



May 9, 2019

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer

A handwritten signature in black ink, appearing to read "Darrell Johnson for", is written over the "From:" line of the memo.

Subject: Adopt the Mitigated Negative Declaration and Approve the Preliminary Engineering for the Transit Security and Operations Center

Overview

On June 13, 2017, the Orange County Transportation Authority issued an agreement for preliminary engineering and environmental studies for the proposed Transit Security and Operations Center at the preferred site in the City of Anaheim. Board of Directors' adoption of the Mitigated Negative Declaration and approval of the preliminary engineering for the Transit Security and Operations Center is required.

Recommendations

- A. Adopt Resolution No. 2019-035 to adopt the Mitigated Negative Declaration and Mitigation Monitoring Reporting Program, pursuant to the California Environmental Quality Act, for the Transit Security and Operations Center.
- B. Approve the Transit Security and Operations Center.

Discussion

The proposed Transit Security and Operations Center (TSOC) will be a new operations facility designed to California essential services building standards for current and future operational needs and requirements of the Orange County Transportation Authority (OCTA). Planned uses for the TSOC include OCTA emergency operations center, central communications (dispatch), field operations, information systems (data center), security and emergency preparedness, transit police, including technical infrastructure and personnel to support OCTA operations.

The OCTA Planning Department completed the master planning and site selection for the TSOC in 2015. A site in the City of Anaheim (City), located at 1512-20 West Lincoln Avenue and owned by OCTA, was the preferred site recommended for the TSOC. On October 12, 2015, the Board of Director's (Board) authorized staff to begin design and environmental studies for the proposed TSOC at the site. On June 13, 2017, OCTA approved an agreement for preparation of preliminary engineering and environmental studies for the proposed TSOC. Preliminary engineering and environmental work are concluding, and the next phase of the TSOC is to complete the final design. The estimated timeline to complete final design is 12 months after the design consultant agreement is executed.

During preliminary engineering in 2018, the TSOC went through a formal conceptual development review as required by the City to determine consistency with the City's zoning and general plan regulations. The City's response was received on May 30, 2018, concluding that the TSOC meets City zoning and general plan requirements that no discretionary approvals such as a variance or conditional use permit are required. Future coordination with the City during the final design and construction phases will be necessary to comply with City requirements.

OCTA, as the California Environmental Quality Act (CEQA) lead agency, must comply with CEQA requirements prior to approval of the TSOC. Based upon the findings of the Initial Study, OCTA staff prepared a Mitigated Negative Declaration (MND) to document compliance with CEQA and to determine whether the TSOC will have any significant effects on the environment. Following the public review of the MND, the findings support the conclusion that with the implementation of the six identified mitigation monitoring measures incorporated into the TSOC and the six standard conditions identified in the Initial Study, significant impacts to the environment will be clearly avoided, and there is no substantial evidence that the TSOC will have any significant impacts on the environment. The final MND comprises the findings in Volume 1 (Attachment A), Responses to Comments in Volume 2 (Attachment B), and Appendices and additional technical data in support of the findings therein are included in the MND Appendices in Volume 3 (Attachment C).

The discussion below is a summary of the findings in the MND supporting the conclusion that the proposed TSOC will not result in significant effects on the environment:

- The TSOC would have no effect on agricultural/forest resources, land use, mineral resources, population and housing, public services, or recreation.

- The TSOC would have a less than significant effect on aesthetics, air quality, greenhouse gases emissions, hydrology/water quality, noise, tribal resources, and utilities/emergency services.
- With implementation of the six mitigation measures and six standard conditions identified, the TSOC would have no significant effect on biological resources, cultural and paleontology resources, geology/soils, hazardous waste/materials, and traffic.

A public notice of intent for the MND was released on October 30, 2018 through November 30, 2018, to allow the public, affected and interested parties, and agencies an opportunity to provide input on the MND during the public review period. The OCTA process for public outreach during preliminary design and environmental review of the TSOC was comprised of two efforts: first was coordination with the City where the TSOC is located; and second was the public notification required for the MND, the CEQA compliance document. A summary of the outreach efforts conducted is provided below in Attachment B.

- The MND and notices were posted on the OCTA web page, and officially noticed in the Orange County Register newspaper.
- A special email address link was implemented on the web page to facilitate interested parties to comment on the MND.
- The Notice of Availability of the MND was mailed out to four Native American Tribes per CEQA requirements and 587 surrounding area recipients within a radius ranging from 500 to 1,500 feet of the TSOC project site (see outreach map).
- The MND was sent to the State Clearinghouse and 18 public agencies during the public review period, including the City, two City libraries, and was available for review at OCTA's administrative office.
- The notice included Spanish language instructions providing a contact number for Spanish speakers to obtain information about the TSOC, where to review the MND and how to provide any comments on the TSOC and/or MND. The contact number was staffed by a member of the public outreach team (Arellano and Associates) that speaks Spanish and was responsible for tracking all calls related to the TSOC and forwarding any concerns or comments to the project team.
- Arellano and Associates fielded one phone inquiry regarding the parcel numbers for the TSOC site on November 5, 2018, and a response was provided on November 7, 2018.

During the MND 30-day public review period, OCTA received five written comment letters. The comments were primarily focused on procedures. Three were from agencies: California Public Utilities Commission, South Coast Air Quality Management District (SCAQMD), and the City; and two were from Native American Tribes: The Viejas Band of Kumeyaay Indians and Gabrieleno Band of Mission Indians-Kizh Nation. Two procedural letters were also received, one from the State Clearinghouse, and one from the Orange County Clerk Recorder verifying distribution of the MND and posting of the notice. No comment letters were received from individuals. Three phone calls from individuals inquiring about the location and the type of project were received. No written comments were provided by any individuals.

The comments received were general in nature and will be addressed during the permitting process and during construction. The City's comments were similar and provided at the conclusion of the conceptual development review. A table in the MND was corrected to address a comment from SCAQMD, and the Gabrieleno Band of Mission Indians-Kizh Nation Tribe wants to be consulted prior to ground disturbance and during grading operations. All comment letters were responded to by a letter transmitting the comment letter and responses thereto to the commenting parties on February 1, 2019. Prior to the OCTA Board meeting at which the agenda item is considered, OCTA will send out notification to the commenting parties of the time and place of the meeting.

Comments and responses to the comments received are included in the Responses to Comments document, Volume 2, Section 3, which incorporates minor revisions made to the MND as a result of comments received during the public review period, and minor corrections are included as well. All changes to the MND are enumerated in the Responses to Comments (Volume 2) in Section 4 of Attachment B.

Staff has prepared a Mitigation Monitoring and Reporting Program (MMRP) in compliance with Public Resources Code 21081.6 and CEQA Guideline 15097 to ensure compliance with the mitigation measures identified in the final MND during project construction. It should be noted that the MMRP was made available for review as Appendix C of the MND (Attachment C). The MMRP includes fairly routine construction mitigation measures and standard conditions to address environmental impacts during construction. In addition, several of the measures/conditions will require further coordination with the City. There is only one post-construction mitigation measure (MM HAZ-1), which is a safety and operational requirement for the ongoing monitoring of the fueling island for spills and any necessary cleanup. These measures would reduce the level of impacts to less than significant for the TSOC project.

Adopt the Mitigated Negative Declaration and Approve the Preliminary Engineering for the Transit Security and Operations Center

Page 5

The final MND is presented to the Board for adoption as the final environmental document. If the Board approves the MND, a Notice of Determination will be filed with and posted at the Orange County Clerk's office and the State Clearinghouse.

Summary

The MND for the TSOC indicates the TSOC would not have a significant effect on the environment with incorporation of the mitigation monitoring measures. The MND was circulated to allow the public, affected and interested parties, and agencies an opportunity to provide input on the MND during the public review process. Staff recommends the Board adopt the MND and Mitigation Monitoring Reporting Program and approve the TSOC.

Attachments

- A. Final Initial Study/Mitigated Negative Declaration
- B. Responses to Comments for Final Initial Study/Mitigated Negative Declaration Sch No. 2018101071
- C. Final Initial Study/Mitigated Negative Declaration, Appendices
- D. Appendix C, Mitigation Monitoring and Reporting Program
- E. Resolution No. 2019-035

Prepared by:



George Olivo, P.E.
Program Manager
(714) 560-5872

Approved by:



James G. Beil, P.E.
Executive Director, Capital Programs
(714) 560-5646