

# Memorandum

Tab 50

To: CHAIR AND COMMISSIONERS

CTC Meeting: June 29-30, 2016

Reference No.: 2.2c.(12)  
Action

From: SUSAN BRANSEN  
Executive Director

Subject: **APPROVAL OF PROJECT FOR FUTURE CONSIDERATION OF FUNDING  
MITIGATED NEGATIVE DECLARATION FOR THE LAGUNA NIGUEL TO SAN  
JUAN CAPISTRANO PASSING SIDING PROJECT (RESOLUTION E-16-48)**

## **ISSUE:**

Should the Commission, as a Responsible Agency, accept the Mitigated Negative Declaration (MND) for the Laguna Niguel to San Juan Capistrano Passing Siding Project (Project) in Orange County and approve the project for future consideration of funding?

## **RECOMMENDATION:**

Staff recommends the Commission accept the MND and approve the project for future consideration of funding.

## **BACKGROUND:**

The Orange County Transportation Authority (OCTA) is the CEQA lead agency for the project. The project will construct approximately 1.8 miles of new passing siding railroad track adjacent to the existing main track between milepost 193.9 and 195.7 to facilitate a faster, safer and more reliable passenger rail system.

On February 24, 2014, OCTA adopted the final MND for the project and found that the project will not have a significant effect on the environment after mitigation.

Impacts that require mitigation measures to be reduced to less than significant levels relate to air quality, biological resources, cultural resources, hazardous materials, water quality and noise abatement. Mitigation measures include, but are not limited to: require the use of watering trucks to minimize dust, conduct pre-construction surveys for nesting birds, require the full-time monitoring of a certified professional archaeologist and Native American representative during excavation, perform pre-construction testing to identify Asbestos Containing Materials (ACMs), require the implementation of a Storm Water Pollution Prevention Plan (SWPPP) and limit construction activities to daylight hours between 7:00 AM and 6:00 PM to minimize noise.

On May 5, 2016, the OCTA confirmed that the preferred alternative set forth in the final environmental document is consistent with the project scope of work and programming by the Commission.

The project is estimated to cost \$25,274,000 and is fully funded through construction with State Transportation Improvement Program (STIP) Funds (\$3,000,000), Proposition 116 Funds (\$2,483,000) and Congestion Mitigation and Air Quality Improvement Funds (\$19,791,000). Construction is estimated to begin in Fiscal Year 2016/17.

Attachments

- Resolution E-16-48
- Project Location

# CALIFORNIA TRANSPORTATION COMMISSION

## Resolution for Future Consideration of Funding 12 – Orange County Resolution E-16-48

- 1.1 **WHEREAS**, the Orange County Transportation Authority has completed a Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:
  - Laguna Niguel to San Juan Capistrano Passing Siding Project
- 1.2 **WHEREAS**, the Orange County Transportation Authority has certified that the Mitigated Negative Declaration has been completed pursuant to CEQA and the State CEQA Guidelines; and
- 1.3 **WHEREAS**, the project will construct approximately 1.8 miles of new passing siding railroad track adjacent to the existing main track between milepost 193.9 and 195.7 to facilitate a faster, safer and more reliable passenger rail system; and
- 1.4 **WHEREAS**, the project is located between milepost 193.9 in the City of San Juan Capistrano and milepost 195.7 in the City of San Juan Capistrano and is approximately 500 feet north of the Trabuco Creek crossing; and
- 1.5 **WHEREAS**, the California Transportation Commission, as a Responsible Agency, has considered the information contained in the Mitigated Negative Declaration; and
- 1.6 **WHEREAS**, the Orange County Transportation Authority found that the proposed project would not have a significant effect on the environment after mitigation; and
- 1.7 **WHEREAS**, the Orange County Transportation Authority approved the Mitigated Negative Declaration.
- 1.8 **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby accept the Mitigated Negative Declaration and approves the above referenced project to allow for future consideration of funding.

Figure 2: Project Area Map

