 11 2019
STATE CLEARINGHOUSE

RESOLUTION NO. 2019-R-01

RESOLUTION OF THE METRO GOLD LINE FOOTHILL EXTENSION CONSTRUCTION AUTHORITY CERTIFYING THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT REGARDING PROJECT MODIFICATIONS FOR METRO GOLD LINE FOOTHILL EXTENSION PROJECT PHASE 2B (AZUSA TO MONTCLAIR)

THE METRO GOLD LINE FOOTHILL EXTENSION CONSTRUCTION AUTHORITY HEREBY FINDS, DECLARES, AND RESOLVES AS FOLLOWS:

WHEREAS, the Metro Gold Line Foothill Extension Construction Authority (the “Authority”), is a public entity created by the California State Legislature pursuant to Section 132400 *et seq.* of the Public Utilities Code (“PUC”) for the exclusive purpose of awarding and overseeing all design and construction contracts for completion of the Los Angeles-Pasadena Foothill Extension Gold Line light rail project, which is defined in PUC Section 132400 as extending from Union Station in the City of Los Angeles to the City of Montclair; and

WHEREAS, the construction of the Metro Gold Line has been divided into two phases, Phase 1, which is defined as the approximately 13.7 mile line from Union Station in the City of Los Angeles to Sierra Madre Villa Boulevard in the City of Pasadena (“Phase 1”), and Phase 2, which is defined as any mass transit guideway that may be planned east of Sierra Madre Villa Boulevard along the rail right-of-way extending to the City of Montclair (“Phase 2” or “Foothill Extension”); and

WHEREAS, Phase 1 of the Project has been completed and in operation since July 2003; and

WHEREAS, the Authority determined that Phase 2, the Foothill Extension, would be approved and constructed in two segments: Phase 2A from Sierra Madre Villa Boulevard in the City of Pasadena to the Azusa Citrus Station in the City of Azusa; and Phase 2B from Azusa to Montclair; and

WHEREAS, Phase 2A of the Project has been completed and in operation since March 2016; and

WHEREAS, the Authority previously prepared and certified an Environmental Impact Report (the “2013 FEIR”) with regard to Phase 2B pursuant to the California Environmental Quality Act (“CEQA”) (Public Resources Code Section 21000 *et seq.*, Guidelines for the Implementation of the California Environmental Quality Act [“CEQA Guidelines”], California Code of Regulations Title 14, Section 15000 *et seq.*); and

WHEREAS, certain refinements to Phase 2B have been approved since initial project approval, with four addenda to the 2013 FEIR prepared in accordance with CEQA; and

WHEREAS, project modifications to Phase 2B are proposed consisting of 1) revising the phasing of construction and operation of the Project, 2) a new traffic mitigation measure, and (3) a minor alignment adjustment between approximately Barranca Avenue at the west end to Highway 210 at the east end as contemplated by the 2013 FEIR, and certain other traffic improvements (collectively, “Project Modifications”); and

WHEREAS, the Authority determined that a Supplemental Environmental Impact Report (“SEIR”) was required for the Project Modifications pursuant to CEQA; and

Board Resolution: 2019-R-01

WHEREAS, the Authority on December 7, 2018 prepared and distributed a Notice of Preparation (“NOP”) of the SEIR to the Office of Planning and Research, responsible, trustee, and other interested agencies and persons in accordance with CEQA Guidelines Section 15082(a); and

WHEREAS, the Authority held a public meeting on December 10, 2018 during the NOP period to provide information about the Project Modifications and to solicit comments regarding the scope and content of the SEIR; and

WHEREAS, the Authority prepared and circulated for public review and comment a Draft SEIR evaluating the Project and alternatives to the Project in accordance with CEQA; and

WHEREAS, the Authority held a public hearing on April 16, 2019 to solicit public input and comment on the Draft SEIR, at which time the Authority received oral and documentary evidence from the public regarding the Project and the Draft SEIR; and

WHEREAS, written comments were received during and after the public comment period, and a written response was prepared to written comments and to oral comments at the public hearing which responses employ a good faith, reasoned analysis to describe and address the disposition of environmental issues raised by the comments; and

WHEREAS, after reviewing the responses to comments and the revisions to the Draft SEIR made in response to comments, the Authority concluded that the information and issues raised by the comments and the responses thereto did not constitute new information requiring additional recirculation of the SEIR, and proceeded to prepare a Final SEIR; and

WHEREAS, ten (10) days in advance of the Authority’s action certifying the Final SEIR for the modifications to Phase 2B, the Authority provided public agencies that commented on the Draft SEIR with written responses to the respective Agency’s comments; and

WHEREAS, the Final SEIR including responses to comments was made available to the public and on the Authority’s website and at the Authority’s office in advance of the Authority’s action certifying the Final SEIR; and

WHEREAS, the Final SEIR has been prepared pursuant to CEQA and to the State of California CEQA Guidelines; and

WHEREAS, the Authority’s Board of Directors (“Authority Board”) conducted a duly noticed public meeting concerning the certification of the Final SEIR and concerning the Project Modifications, and heard evidence from all persons interested in testifying concerning the certification of the Final SEIR and concerning the Project Modifications; and

WHEREAS, the Authority Board has reviewed and considered the Final SEIR and has considered the oral and written comments on the SEIR and the responses thereto:

NOW, THEREFORE, THE METRO GOLD LINE FOOTHILL EXTENSION CONSTRUCTION AUTHORITY HEREBY FINDS, DECLARES, AND RESOLVES AS FOLLOWS:

Section 1. The foregoing recitals are true and correct.

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Section 2. The Final SEIR has been completed in compliance with CEQA and the CEQA Guidelines.

Section 3. The Final SEIR is hereby certified as adequate and complete.

Section 4. The Final SEIR reflects the independent judgment and analysis of the Authority Board.

Section 5. The Final SEIR was presented to the Authority Board and the Board reviewed and considered the information contained in the Final SEIR prior to approving the Project.

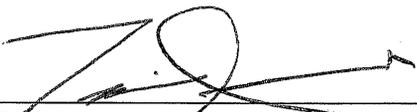
Section 6. If any section, paragraph, or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision shall not affect any remaining provisions of this Resolution.

Section 7. This Resolution shall take effect from and after its adoption.

Section 8. The Clerk of the Authority Board shall certify to the adoption of this Resolution, and shall cause this Resolution to be entered in the official records of the Authority.

PASSED, APPROVED AND ADOPTED this 10th day of July 2019 by the following vote:

AYES:	<u>9</u>	NOES:	<u>0</u>
ABSENT:	<u>1</u>	ABSTAIN:	<u>0</u>



TIM SANDOVAL
Chair of the Metro Gold Line Foothill
Extension Construction Authority Board

ATTEST:



CHRISTOPHER LOWE
Clerk of the Board

APPROVED AS TO FORM:



ALFRED E. SMITH II
General Counsel

APPROVED AS TO CONTENT:



Habib F. Balian
Chief Executive Officer

RESOLUTION NO. 2019-R-02

RESOLUTION OF THE METRO GOLD LINE FOOTHILL EXTENSION CONSTRUCTION AUTHORITY APPROVING PROJECT MODIFICATIONS TO THE PHASE 2B PROJECT (AZUSA TO MONTCLAIR), AND ADOPTING THE FINDINGS OF FACT, MITIGATION MEASURES, A STATEMENT OF OVERRIDING CONSIDERATIONS, AND AN AMENDMENT TO THE MITIGATION MONITORING AND REPORTING PROGRAM, AS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

THE METRO GOLD LINE FOOTHILL EXTENSION CONSTRUCTION AUTHORITY HEREBY FINDS, DECLARES, AND RESOLVES AS FOLLOWS:

WHEREAS, the Metro Gold Line Foothill Extension Construction Authority (the "Authority"), is a public entity created by the California State Legislature pursuant to Section 132400 *et seq.* of the Public Utilities Code ("PUC") for the exclusive purpose of awarding and overseeing all design and construction contracts for completion of the Los Angeles-Pasadena Foothill Extension Gold Line light rail project, which is defined in PUC Section 132400 as extending from Union Station in the City of Los Angeles to the City of Montclair; and

WHEREAS, the construction of the Metro Gold Line has been divided into two phases, Phase 1, from Union Station in the City of Los Angeles to Sierra Madre Villa Boulevard in the City of Pasadena ("Phase 1"), and Phase 2, which is defined as any mass transit guideway that may be planned east of Sierra Madre Villa Boulevard along the rail right-of-way extending to the City of Montclair ("Phase 2" or "Foothill Extension"); and

WHEREAS, Phase 1 of the Project has been completed and in operation since July 2003; and

WHEREAS, the Authority determined that Phase 2, the Foothill Extension, would be approved and constructed in two segments: Phase 2A from Sierra Madre Villa Boulevard in the City of Pasadena to the Azusa Citrus Station in the City of Azusa; and Phase 2B from Azusa to Montclair; and

WHEREAS, Phase 2A of the Project has been completed and in operation since March 2016; and

WHEREAS, the Authority previously prepared and certified an Environmental Impact Report (the "2013 FEIR") with regard to Phase 2B pursuant to the California Environmental Quality Act ("CEQA") (Public Resources Code Section 21000 *et seq.*, and Guidelines for the Implementation of the California Environmental Quality Act ["CEQA Guidelines"], California Code of Regulations Title 14, Section 15000 *et seq.*); and

WHEREAS, certain refinements to Phase 2B have been approved since initial project approval, with four addenda to the 2013 FEIR prepared in accordance with CEQA; and

WHEREAS, project modifications to Phase 2B are proposed consisting of 1) revising the phasing of construction and operation of the Project, 2) a new traffic mitigation measure, and (3) a minor alignment adjustment between approximately Barranca Avenue at the west end to Highway 210 at the east end as contemplated by the 2013 FEIR, and certain other traffic improvements (collectively, "Project Modifications"); and

Board Resolution: 2019-R-02

WHEREAS, the Authority determined that a Supplemental Environmental Impact Report (“SEIR”) was required for the Project Modifications pursuant to CEQA; and,

WHEREAS, the Authority on December 7, 2018 prepared and distributed a Notice of Preparation (“NOP”) of the SEIR to the Office of Planning and Research, responsible, trustee, and other interested agencies and persons in accordance with CEQA Guidelines Section 15082(a); and

WHEREAS, the Authority held a public meeting on December 10, 2018 during the NOP period to provide information about the Project Modifications and to solicit comments regarding the scope of the SEIR; and

WHEREAS, the Authority prepared and circulated for public review and comment a Draft SEIR evaluating the Project and alternatives to the Project in accordance with CEQA; and

WHEREAS, the Authority held a public hearing on April 16, 2019 to solicit public input and comment on the Draft SEIR, at which time the Authority received oral and documentary evidence from the public regarding the Project and the Draft SEIR; and

WHEREAS, written comments were received during and after the public comment period, and a written response was prepared to written comments and to oral comments at the public hearing which responses employ a good faith, reasoned analysis to describe and address the disposition of environmental issues raised by the comments; and

WHEREAS, after reviewing the responses to comments and the revisions to the Draft SEIR made in response to comments, the Authority concluded that the information and issues raised by the comments and the responses thereto did not constitute new information requiring additional recirculation of the SEIR, and proceeded to prepare a Final SEIR; and

WHEREAS, ten (10) days in advance of the Authority’s action certifying the Final SEIR for the modifications to Phase 2B, the Authority provided public agencies that commented on the Draft SEIR with written responses to the respective Agency’s comments; and

WHEREAS, the Final SEIR included responses to comments and was made available to the public and on the Authority’s website and at the Authority’s office in advance of the Authority’s action certifying the Final SEIR; and

WHEREAS, the Final SEIR has been prepared pursuant to CEQA and the CEQA Guidelines; and

WHEREAS, the Authority’s Board of Directors (“Authority Board”) conducted a duly noticed public meeting concerning the certification of the Final SEIR and concerning the Project Modifications, and heard evidence from all persons interested in testifying concerning the certification of the Final SEIR and concerning the Project Modifications; and

WHEREAS, the Authority Board has certified that the Final SEIR has been completed in compliance with CEQA; and

WHEREAS, the Authority Board has reviewed and considered the Final SEIR and has considered the oral and written comments on the Draft SEIR, the responses thereto, the oral and written comments on the Final SEIR, the report of the staff of the Authority, and other information in the administrative record regarding the Project Modifications:

NOW, THEREFORE, THE METRO GOLD LINE FOOTHILL EXTENSION CONSTRUCTION AUTHORITY HEREBY FINDS, DECLARES, AND RESOLVES AS FOLLOWS:

Section 1. The foregoing recitals are true and correct.

Section 2. The Project Modifications described in the Final SEIR are approved.

Section 3. The Findings of Fact for the Final SEIR, attached hereto as Exhibit “A”, are hereby adopted and incorporated herein by reference.

Section 4. The Statement of Overriding Considerations, attached hereto as Exhibit “B”, is hereby adopted and incorporated herein by reference.

Section 5. The amendment to the Mitigation Monitoring and Reporting Program, attached hereto as Exhibit “C”, is hereby adopted and incorporated herein by reference.

Section 6. The mitigation measure described in the Final SEIR and in the amendment to the Mitigation Monitoring and Reporting Program is hereby adopted and incorporated herein by reference.

Section 7. If any section, paragraph, or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision shall not affect any remaining provisions of this Resolution.

Section 8. This Resolution shall take effect from and after its adoption.

Section 9. The Clerk of the Authority Board shall certify to the adoption of this Resolution, and shall cause this Resolution to be entered in the official records of the Authority.

Section 10. The Executive Director of the Authority is authorized to file a Notice of Determination of the Authority’s action regarding the Authority Board’s certification of the Final SEIR and approval of the Project Modifications, and to take such further action as may be necessary to implement this Resolution.

Board Resolution: 2019-R-02

PASSED, APPROVED AND ADOPTED this 10th day of July 2019 by the following vote:

AYES: 4

NOES: 0

ABSENT: 1

ABSTAIN: 0



TIM SANDOVAL
Chair of the Metro Gold Line Foothill
Extension Construction Authority Board

ATTEST:



CHRISTOPHER LOWE
Clerk of the Board

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



ALFRED E. SMITH II
General Counsel



Habib F. Balian
Chief Executive Officer

FINDINGS OF FACT

For

**THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT OF
THE METRO GOLD LINE FOOTHILL EXTENSION PHASE 2B
PROJECT MODIFICATIONS
(AZUSA TO MONTCLAIR)**

STATE CLEARINGHOUSE NO. 2010121069

Prepared Pursuant to the
Sections 15091 and 15093 of the State CEQA Guidelines and
Section 21081 of the Public Resources Code

By the

METRO GOLD LINE FOOTHILL EXTENSION CONSTRUCTION AUTHORITY

July 2019

Metro Gold Line Foothill Extension Construction Authority
406 E. Huntington Drive,
Suite 202
Monrovia, CA 91016-3633
Phone: (626) 471-9050
Online at: <https://foothillgoldline.org>

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1. INTRODUCTION.

1.1 Overview and Organization.

This document presents the Findings of Fact of the Metro Gold Line Foothill Extension Construction Authority (“Authority”) regarding modifications (“Project Modifications”) to the Metro Gold Line Foothill Extension Phase 2B (“Project”) and related Final Supplemental Environmental Impact Report (“Final SEIR”). The content and format of the Findings of Fact are designed to meet the requirements of the California Environmental Quality Act (“CEQA”).^{1, 2} The Final SEIR evaluates the Project Modifications, which include (1) changes to the phasing of construction and operation of the Project, (2) a traffic/transportation mitigation measure involving the restriping of White Avenue in the City of La Verne, and (3) minor changes to the approved track alignment between Barranca Avenue at the west end and Highway 210 at the east end, and certain traffic improvements as identified in the Final SEIR.

In 2013, the Authority certified the Metro Gold Line Foothill Extension Project Phase 2B Final Environmental Impact Report and approved the Project. Construction of Phase 2B began in December 2017. Following the certification of the 2013 FEIR and approval of the Project, the Authority prepared four addenda to the 2013 FEIR and approved certain of refinements to the Project evaluated in the addenda. For the purposes of these Findings, the “2013 FEIR” is defined to include Addendum No. 1 through and including Addendum No. 4 approved by the Authority. For the purposes of these Findings, the “Approved Project” includes the Project as approved by the Authority in 2013, and the refinements to the Project approved by the Authority.

The Approved Project evaluated in the 2013 FEIR (as modified by the refinements approved by the Authority and included in the Project) is a 12.3-mile extension of the Metro Gold Line LRT from the Azusa-Citrus Station to the Montclair Transcenter, and including stations in Glendora, San Dimas, La Verne, Pomona, Claremont, and Montclair.

The Final SEIR identifies two new significant impacts. The Authority is adopting one or more of the findings as provided in CEQA and specified in section 15091 of Title 14 of the California Code of Regulations (“CEQA Guidelines”). For the significant effect at the intersection of White Avenue/1st Street in La Verne, the Authority finds that the mitigation measure identified in the Final SEIR and adopted by the Authority avoids or substantially lessens the significant effect to a level of less than significance. For the significant effect at the intersection of Glendora Avenue/Route 66 in Glendora, the Authority finds that mitigation is infeasible. As provided in Section 15093 of the CEQA Guidelines, the Authority is balancing the economic, legal, social, technological, or other benefits of Phase 2B against the unavoidable environmental effects. With regard to those unavoidable effects, the Authority is adopting a Statement of Overriding Considerations.

¹ California Environmental Quality Act (CEQA), Public Resources Code (PRC), § 21000 et seq.

² CEQA Guidelines, Cal. Code Regs., Title 14, Division 6, Chapter 3, §15000 et seq. (CEQA Guidelines).

The Authority also adopts a Mitigation Monitoring and Reporting Plan (“MMRP”) for the Project Modifications. The Authority finds that the MMRP, which is incorporated by reference and made a part of these Findings, meets the requirements of Public Resources Code section 21081.6 by providing for the implementation and monitoring of the mitigation measure intended to mitigate significant effects of the Project Modifications.

1.2 Statutory Requirements.

CEQA (Public Resources Code section 21081) and the CEQA Guidelines (California Code of Regulations, Title 14, section 15091) require that:

a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

(1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (Referred to herein as “Finding 1.”)

(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (Referred to herein as “Finding 2.”)

(3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR. (Referred to herein as “Finding 3.”)

For significant effects that the agency determines are not feasible to mitigate to a less-than-significant level, the public agency is required to find that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment. (Public Resources Code, § 21081, subd. (b).) Section 15093 of the CEQA Guidelines provides:

If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”

1.3 Decision to Prepare Supplemental Environmental Impact Report.

When an environmental impact report has been prepared for a project pursuant to CEQA, no subsequent or supplemental environmental impact report shall be required by the lead agency or by any responsible agency, unless one or more of the following events occurs:

- (a) Substantial changes are proposed in the project which will require major revisions of the environmental impact report.
- (b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report.
- (c) New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

(Pub. Resources Code, § 21166; see CEQA Guidelines, §§ 15162, 15163.) A supplemental EIR is appropriate where any of the conditions described above would require the preparation of a subsequent EIR, and “only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.” (CEQA Guidelines, § 15163, subd. (a).)

The California courts have also provided guidance regarding the evaluation of modifications to a project that was previously approved by the agency after certification of a final environmental impact report:

Once a project has been subject to environmental review and received approval, section 21166 and CEQA Guidelines section 15162 limit the circumstances under which a subsequent or supplemental EIR must be prepared. These limitations are designed to balance CEQA’s central purpose of promoting consideration of the environmental consequences of public decisions with interests in finality and efficiency. . . . The event of a change in a project is not an occasion to revisit environmental concerns laid to rest in the original analysis.

(Friends of the College of San Mateo Gardens v. San Mateo County Community College Dist. (“San Mateo Gardens”) (2016) 1 Cal.5th 937, 949, citations omitted.)

The Supreme Court described the process to be followed by agencies in the evaluation of changes to a previously approved project. If the original environmental document retains some informational value despite the proposed changes, then the agency proceeds to decide under CEQA’s subsequent review provisions whether project changes will require major revisions to the original environmental document because of the involvement of new, previously unconsidered significant environmental effects. (*San Mateo Gardens, supra*, 1 Cal.5th at p. 952.) The Supreme Court concluded that the determination of whether an environmental document remains relevant, and the determination whether the document requires major revisions due to changes to the project or circumstances “is a predominantly factual question. It

is thus a question for the agency to answer in the first instance, drawing on its particular expertise.” (*Id.* at p. 953.)

The Authority finds that the 2013 FEIR provides informational value to the Authority Board and the public despite the Project Modifications. The Authority also finds that only minor changes to the 2013 FEIR are necessary to make the 2013 FEIR adequate for the Project as revised by the Project Modifications. The facts in support of this determination are described below and are further documented in the Final SEIR.

With the exception of the Project Modifications, all other elements of the Project remain the same as previously approved by the Authority. The Project Modifications are limited to changing the Project phasing to construct and operate the Project in three phases (rather than two phases), adding a new traffic mitigation measure to restripe a portion of White Avenue in the City of La Verne, and making minor changes to the Project alignment between approximately Barranca Avenue and Highway 210. The Project Modifications do not change any other elements of the Project analyzed in the 2013 FEIR. As summarized in Table S-1 of the Final SEIR (reproduced in these Findings in Section 4.14), the Project Modifications will have one new unmitigated significant traffic impact at one location. The Project Modifications will not have any other new or more severe unmitigated significant impacts.

1.4 Scope of Supplemental Environmental Impact Report and Findings.

CEQA Guidelines section 15163, subdivision (b), provides that an SEIR need only contain the information necessary to make the prior EIR adequate for the Project as revised. Accordingly, the Final SEIR analyzes environmental impacts of the Project as a result of the Project Modifications.

These Findings are made concerning new or more severe significant impacts of Project as revised by the Project Modifications, and the mitigation measures to address these new or more severe significant impacts. (CEQA Guidelines, § 15163, subd. (e).)

1.5 Final SEIR Methodology.

The CEQA Guidelines require environmental impact reports to include a description of the physical environmental conditions in the vicinity of the project as they exist at the time the notice of preparation is published and that “[t]his environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant.” (CEQA Guidelines, section 15125, subdivision (a), emphasis added.) The California Supreme Court explained that there is “no ‘uniform, inflexible rule for determination of the existing conditions baseline,’ instead leaving to a sound exercise of agency discretion the exact method of measuring the existing environmental conditions upon which the project will operate.” (*Neighbors for Smart Rail v. Exposition Metro Line Construction Auth.* (“*Smart Rail*”) (2013) 57 Cal.4th 439, 452-453, quoting *Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 328.) The Supreme Court also explained

that agencies have discretion to evaluate the significance of impacts of a project against both existing conditions and future conditions. (*Smart Rail, supra*, 57 Cal.4th at p. 454.)

The analysis of transportation impacts in the Final SEIR evaluates the potential impacts of the Project Modifications against two baselines: (1) the 2035 build conditions identified in the 2013 FEIR (the “Approved Project Baseline”), and (2) the existing conditions (the “Existing Conditions Baseline”). In this manner, the Final SEIR discloses and evaluates the extent to which the Project Modifications would change transportation impacts as compared to the Project previously approved by the Authority, and as compared to existing conditions at the time of the preparation of the Draft 2013 FEIR. Comparing the Project with the Modifications to the Approved Project Baseline enhances the informational value of the Final SEIR by enabling the identification of new significant or more severe transportation impacts that would result from the Project Modifications.

1.6 Records of Proceedings.

For the purposes of CEQA and these Findings of Fact, the records of proceedings for the Authority’s decision on the Project Modifications consist of: (a) matters of common knowledge to the Authority, including, but not limited to, federal, state, and local laws, regulations and policies and (b) the following documents, which are in custody of the Clerk of the Board of the Metro Gold Line Foothill Extension Construction Authority, 406 E. Huntington Drive, Suite 202, Monrovia, CA 91016.

- Final Environmental Impact Report for the Metro Gold Line Foothill Extension Project Phase 2B, dated February 2013, and addenda;
- Notice of Preparation (“NOP”) and other public notices issued by the Authority in conjunction with the Project Modifications;
- Draft Supplemental Environmental Impact Report (“Draft SEIR”), dated March 2019;
- All testimony, documentary evidence, and all correspondence submitted in response to the Draft SEIR by agencies or members of the public during the public comment period on the Draft SEIR and responses to those comments (Appendices A-1, A-2, and A-3 of the Final SEIR);
- Final Supplemental Environmental Impact Report (“Final SEIR”), dated June 2019, including all appendices thereto and those documents incorporated therein by reference;
- The amendment to the Mitigation Monitoring and Reporting Program (“MMRP”) dated July 2019;
- All findings, statements of overriding consideration, and resolutions adopted by the Authority in connection with the proposed Project, and all documents cited or referred to therein;
- All final technical reports and addenda, studies, memoranda, maps, correspondence, relating to the Project Modifications;
- All documents submitted to the Authority by agencies or members of the public in connection with the development of the Project Modifications;

- All actions of the Authority Board of Directors with response to the Project Modifications;
- Applicable local general plans, transportation plans and transportation improvement programs and related environmental analyses;
- Relevant meeting agenda, minutes, and staff reports of the Authority; and
- Other relevant documents regarding coordination and consultation with the public and public agencies and other documents designated by the Authority.

1.7 Public and Agency Outreach.

The Authority prepared the Final SEIR following opportunities for input from affected agencies and members of the public. In accordance with Section 15082 of the CEQA Guidelines, a notice of preparation (“NOP”) was prepared and distributed to responsible and affected agencies and other interested parties for public review. The NOP was filed with the State Clearinghouse on December 7, 2018.

The Authority conducted a public scoping meeting on Monday, December 10 in the City of La Verne’s Community Center located at 3680 D Street La Verne, California 91750. Outreach emails were sent to stakeholder agencies and community organizations from December 4 through December 10, 2018. Legal meeting notices were published on December 4, 2018 in the *Daily Bulletin* and the *San Gabriel Valley Tribune*, and consumer display ads were placed in the *San Gabriel Valley Examiner* (December 6, 2018), *Claremont Courier* (December 7, 2018), *Foothills Reader* (December 9, 2018), and *San Gabriel Valley Tribune* (December 9, 2018). The Authority published invitations to the scoping meeting on its website, by email (Foothill Gold Line’s E-news), on social media, and via a media advisory to over 150 representatives of local and regional media outlets.

Over 80 attendees signed in at the scoping meeting. Attendees were encouraged to ask questions to the attending Project staff and provide formal comments. Formal comments were accepted via written comment cards at the meeting, orally to a court reporter present during the meeting, or through written comments provided via mail or e-mail. Consistent with the NOP’s 30-day timeline, all comments were due to the Authority by January 4, 2019. A summary of the scoping meeting is provided in Appendix H of the Final SEIR.

In addition to the NOP and scoping meeting, the Authority coordinated with the six cities along the Gold Line through which the Project as modified would be constructed, and their respective chambers of commerce, to ensure the local agencies, businesses, and residential communities were well informed of the upcoming and proposed Project Modifications. To facilitate this effort, the Authority created an Outreach Tool Kit that was distributed on November 21, 2018. The Outreach Tool Kit provided a brief background of the Project status, information regarding the scoping meeting’s purpose, and relevant information on the Project Modifications. The text was formatted to fit various pre-established forms of communication such as e-mail, social media, websites, newsletters, and/or public counter distribution in city halls, and senior and community

centers. In addition, follow-up scoping meeting reminders were also sent to those same entities between December 7 and December 10, 2018.

The Authority filed a Notice of Completion of the Draft SEIR with the State Clearinghouse, the Los Angeles County Clerk and the San Bernardino County Clerk, and also published the Notice of Availability for the Draft SEIR in local newspapers along the Project corridor on March 22, 2019. The Draft SEIR was available for a 45-day review and comment period ending on May 6, 2019.

The Authority held a public hearing on the Draft EIR on Tuesday, April 16, 2019 from 5:30-8:30 PM at the La Verne Community Center located at 3680 D Street La Verne, California. Legal meeting notices were published on March 29, 2019 in *The Daily Bulletin* and *San Gabriel Valley Tribune*. Consumer display ads were placed in the following publications: *San Gabriel Valley Tribune* (March 31, 2019), *Inland Valley Daily Bulletin* (March 31, 2019), *Foothills Reader* (March 31, 2019), *Mid Valley News* (April 3, 2019), *San Gabriel Valley Examiner* (March 28, 2019), *Claremont Courier* (March 29, 2019) and *La Nueva Voz* (March 28, 2019). A Draft SEIR Meeting/Hearing Media Advisory was sent to over 150 representatives of local and regional media outlets. The members of the media attended the Public Meeting/Hearing and published stories in the following newspapers: *San Gabriel Valley Tribune/Inland Valley Daily Bulletin* (May 2, 2019), *San Gabriel Valley Tribune/Inland Valley Daily Bulletin* (May 23, 2019), *Foothills Reader* (April 7, 2019), and *Streetsblog L.A.* (April 17, 2019).

Sixty-five comments on the Draft SEIR were received, along with comments received and transcribed during the public hearing. Revisions to the Final SEIR have been incorporated in the Final SEIR. In response to comments received, the Authority has revised the traffic mitigation measure proposed in the Draft SEIR from the widening of a portion of White Avenue in La Verne to restriping a portion of White Avenue in La Verne. The Authority has eliminated the proposed change to the location of the Pomona Station parking facility.

Responses to comments received were prepared and are included in Appendix A-1 of the Final SEIR. The Authority also received two untimely comment letters, for which written responses were also prepared and included in Appendix A-1. The Final SEIR was prepared and consists of the full text of the Draft SEIR, with changes indicated by underline for new text and strikeout for deleted text, and written responses to the verbal comments made at the public hearing and the written comments provided during the public review period.

Additional facts concerning public and agency involvement are set forth in the Summary and Section 3.0 of the Final SEIR.

2. DESCRIPTION OF PROJECT MODIFICATIONS.

2.1 Description of Project Modifications.

The Project Modifications are described in detail in section 1.2.2 of the Final SEIR. They include: (1) changing the Project phasing to construct and operate the Project in three phases

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(rather than two phases), (2) a new traffic mitigation measure to restripe a portion of White Avenue in the City of La Verne, and (3) minor changes to the Project alignment between approximately Barranca Avenue and Highway 210, and certain traffic improvements identified in the Final SEIR. All other features of the Project remain the same as described in the 2013 FEIR.

The first phase of construction would include 9 miles of the alignment through Los Angeles County, from the Azusa-Citrus station to the Pomona Station. The second construction and operation phase includes 2.2 miles of the alignment from the Pomona Station to the Claremont Station, and the third phase includes 1.0 mile of the alignment from the Claremont Station to the Montclair Station in San Bernardino County.

The Project phasing as previously approved and the phasing described in the Final SEIR are shown in Figures 2-1 and 2-2, below. The new traffic mitigation measure to restripe a portion of White Avenue in the City of La Verne is shown in Figure 2-3 below. The location of the minor change to the alignment is shown in Figure 2-4 below.

Figure 2-1. 2013 FEIR Phasing of Construction and Operation

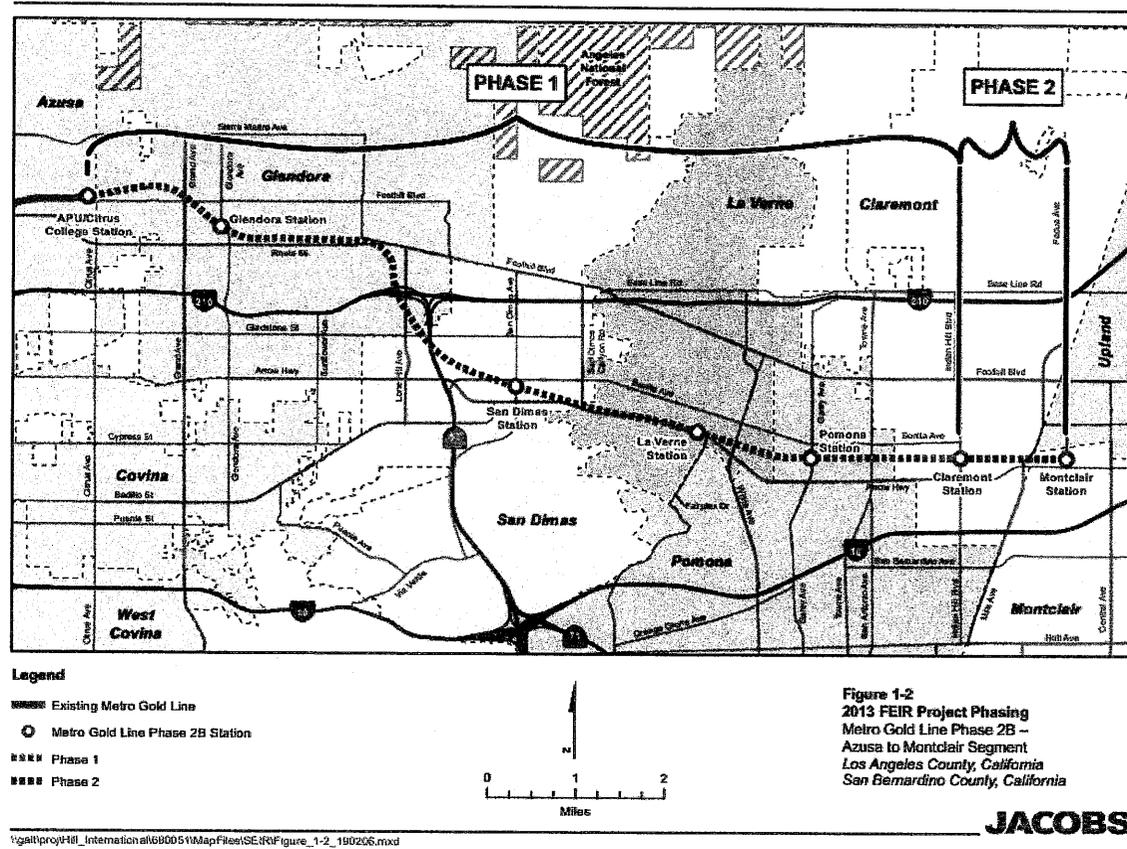
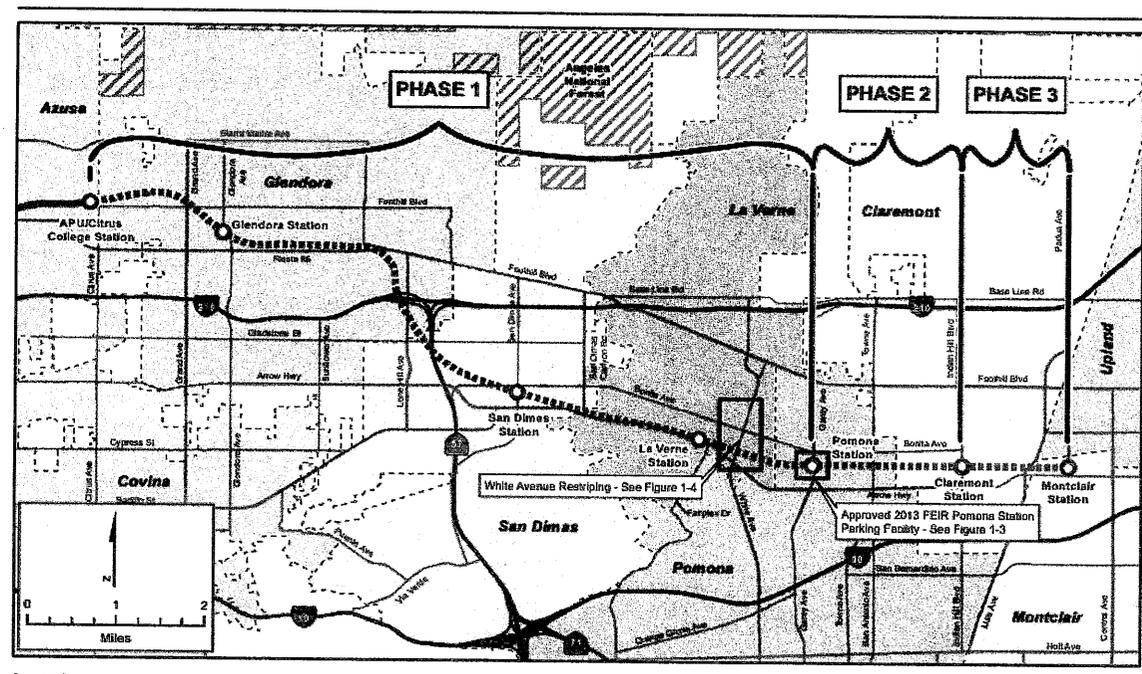


Figure 2-2. Final SEIR Phasing of Construction and Operation



Legend

Existing Metro Gold Line

Metro Gold Line Phase 2B Station

Phase 1 – Pomona – 2019 to 2025
subject to availability of funding from Metro

Phase 2 – Claremont – 2021 to 2028
subject to availability of funding from Metro

Phase 3 – Montclair – 2021 to 2028
subject to availability of funding from SBCTA for the portion from Claremont to Montclair

Figure 1-1
Supplemental EIR Project Phasing
Metro Gold Line Phase 2B –
Azusa to Montclair Segment
Los Angeles County, California
San Bernardino County, California

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Figure 2-3. Proposed Restriping of White Avenue in La Verne

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3. ANALYSIS OF TRANSPORTATION IMPACTS.

The Project is a key element of the 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), which was adopted by the Southern California Association of Governments (SCAG) to improve mobility and reduce greenhouse gas (GHG) emissions by providing an alternative to driving an automobile. The Project is included in the RTP/SCS as Metro Gold Line Foothill Extension: Azusa to County Line (Project ID 1120006) and Light Rail Extension from County Line to Montclair (Project ID 4120222) (SCAG, 2016).

For the analysis of the transportation impacts of the Project Modifications, the Phase 1 terminus of the Project was modified from the Claremont Station to the Pomona Station. Ridership forecasts with the Pomona Station as the Phase 1 terminus were compared with the Claremont and Montclair stations, the termini in the Project previously approved by the Authority. The transportation impacts of the Project Modifications are associated with changes in the ridership due to constructing and operating the Project in three phases, instead of two phases as evaluated in the 2013 FEIR. Changes to ridership levels and traffic patterns are due to moving the location of the Phase 1 interim terminus from Claremont to Pomona.

3.1 Methodology for Analyzing Transportation Impacts.

3.1.1. Baseline Conditions.

The Final SEIR evaluates the traffic impacts of the Project Modifications against two baselines: (1) the 2035 build conditions identified in the 2013 FEIR (the “Approved Project Baseline”), and (2) the existing conditions (the “Existing Conditions Baseline”). In this manner, the transportation analysis discloses and evaluates the extent to which the Project Modifications would change transportation impacts as compared to the Project previously approved by the Authority, and as compared to existing conditions.

3.1.2 Measurement of Transportation Impacts: Level of Service and Vehicle Miles Traveled.

The Final SEIR evaluates transportation impacts on Level of Service (“LOS”) and delay at studied intersections in the Project area. In December 2018, the Resources Agency of the State of California adopted a new section of the CEQA Guidelines (Section 15064.3) providing that the use of LOS and similar measurements of traffic delay “will no longer be considered to be an environmental impact under CEQA.” (Cal. Natural Resources Agency, Final Statement of Reasons for Regulatory Action, Amendments to the State CEQA Guidelines, OAL Notice File No. Z-2018-0116-12, Nov. 2018, p. 14 [“Final Statement of Reasons”]). The Resources Agency authorized lead agencies to “elect to be governed by the provisions of this section immediately.” The new measure of transportation impacts in Section 15064.3, vehicle miles traveled (“VMT”), applies statewide beginning on July 1, 2020. Lead agencies have the discretion to choose the most appropriate methodology to analyze a project’s VMT. CEQA Guidelines Section 15064.3 also notes that lead agencies should presume that projects that reduce VMT, such as transit projects, would have a less than significant impact. Section 15064.3 does not provide guidance

on the use of the methodology for evaluating traffic impacts of a project that was the subject of a Final EIR certified prior to the adoption of new section 15064.3.

The Authority is exercising its discretion and expertise to evaluate the transportation impacts of the Project Modifications ~~applying a methodology consistent with the evaluation in the 2013~~ FEIR as well as the VMT methodology endorsed by new CEQA Guidelines section 15054.3. Although the December 2018 revisions to the CEQA Guidelines eliminated traffic delay as a CEQA impact criterion, the Final SEIR employs the LOS-based methodology of the 2013 FEIR to allow an “apples to apples” comparison of the traffic impacts of the Project Modifications against the traffic impacts of the approved Project.

3.1.3 Significance Criteria.

Three measures were used to assess the transportation impacts of the Project Modifications: (1) Los Angeles County thresholds (for all intersections), (2) thresholds adopted by the City of Pomona for intersections in Pomona only, and (3) the VMT analysis. Using all three measures allows for a comprehensive assessment of potential impacts to ensure that compliance with these thresholds means that the project's impacts are less than significant (per CEQA Guidelines, § 15064, subdivision (b)(2)).

The Los Angeles County significance thresholds are based on the *Los Angeles County Traffic Impact Study Guidelines* (County of Los Angeles, 1997). The *Guidelines* use numerical impact thresholds to evaluate intersection delay as compared to future no build conditions. The Los Angeles County thresholds are indicated in Table 2-2 of the Final SEIR. The Los Angeles County criteria were applied to all studied intersections.

For intersections in the City of Pomona, the analysis also used the criteria set forth in the City's adopted *Pomona Traffic Impact Study Guidelines* (City of Pomona, 2012), which are described in Section 2.1.3 of the Final SEIR.

For the VMT analysis, the Project as modified was presumed to cause a less-than-significant impact on transportation, pursuant to CEQA Guidelines Section 15064.3, subdivision (b)(2), which provides that lead agencies should presume that projects that reduce VMT, such as transit projects, would have a less than significant impact, and the “Technical Advisory on Evaluating Transportation Impacts in CEQA” issued by the Governor's Office of Planning and Research, which includes a specific directive that “[t]ransit and active transportation projects generally reduce VMT and therefore are presumed to cause a less-than-significant impact on transportation.” (Governor's Office of Planning & Research, Technical Advisory on Evaluating Transportation Impacts in CEQA (December 2018), p. 23.) The Final SEIR also, however, evaluated whether the Project Modifications would increase the VMT notwithstanding the presumption authorized by CEQA Guidelines section 15064.3.

3.1.4 Scope of Analysis.

3.1.4.1 Level of Service.

To assess potential transportation and related impacts, the Final SEIR evaluates traffic conditions at 87 intersections. Of the 87 intersections, 74 were included in the 2013 FEIR and 13 were new intersections that were added based on focused traffic studies of the Project Modifications. The intersection delay and LOS for the Project Modifications were compared to the Approved Project and No Build scenarios in 2035. Again, this methodology allowed for an “apples to apples” comparison against the traffic impacts of the Approved Project.

3.1.4.2 Vehicle Miles Traveled.

The Governor’s Office of Planning and Research issued a “Technical Advisory on Evaluating Transportation Impacts” (December 2018), which directs that “[t]ransit and active transportation projects generally reduce VMT and therefore are presumed to cause a less-than-significant impact on transportation.”

The presumption of a less-than-significant impact suggests that detailed VMT analysis is not required for the Metro Gold Line Foothill Extension. However, a regional assessment for Phase 1 and a focused assessment using a two-mile buffer around the approved Gold Line stations were conducted to confirm that assumption.

3.1.5 Transportation Analysis Results.

Of the 87 intersections studied, two intersections were identified as having new significant impacts due to the Project Modifications. Those impacts will be temporary, occurring during Phase 1 only (i.e., while the Pomona station is the interim terminus).

- The Glendora Avenue/Route 66 intersection has a significant impact for Phase 1 in the PM peak hour. The intersection is projected to operate at LOS D in the 2035 PM peak hour in the No Build and Phase 1 scenarios. However, the delay would increase by approximately 6 seconds during Phase 1, meeting the threshold for an impact under the Los Angeles County criterion.
- The White Avenue/1st Street intersection has a significant impact for Phase 1 in the PM peak hour. The intersection is projected to operate at LOS C in the 2035 PM peak hour in the No Build scenario. However, the LOS is projected to worsen to LOS D and delay would increase by approximately 7 seconds during Phase 1, meeting the threshold for an impact under the Los Angeles County criterion.

The Project Modifications would reduce VMT during Phase 1. Those reductions are associated with the shift in mode from automobile to transit trips with the increased Gold Line service from Azusa to Pomona. Based on these reductions, there would be no new or more severe significant impacts to VMT. This result confirms that the Project is consistent with the state and regional strategy to reduce VMT to meet to achieve the California Air Resources Board SB 375 GHG

emission reduction targets for the SCAG region, and to achieve the GHG emissions reduction goals in state law.

4. NO NEW ENVIRONMENTAL EFFECTS; LESS-THAN-SIGNIFICANT EFFECTS WITHOUT ADDITIONAL MITIGATION

The Authority finds that, based upon substantial evidence in the record, as discussed below, the following impacts associated with the Project Modifications have either no new or more severe significant effects, or the design and other features incorporated into the Project Modifications have reduced any environmental effects to less than significant. As a result, no additional mitigation is required to reduce effects to less than significant.

4.1 Air Quality

4.1.1 Short-term Construction Impacts

No new or more severe significant short-term impacts to air quality would result from the Project Modifications. There is no change to the conclusions of the 2013 FEIR, which concluded that short-term air quality impacts would remain significant with the implementation of mitigation measures CON-1 through CON-19 previously adopted by the Authority.

4.1.2 Long-term Impacts

No new or more severe significant long-term impacts to air quality would result from the Project Modifications. There is no change to the conclusions of the 2013 FEIR, which concluded that there would be no significant long-term air quality impacts because the Project is anticipated to reduce regional vehicle emissions.

4.1.3 Findings

The Authority finds that the Project Modifications would not result in new or more severe significant impacts to air quality. Therefore, the Project as modified will have short-term construction impacts that remain significant after implementation of mitigation measures CON-1 through CON-19 and no significant long-term air quality impacts, as disclosed in the 2013 FEIR.

4.1.4 Facts in Support of Findings

The facts in support of this finding are described above and in the Final SEIR Summary and Section 3.1 (Air Quality).

4.2 Climate Change

4.2.1 Short-term Construction Impacts

No new or more severe significant short-term climate change impacts would result from the Project Modifications. There is no change to the conclusions of the 2013 FEIR, which concluded

that short-term significant impacts would be less than significant with the implementation of mitigation measures CON-1 through CON-19 previously adopted by the Authority.

4.2.2 Long-term Impacts

No new or more severe significant long-term climate change impacts would result from the Project Modifications. There is no change to the conclusions of the 2013 FEIR, which concluded that there would be no significant long-term climate change impacts.

4.2.3 Findings

The Authority finds that the Project Modifications would not result in new or more severe significant climate change impacts. Therefore, the Project as modified will have short-term construction impacts that are less than significant with the implementation of mitigation measures CON-1 through CON-19, and no significant long-term climate change impacts.

4.2.4 Facts in Support of Findings

The facts in support of this finding are described above, in the Final SEIR Summary and Section 3.2 (Climate Change).

4.3 Communities, Population, and Housing

4.3.1 Short-term Construction Impacts

No new or more severe significant short-term impacts to communities, population and housing would result from the Project Modifications. There is no change to the conclusions of the 2013 FEIR, which concluded that short-term potentially significant impacts would be less than significant with the implementation of mitigation measures S-1 through S-5 previously adopted by the Authority.

4.3.2 Long-term Impacts

No new or more severe significant short-term impacts to communities, population and housing would result from the Project Modifications.

Mitigation measure LTR-9, the restriping of White Avenue (LTR-9), has been revised from the proposal to widen White Avenue described in the Draft SEIR, and thus will not result in any real estate acquisitions. Therefore, no additional mitigation measures are required.

4.3.3 Findings

The Authority finds that the Project Modifications would not result in new or more severe significant impacts to communities, population and housing from what was analyzed in the 2013 Final EIR. Therefore, the Project as modified will have short-term impacts that are less than significant with the implementation of mitigation measures S-1 through S-5, and long-term impacts that are less than significant with compliance with the California Relocation Assistance Act.

4.3.4 Facts in Support of Findings

The facts in support of this finding are described above, in the Final SEIR Summary and Section 3.3 (Communities, Population, and Housing).

4.4 Cultural Resources

4.4.1 Short-term Construction Impacts

No new or more severe significant short-term impacts to cultural resources would result from the Project Modifications. There is no change to the conclusions of the 2013 FEIR, which concluded that short-term potentially significant impacts would be less than significant with the implementation of mitigation measures CR-1 and CR-2 previously adopted by the Authority.

4.4.2 Long-term Impacts

No new or more severe significant long-term impacts to cultural resources would result from the Project Modifications. There is no change to the conclusions of the 2013 FEIR, which concluded that there were no long-term significant impacts.

4.4.3 Findings

The Authority finds that the Project Modifications would not result in new or more severe significant impacts to cultural resources. Therefore, the Project as modified will have short-term impacts that are less than significant with the implementation of mitigation measures CR-1 and CR-2, and no long-term significant impacts.

4.4.4 Facts in Support of Findings

The facts in support of this finding are described above, in the Final SEIR Summary and Section 3.4 (Cultural Resources).

4.5 Energy

4.5.1 Short-term Construction Impacts

No new or more severe significant short-term energy impacts would result from the Project Modifications. There is no change to the conclusions of the 2013 FEIR, which concluded that short-term significant impacts would be less than significant with the implementation of mitigation measures CON-1 through CON-19.

4.5.2 Long-term Impacts

No new or more severe significant long-term energy impacts would result from the Project Modifications. There is no change to the conclusions of the 2013 FEIR, which concluded that there would be no significant long-term energy impacts.

4.5.3 Findings

The Authority finds that the Project Modifications would not result in new or more severe significant energy impacts. Therefore, the Project as modified will have short-term construction impacts that are less than significant with the implementation of mitigation measures CON-1 through CON-19, and no significant long-term energy impacts.

4.5.4 Facts in Support of Findings

The facts in support of this finding are described above, in the Final SEIR Summary and Section 3.5 (Energy).

4.6 Geologic Hazards

4.6.1 Short-term Construction Impacts

No new or more severe significant short-term geologic hazard impacts would result from the Project Modifications. There is no change to the conclusions of the 2013 FEIR, which concluded that short-term impacts would be less than significant with compliance with the seismic safety regulatory requirements identified in Section 3.8.2.3 of the 2013 FEIR.

4.6.2 Long-term Impacts

No new or more severe significant long-term geologic hazard impacts would result from the Project Modifications. There is no change to the conclusions of the 2013 FEIR, which concluded that long-term significant impacts would be less than significant with compliance with the seismic safety regulatory requirements identified in Section 3.8.2.3 of the 2013 FEIR.

4.6.3 Findings

The Authority finds that the Project Modifications would not result in new or more severe significant geologic hazard impacts. Therefore, the Project as modified will have no significant impacts with compliance with the seismic safety regulatory requirements identified in Section 3.8.2.3 of the 2013 FEIR.

4.6.4 Facts in Support of Findings

The facts in support of this finding are described above, in the Final SEIR Summary and Section 3.6 (Geologic Hazards).

4.7 Land Use Planning

4.7.1 Short-term Construction Impacts

No new or more severe significant short-term impacts to land use planning would result from the Project Modifications. There is no change to the conclusions of the 2013 FEIR, which concluded that short-term impacts would be less than significant with implementation of the Traffic Management Control Plan (section 2.8.1 of the 2013 FEIR) which would include mitigation measures S-1 through S-5.

4.7.2 Long-term Impacts

No new or more severe significant long-term impacts to land use planning would result from the Project Modifications. There is no change to the conclusions of the 2013 FEIR, which concluded that there would be no long-term significant impacts.

4.7.3 Findings

The Authority finds that the Project Modifications would not result in new or more severe significant geologic hazard impacts from what was analyzed in the 2013 FEIR. Therefore, the Project as modified will have no significant impacts with implementation of the Traffic Management Control Plan (see 2013 FEIR 2.8.1) and S-1 through S-5.

4.7.4 Facts in Support of Findings

The facts in support of this finding are described above, in the Summary and Section 3.7 (Land Use Planning) of the Final SEIR.

4.8 Noise and Vibration

4.8.1 Short-term Construction Impacts

No new or more severe significant short-term impacts to noise and vibration would result from the Project Modifications. There is no change to the conclusions of the 2013 FEIR, which concluded that short-term potentially significant impacts would remain significant with the implementation of mitigation measures N-1 and N-2.

4.8.2 Long-term Impacts

No new or more severe significant long-term impacts to noise and vibration would result from the Project Modifications. There is no change to the conclusions of the 2013 FEIR, which concluded that long-term potentially significant impacts would be less than significant with the implementation of mitigation measures N-3 through N-5.

4.8.3 Findings

The Authority finds that the Project Modifications would not result in new or more severe significant impacts to noise and vibration from what was analyzed in the 2013 FEIR. Therefore, the Project as modified will have short-term construction impacts that remain significant after implementation of mitigation measures N-1 and N-2, and no significant long-term noise and vibration impacts with the implementation of mitigation measures N-3 through N-5 in the 2013 FEIR.

4.8.4 Facts in Support of Findings

The facts in support of this finding are described above, in the Final SEIR Summary Section 3.8 (Noise and Vibration).

4.9 Safety and Security

4.9.1 Short-term Construction Impacts

No new or more severe significant short-term safety and security impacts would result from the Project Modifications. There is no change to the conclusions of the 2013 FEIR, which concluded that short-term impacts would be less than significant with compliance with the requirements of the federal Occupational Safety and Health Administration (OSHA), California Occupational Safety and Health Administration (Cal/OSHA), the Americans with Disabilities Act, the California Manual on Uniform Traffic Control Devices (MUTCD) and Metro safety and security policies; and implementation of mitigation measures SS-1 and SS-2 in the 2013 FEIR.

4.9.2 Long-term Impacts

No new or more severe significant long-term safety and security impacts would result from the Project Modifications.

The new traffic mitigation measure, LTR-9, would include restriping to provide a bike lane(s), a median turn-lane, two dedicated northbound travel lanes and one southbound travel lane, eliminating the need to merge as motorists approach 6th Street to the north and the existing at-grade railroad crossing to the south. Other improvements to motor safety would include painted median islands and dedicated turn lanes, and new striping and signing, and improved sight distance as a result of tree removal. The existing proposed full-quadrant gates, as approved in the 2013 FEIR, would also remain in place at the at-grade crossing. The full-quadrant gates would restrict vehicle movement when LRT trains are approaching or crossing White Avenue. Therefore, the restriping of White Avenue as a widening mitigation measure (LTR-9) would not result in new or more severe significant impacts to motorist safety.

There is no change to the conclusions of the 2013 FEIR, which concluded that long-term potentially significant impacts would be less than significant with the implementation of the mitigation measures presented in the 2013 FEIR, SS-1 through SS-8.

4.9.3 Findings

The Authority finds that the Project Modifications would not result in new or more severe significant safety and security impacts from what was analyzed in the 2013 FEIR. Therefore, the Project as modified will have no significant impacts with compliance with OSHA, Cal/OSHA, ADA, MUTCD and Metro requirements and the implementation of the mitigation measures SS-1 through SS-8.

4.9.4 Facts in Support of Findings

The facts in support of this finding are described above, in the Final SEIR Summary, and Section 3.9 (Safety and Security) of the Final SEIR.

4.10 Visual Quality

4.10.1 Short-term Construction Impacts

No new or more severe significant short-term impacts to visual quality would result from the Project Modifications. There is no change to the conclusions of the 2013 FEIR, which concluded that short-term impacts would be less than significant with implementation of the mitigation measures VIS-1 through VIS-3. Mitigation measures VIS-2 and VIS-3 are incorporated from the 2013 FEIR. Measure VIS-1 from the 2013 FEIR remains in effect but is not applicable to the White Avenue mitigation measure.

4.10.2 Long-term Impacts

No new or more severe significant long-term impacts to visual quality would result from the Project Modifications. The proposed location change of the Pomona Station parking facility that was evaluated in the Draft SEIR has been removed as part of this Final SEIR based on local agency and public input during the Draft SEIR public circulation, and therefore the Pomona Station will not cause new visual impacts. There is no change to the conclusions of the 2013 FEIR, which concluded that long-term impacts would remain significant with implementation of the mitigation measures VIS-4 through VIS-6.

4.10.3 Findings

The Authority finds that the Project Modifications would not result in new or more severe significant impacts related to visual quality from what was analyzed in the 2013 Final EIR. Therefore, the Project as modified will have significant long-term impacts to visual quality after implementation of mitigation, but the Project Modifications do not require new mitigation measures.

4.10.4 Facts in Support of Findings

The facts in support of this finding are described above, in the Final SEIR Summary, and Section 3.10 (Visual Quality) of the Final SEIR.

4.11 Water Resources

4.11.1 Short-term Construction Impacts

No new or more severe significant short-term impacts to water resources would result from the Project Modifications. There is no change to the conclusions of the 2013 FEIR, which concluded that short-term impacts would be less than significant with compliance with federal, state, and local regulations.

4.11.2 Long-term Impacts

No new or more severe significant impacts would result from the Project Modifications from what was analyzed in the 2013 FEIR, which concluded that there would be no significant long-term impacts to water resources.

4.11.3 Findings

The Authority finds that the Project Modifications would not result in new or more severe significant impacts related to water resources from what was analyzed in the 2013 FEIR. Therefore, the Project as modified will not have significant impacts on water resources.

4.11.4 Facts in Support of Findings

The facts in support of this finding are described above, in the Final SEIR Summary, and Section 3.11 (Water Resources).

4.12 Growth-Inducing Impacts

CEQA Guidelines section 15126.2, subdivision (d) requires a discussion of growth-inducing impacts of the Project Modifications.

4.12.1 Findings

The Authority finds that the Project Modifications would not introduce the potential for new induced growth beyond that which was already identified for the project in the 2013 FEIR and the four subsequent addenda, which concluded that no significant growth-inducing impacts would result from the Project.

4.12.2 Facts in Support of Findings

The facts in support of this finding are described above, in Final SEIR Section 3.12 (Growth-Inducing Impacts), and in Chapter 3.15 of the 2013 FEIR.

4.13 Irreversible and Irretrievable Commitment of Resources

CEQA Guidelines Section 15126.2, subdivision (c) requires a discussion of any irreversible and irretrievable commitments of environmental resources required to implement the Project Modifications.

4.13.1 Findings

The Project Modifications would involve only a negligible addition to the irreversible or irretrievable commitment of resources beyond that already identified in the 2013 FEIR, which identified irreversible and irretrievable commitments of resources but concluded that they would be substantially outweighed by the extent to which residents, employees, and visitors would benefit from the improved efficiency, accessibility, safety, and environmental quality of the transportation system in Southern California attributable to the Project.

4.13.2 Facts in Support of Findings

The facts in support of this finding are described above, in Final SEIR Section 3.13 (Irreversible and Irretrievable Commitment of Resources), and in Chapter 3.16 of the 2013 FEIR.

4.14 Summary of Environmental Impacts and Comparison to 2013 FEIR Impacts

Table S-1 presents a summary of impacts of the Project Modifications for each resource as evaluated in the Final SEIR, and the impacts of the Project as evaluated in the 2013 FEIR.

Table S-1. Summary of Impacts: 2013 FEIR and Addenda vs. 2019 Final SEIR

2013 FEIR ^a or 2019 Final SEIR	Technical Discipline	Short-Term Impact	Long-Term Impacts	Level of Impact after Mitigation	Revisions to 2013 FEIR Impact Conclusions ^b
2013 FEIR	Transportation	Less than significant with implementation of mitigation measures	Significant impacts with implementation of mitigation measures LTR-1 through LTR-8	Long-term impacts remain significant at three intersections	N/A
2019 Final SEIR	Transportation	No new or more severe significant impacts, no new mitigation measures	New significant impact	Long-term impact remains significant at one intersection	New significant impact at one intersection
2013 FEIR	Air Quality	Significant impacts with implementation of mitigation measures CON-1 through CON-19	No significant impacts	Short-term construction impacts remain significant	N/A
2019 Final SEIR	Air Quality	No new or more severe significant impacts, no new mitigation measures	No new or more severe significant impacts	Short-term construction impacts remain significant as presented in the 2013 FEIR. Long-term impacts would be less than significant.	No change to previous short- or long-term impact conclusions
2013 FEIR	Climate Change	Less than significant impacts with implementation of mitigation measures CON-8 through CON-19	No significant impacts	Less than significant impacts	N/A
2019 Final SEIR	Climate Change	No new or more severe significant impacts	No new or more severe significant impacts	Less than significant impacts	No change to previous short- or long-term impact conclusions
2013 FEIR	Communities, Population and Housing	Less than significant impacts with implementation of mitigation measures S-1 through S-5	Less than significant impacts with implementation of mitigation measures (California Relocation Assistance Act)	Less than significant impacts	N/A

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2013 FEIR ^a or 2019 Final SEIR	Technical Discipline	Short-Term Impact	Long-Term Impacts	Level of Impact after Mitigation	Revisions to 2013 FEIR Impact Conclusions ^b
2019 Final SEIR	Communities, Population and Housing	No new or more severe significant impacts, no new mitigation measures	No new or more severe significant impacts	Less than significant impacts	No change to previous short- or long-term impact conclusions
2013 FEIR	Cultural Resources	Less than significant impacts with the implementation of mitigation measures CR-1 and CR-2	No significant impacts	Less than significant impacts with mitigation measures incorporated	N/A
2019 Final SEIR	Cultural Resources	No new or more severe significant impacts, no new mitigation measures	No new or more severe significant impacts	Less than significant impacts	No change to previous short- or long-term impact conclusions
2013 FEIR	Energy	Less than significant impacts with implementation of mitigation measures CON-9 through CON-19	No significant impacts	Less than significant impacts	N/A
2019 Final SEIR	Energy	No new or more severe significant impacts, no new mitigation measures	No new or more significant impacts	Less than significant impacts	No change to previous short- or long-term impact conclusions
2013 FEIR	Geologic Hazards	Less than significant impacts with compliance with state and local regulatory requirements and permits	Less than significant impacts with compliance with seismic safety regulations and design standards	Less than significant impacts	N/A
2019 Final SEIR	Geologic Hazards	No new or more severe significant impacts, no new mitigation measures	No new or more significant impacts, with regulatory compliance	Less than significant impacts	No change to previous short- or long-term impact conclusions
2013 FEIR	Land Use and Planning	Less than significant impacts with implementation of Traffic Management Control Plan	No significant impacts	Less than significant impacts	N/A

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2013 FEIR ^a or 2019 Final SEIR	Technical Discipline	Short-Term Impact	Long-Term Impacts	Level of Impact after Mitigation	Revisions to 2013 FEIR Impact Conclusions ^b
2019 Final SEIR	Land Use and Planning	No new or more severe significant impacts	No new or more significant impacts	Less than significant impacts	No change to previous short- or long-term impact conclusions
2013 FEIR	Noise and Vibration	Significant impacts with implementation of mitigation measures N-1 through N-2	Less than significant impacts with implementation of mitigation measures N-3 and N-4	Significant impacts	N/A
2019 Final SEIR	Noise and Vibration	No new or severe impacts, no new mitigation measures	Less than significant impacts with implementation of mitigation measure	Less than significant impacts	No change to previous short- or long-term impact conclusions
2013 FEIR	Safety and Security	Less than significant impacts in accordance with OSHA, Cal OSHA, and Metro policies and regulations. No additional mitigation measures are required.	Less than significant impacts with implementation of mitigation measures SS-1 through SS-6	Less than significant impacts	N/A
2019 Final SEIR	Safety and Security	No new or more severe significant impacts, no new mitigation measures	No new or more severe significant impacts, no new mitigation measures	Less than significant impacts	No change
2013 FEIR	Visual Quality	No significant impacts with implementation of mitigation measures VIS-1 through VIS-3	Significant impacts with implementation of mitigation measures VIS-4 through VIS-6	Significant impacts	N/A
2019 Final SEIR	Visual Quality	No new or more severe significant impacts, no new mitigation measures	No new or more severe significant impacts, no new mitigation measures	Less than significant impacts	No change to previous short- or long-term impact conclusions
2013 FEIR	Water Resources	Less than significant impacts with compliance with federal, state, and local regulations and requirements	No significant impacts	Less than significant impacts	N/A

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2013 FEIR ^a or 2019 Final SEIR	Technical Discipline	Short-Term Impact	Long-Term Impacts	Level of Impact after Mitigation	Revisions to 2013 FEIR Impact Conclusions ^b
2019 Final SEIR	Water Resources	No new or more severe significant impacts, no new mitigation measures	No new or more severe significant impacts, no new mitigation measures	Less than significant impacts	No change

Note: The shaded rows represent new information incorporated into this table since publication and circulation of the Draft SEIR.

^a The 2013 FEIR impact determination is based on the Build Alternative. Addenda include the four subsequent approved addenda to the 2013 FEIR.

^b The revisions to impact conclusions are based on a comparison between the 2013 FEIR and the 2019 SEIR. The comparison determination is consistent with Title 14 Code of Federal Regulations Chapter 3, and Guidelines for Implementation of CEQA Section 15163, which determines provisions for conducting a Supplemental EIR.

^c The modifications described in Addendum No.'s 1, 2, 3, and 4 would not result in a new significant impact or more severe significant impacts on the resource compared to the Project analyzed in the 2013 EIR.

OSHA = Occupational Safety and Health Administration

Cal OSHA = California Occupational Safety and Health Administration

5. LESS-THAN-SIGNIFICANT ENVIRONMENTAL EFFECTS WITH MITIGATION

The Authority finds that the following new potentially significant impact would be reduced to less than significant with implementation of the corresponding mitigation measure identified in the Final SEIR.

5.1 Transportation (White Avenue/1st Street)

The Final SEIR identifies a potentially significant impact of the Project at the intersection of White Avenue/1st Street in the City of La Verne (Intersection No. 58) for Phase 1 of construction in the PM peak hour. The intersection is projected to operate at LOS C in the 2035 PM peak hour in the No Build scenario. However, the LOS is projected to worsen to LOS D and delay (seconds per vehicle) in Phase 1 would increase by approximately 7 seconds during seconds over the 2035 No Build scenario. Applying the Los Angeles County criteria, this increase in delay represents a significant impact for an unsignalized intersection. This impact will be mitigated to less than significant, as described below.

5.1.1 Findings

The Authority adopts Finding 1 and Finding 2. The Authority adopts the following mitigation measures to reduce potentially significant traffic impacts at the intersection of White Avenue and 1st Street in the City of La Verne.

Mitigation Measure LTR-9: Restripe White Avenue to include two lanes in the northbound direction and one lane in southbound direction, including a dedicated median turn lane.

The Authority identifies restriping of White Avenue between 1st Street and 6th Street (to add a second northbound through lane) to address operations impacts at the at-grade crossing. This improvement will reduce the effects of queues during train operations and reduce delay at the intersections on White Avenue without the need to signalize the intersection. Implementation of LTR-9 is projected to improve intersection operations to LOS C during the PM peak hour. This improvement will allow the intersection to operate better than the 2035 No Build scenario and is a feasible mitigation for the identified significant impact. Therefore, the Project Modifications, after mitigation, would not introduce a new or more severe significant impact.

The City of La Verne ("City") as the land use authority in the City has jurisdiction over the restriping of White Avenue. The City has worked closely with the Authority over several years to develop and implement the Phase 2B Project to improve mobility for the City's residents. In response to the comments of the City and its residents, the Authority modified the White Avenue traffic mitigation measure from street widening to restriping. Per the Authority's consultation with the City, the Authority agrees to pay, from the Authority's funds, all of the costs of restriping White Avenue from 1st Street to 6th Street to include two lanes in the northbound direction and one lane in the southbound direction, including a dedicated median turn lane.

5.1.2 Facts in Support of Findings

The discussion above and LTR-9 provide facts in support of the findings. Additional facts in support of the findings are described in the Final SEIR section 2 (Transportation) and in Final SEIR Volume Appendix A-1 (Response to Comments).

6. SIGNIFICANT AND UNAVOIDABLE ENVIRONMENTAL EFFECTS

The Final SEIR identified one significant effect of the Project Modifications as remaining significant and unavoidable because the effect cannot be mitigated to a less-than-significant level, even with the implementation of a proposed mitigation measure to add a second left-turn lane for eastbound Route 66. As stated in CEQA Guidelines Section 15091, the Authority finds that “specific economic, legal, social, technological, or other considerations . . . make infeasible . . . mitigation measures” identified in the Final SEIR. The Authority further finds that the Project Modifications have been designed in a manner that reduces significant effects to the extent feasible, while achieving the specific economic, legal, social and technological benefits of the Project Modifications. With regard to this significant effect that is not avoided or substantially lessened, the Authority is adopting a Statement of Overriding Considerations in accordance with CEQA Guidelines Section 15093.

6.1 Transportation (Glendora Avenue/Route 66)

The Project Modifications would have a significant transportation impact on the Level of Service (LOS) at the intersection of Glendora Avenue/Route 66 (Intersection 10) during Phase 1 of construction (from Azusa-Citrus Station to the Pomona Station, 2019 to 2025) in the PM peak hour. The intersection would operate at LOS C, with 32.4 seconds of delay, under the Approved Project conditions analyzed in the 2013 FEIR. The intersection is projected to operate at LOS D in the 2035 PM peak hour in the No Build and Phase 1 scenarios; however, the delay (seconds per vehicle) in Phase 1 would increase by approximately 6 seconds over the 2035 No Build scenario, and 17 seconds over the 2035 Approved Project scenario. Applying the Los Angeles County criteria, this increase in delay represents a significant impact.

6.1.1 Findings

The Authority makes Finding 3. This significant impact cannot be mitigated with any feasible mitigation measures.

6.1.2 Facts in Support of Findings

Because of the current configuration and channelization at this intersection, intersection widening with additional through or turn lanes would be needed to address the impact. There are gas stations on two corners of the intersection, and abutting land uses on all four approaches. In light of these right-of-way constraints, the Authority evaluated a proposed mitigation measure to

widen the eastbound approach to add a second left-turn lane. A concept plan of the intersection modifications to add a second left turn lane at the Glendora Avenue/Route 66 intersection.

Implementation of the mitigation measure would result in negligible improvement in LOS (resulting in a decrease of less than 1 second in delay for Phase 1). Therefore, an impact on traffic delay would remain after implementation of the identified mitigation.

“An agency may conclude that a mitigation measure or alternative is impractical or undesirable from a policy standpoint and reject it as infeasible on that ground.” (*Cal. Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001.) Applicable land use policies may support a finding of infeasibility. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 416-417 [substantial evidence supported City’s finding that alternative was infeasible because it conflicted with City’s growth management plan].)

An engineering assessment of potential mitigation measures found that there are no mitigation measures that would effectively add capacity to reduce delay without substantial right-of-way acquisitions that would in turn have secondary impacts related to the partial or full loss of these properties and local community resources (potentially two gas stations, two commercial centers, and an apartment complex), along with the associated economic effects (loss of income, jobs, housing, and local tax revenue).

Further, such secondary impacts resulting from right-of-way acquisitions would conflict with the City of Glendora’s land use policies for development at the intersection. The intersection is within the City’s Route 66 Corridor Specific Plan, which designates the north side of the Glendora Avenue/Route 66 intersection as “Town Center Mixed-Use,” and the south side of the intersection as “Glendora Avenue Gateway.” (City of Glendora, Glendora Community Plan 2025 Land Use Element (2008) pp. 20-22; Glendora Ord. No. 2019, p. 268.) The Town Center Mixed-Use subdistrict is “intended to provide for a complimentary mix of land use and development types that are compatible with and reinforce pedestrian activity and transit utilization.” (Glendora Community Plan 2025 Land Use Element, *supra*, at p. 21.) Features of the Town Center Mixed-Use subdistrict include streetscape enhancement, encouragement of future transit use, expanded housing opportunities, and street-oriented, pedestrian-friendly development. (Glendora Mun. Code, pt. 21.20.030(C).) The Glendora Avenue Gateway subdistrict is intended to support hospital and medical uses and is likewise envisioned to support new housing in adjacent areas, pedestrian activity and transit utilization via streetscape enhancement and encouragement of future transit uses. (Glendora Mun. Code, pts. 21.20.030(D); 21.20.320(D).) By contrast, the partial or full loss of community resources at the intersection would likely discourage pedestrian activity to and from local businesses, housing, public transit, and nearby medical facilities, and hinder pedestrian access to the commercial centers on the northwest and southwest corners of the intersection and the apartment complex on the northeast corner of the intersection. Widening the intersection would also reduce the safety and attractiveness of the streetscape to pedestrians. The loss of local businesses from right-of-way acquisitions would also conflict with the City’s plan to “improve the economic vitality and livability of the [Route 66] corridor through the accomplishment of a comprehensive strategy to

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retain existing business and attract additional commercial, industrial, office, retail and residential opportunities.” (City of Glendora, Glendora Community Plan 2025 Housing Element (2013) p. 39.)

Accordingly, undertaking the substantial right-of-way acquisitions necessary to implement alternative mitigation measures would be impractical and undesirable from a policy standpoint, and mitigation of this impact would be infeasible due to economic, social, and policy considerations.

Additional facts in support of the findings are described in the Final SEIR Section 2 (Transportation) and in Final SEIR Appendix A-1 (Response to Comments). The remaining unavoidable impact is acceptable when balanced against the facts set forth in the Statement of Overriding Considerations.

