

Finding of No Significant Impact

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| Grant Applicant: | San Bernardino County Transportation Authority (SBCTA) |
| Project: | West Valley Corridor Connector (WVCC) Project |
| Project Location: | City of Pomona (Los Angeles County) and Cities of Montclair, Ontario, Rancho Cucamonga, and Fontana (San Bernardino County), California |

The Environmental Assessment (EA) for the West Valley Corridor Connector Project (WVCC Project or Project) was prepared in cooperation with the Federal Transit Administration (FTA) pursuant to the National Environmental Policy Act of 1969 (NEPA) (42 United States Code [U.S.C.] §4321 *et seq.*); the Federal Public Transportation Law (49 U.S.C Chapter 53); the Clean Air Act (42 U.S.C 7401 *et seq.*); 49 U.S.C. §303 (formerly Department of Transportation Act of 1966, Section 4[f]); National Historic Preservation Act of 1966, Section 106 (54 U.S.C. §300101, *et seq.*); the Endangered Species Act of 1973 (16 U.S.C. 1531-1544); and Executive Order (EO) 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations) and EO 11990 (Protection of Wetlands). This Finding of No Significant Impact (FONSI) hereby incorporates the EA by reference.

Description

SBCTA proposes construction of the WVCC Project, a 35-mile-long bus rapid transit (BRT) project that would decrease travel times and improve the existing public transit system within the corridor that traverses the cities of Pomona, Montclair, Ontario, Rancho Cucamonga, and Fontana. The project consists of two phases. Phase I would construct the “Milliken Alignment,” from the Pomona Regional Transit Center (downtown Pomona Metrolink station) to Victoria Gardens in Rancho Cucamonga. Phase II would construct the “Haven Alignment,” from Ontario International Airport to Kaiser Permanente Medical Center in Fontana. The Phase I Milliken Alignment would begin construction in early 2022 and is proposed to have 10-minute peak and 15-minute off-peak headways. Phase II is intended to be constructed following completion of Phase I, depending on the availability of funding.

Phase I/Milliken Alignment

Phase I of the project would construct the 19-mile-long Milliken Alignment, from the eastern boundary limit in Pomona to Victoria Gardens in Rancho Cucamonga. In Pomona, the alignment starts at the Pomona Regional Transit Center station, traveling along Holt Avenue and into Montclair.

In Montclair, the alignment runs on Holt Boulevard between Mills Avenue and Benson Avenue and into Ontario. In Ontario, the alignment continues on Holt Boulevard, starting from Benson Avenue, and then continues to Vineyard Avenue and into Ontario International Airport (loop through Terminal Way). From the airport, it heads north on Archibald Avenue to Inland Empire Boulevard and turns right to go east on Inland Empire Boulevard. On Inland Empire Boulevard, the alignment goes straight into Ontario Mills (loop through Mills Circle), and then heads north on Milliken Avenue into Rancho Cucamonga. In Rancho Cucamonga, the alignment makes a loop into the Rancho Cucamonga Metrolink Station off Milliken Avenue and then continues up Milliken Avenue and turns east onto Foothill Boulevard.

The alignment continues east on Foothill Boulevard, turns north onto Day Creek Boulevard, and then terminates with a layover at Victoria Gardens at Main Street. From Victoria Gardens, the bus line begins a return route by continuing north on Day Creek Boulevard, turns west onto Church Street, turns south onto Rochester Avenue, and then turns west back onto Foothill Boulevard.

Phase II/Haven Alignment

Phase II of the project would construct the 16-mile-long Haven Alignment, from Ontario International Airport to Kaiser Permanente Medical Center in Fontana. In Ontario, the alignment makes a loop through Terminal Way at Ontario International Airport. From the airport, it heads north on Archibald Avenue to Inland Empire Boulevard and turns right to go east on Inland Empire Boulevard.

From Inland Empire Boulevard, the alignment turns left to go north up Haven Avenue into Rancho Cucamonga, then turns right to travel east onto Foothill Boulevard and into Fontana. In Fontana, the alignment continues east on Foothill Boulevard until turning south onto Sierra Avenue. The alignment follows Sierra Avenue, including a stop at the Fontana Metrolink Station, and then continues until turning west onto Marygold Avenue, where the bus line would begin a turn-around movement by heading south onto Juniper Avenue, east onto Valley Boulevard, and north back onto Sierra Avenue to Kaiser Permanente Medical Center before heading northward for the return trip.

Bus Rapid Transit Stations

Two types of BRT stations were considered:

Side-Running Stations

Side-running stations would typically be located on the far side of an intersection to facilitate transit priority and to avoid a stopped bus from blocking those turning right from the corridor.

In the side-running condition, stations may include new or improved shelters with passenger amenities, or only a branded pylon with signature light. Proposed shelters would be approximately 18 feet in length and a width that would fit a 10-foot-wide-minimum sidewalk. Passenger amenities at the side platform stations would include benches, bicycle racks, trash receptacles, variable message signs, security cameras, and lighting integrated with the shelter. There would be no fare collection equipment on the sidewalks or shelters when the available right-of-way (ROW) is less than 10 feet, and the passengers may pay the fee on the bus. Side-running stations would also include various passenger amenities.

Center-Running Platform Stations

The center-running platform stations would be located in the center of the street ROW on a raised platform with an end-block crossing. Access would be provided by crosswalks at intersections and Americans with Disabilities Act (ADA)-compliant ramps to the station platforms. Center-running platforms would be placed as close to the intersection as possible while still maintaining left-turn pockets, where required.

In the optimum center-running platform configuration, the platform would accommodate a canopy with its seating area, passenger amenities, fare equipment, and a ramp to comply with relevant accessibility requirements and provide clearance in front of ticket vending machines. Stations would include passenger amenities that can be assembled and laid out to suit the functionality of the station and fit in with the surrounding land uses.

Bus Operations

The project would be operated by Omnitrans and require 18 buses during the Phase I operation and increase to 27 buses for the combined Phase I and Phase II operation to serve the designed headways and have sufficient spare vehicles.

For the side-running station design, project buses would operate entirely in mixed-flow lanes along the 35 miles of the Phase I and Phase II alignments. For the center-running design, project buses would operate in mixed-flow lanes similar to the side-running station design and operate in a dedicated bus lane at the center of the street.

Project Bus Operations at Signalized Intersections

The project corridor would need to integrate project buses and other vehicular traffic movements. Traffic signals would be reconfigured at each appropriate intersection to provide Transit Signal Priority (TSP) operation.

Signal modifications would include upgrades to signal controllers and software to accommodate the transit priority treatment at intersections. Presignals and queue jumpers would be used where appropriate to prevent traffic from stopping or blocking the exclusive lanes.

Headways and Service Hours

Project buses would generally operate from 6:00 a.m. to 8:00 p.m. with peak headways for 4 hours and off-peak headways for 10 hours per day for a total span of service of 14 hours per day, Monday through Friday. Service hours may change depending on funding availability. From the Pomona Metrolink Transit Center station to Inland Empire Boulevard, the project buses would operate on 10-minute peak headways and 15-minute off-peak headways. Additional service hours, including weekend service, may be expanded if additional operating funds become available in the future.

Fleet Composition

The project's fleet would be comprised of 60-foot-long articulated compressed natural gas (CNG) propulsion buses. Project buses would hold approximately 96 passengers at maximum capacity with up to 8 bicycles on board. Today, the average local bus operating speeds are only 12 to 15 miles per hour (mph), and they are getting slower as corridor congestion worsens. In calculating run times, it was assumed that the average dwell time at stations would be 30 seconds (peak service), and the average overall speed would be 18 mph.

Operation and Maintenance Facility

To accommodate the additional maintenance and storage requirements of the bus fleet associated with the project, a maintenance facility would be designed and constructed to provide Level I service maintenance with a capacity to be upgraded to provide Level II service maintenance. Heavy repair functions and administrative functions would remain exclusively with Omnitrans' existing East Valley Vehicle Maintenance Facility in San Bernardino.

Conceptually, the new Operation & Maintenance (O&M) facility would be built on an approximate 5-acre site. The Level I facility would include a parking area, bus washing area, fueling area, and a personnel and storage building. Landscaping and irrigation would be provided to enhance the comfort of employees and the appearance of the facility, and to help screen maintenance facilities and operations from offsite viewpoints within the community.

Alternatives Considered

Several alternatives were considered during the project development phase of the project. The No Build Alternative and two build alternatives (Alternatives A and B) were analyzed in the EA.

No Build Alternative

The No Build Alternative proposes no improvements to the existing local bus services. Under the No Build Alternative, the existing local bus service on Routes 61 and 66 would maintain current service of 15-minute headways (total of four buses per hour in each direction).

Build Alternatives

The design features of both build alternatives are the same, with the exception of the following:

Alternative A – Rapid line with no dedicated bus-only lanes

Alternative A would include the 35-mile-long BRT corridor, which is comprised of the Phase I/Milliken Alignment, Phase II/ Haven Alignment, and 60 side-running stations at up to 33 locations/major intersections. The BRT stations would be located approximately 0.5 to 1 mile apart to facilitate higher operating speeds by reducing dwell time. Of the 33 BRT stations, 21 would be constructed as part of the Phase I/Milliken Alignment and 12 would be constructed as part of the Phase II/Haven Alignment. The BRT buses would operate in the mixed-flow lanes. The ROW limits and travel lane width vary in other segments of the corridor. Implementation of Alternative A would require a partial acquisition of land along the corridor to support roadway reconfiguration and station construction, resulting in a minor partial acquisition of some parcels adjacent to the existing roadway. The design will be refined during the final engineering phase to avoid partial parcel acquisitions to the extent practicable. In addition, some temporary construction easements (TCEs) would be required to support the construction activities along the corridor, especially around the proposed bus stations.

Alternative B – Full BRT with 3.5 miles of dedicated bus-only lanes in Ontario

Alternative B would include the full 35-mile-long BRT corridor, which is comprised of the Phase I/ Milliken Alignment, Phase II/ Haven Alignment, 3.5 miles of dedicated bus-only lanes, and 5 center-running stations and 50 side-running stations at up to 33 locations/major intersections. The BRT stations would be located approximately 0.5 to 1 mile apart to facilitate higher operating speeds by reducing dwell time. Of the 33 BRT stations, 21 would be constructed as part of the Phase I/Milliken Alignment and 12 would be constructed as part of the Phase II/Haven Alignment. Along the side-running station segment, the BRT buses would operate in the mixed-flow lanes. The 3.5-mile-long segment of dedicated lanes would include two mixed-flow lanes and one transit lane in each direction and five center-running stations. To accommodate the dedicated lanes, roadway widening, and additional utilities, such as electrical and fiber-optic lines, would require a combination of permanent ROW acquisition and TCEs. Similar to Alternative A, a partial acquisition of land along the corridor would be required to accommodate roadway reconfiguration and station construction, resulting in a minor partial acquisition of some parcels adjacent to the existing roadway. The design will be refined during the final engineering design to avoid partial acquisition of any parcel to the extent practicable.

Operation & Maintenance Facilities

Three sites were considered for placement of the new O&M facility. All are owned by the City of Ontario and are located in the industrial zoned area, slightly more than 1 mile from the BRT corridor alignment on Holt Boulevard:

- Site 1: 1516 S. Cucamonga Avenue, Ontario. If selected, the O&M facility would be built at the bottom portion of the parcel, encompassing an area of approximately 6.0 acres.
- Site 2: 1440 S. Cucamonga Avenue, Ontario. If selected, the O&M facility would utilize the entire parcel, encompassing an area of approximately 4.8 acres.
- Site 3: 1333 S. Bon View Avenue, Ontario. If selected, the O&M facility would be built at the bottom portion of the parcel, encompassing an area of approximately 6.6 acres.

Construction of the new O&M facility is scheduled to be completed by the time the Phase I/Milliken Alignment is complete.

Locally Preferred Alternative

Prior to circulation of the EA, on January 4, 2018, the SBCTA Board identified Alternative B, *Full BRT with 3.5 miles of dedicated bus-only lanes in Ontario*, as the SBCTA Locally Preferred Alternative (LPA) subject to completion of the California Environmental Quality Act (CEQA) and NEPA review.

Each of the cities agreed on Alternative B as meeting the needs of premium transit service within their jurisdiction. Selection of the final Preferred Alternative was made after all public comments on the EA were considered by SBCTA, Omnitrans, and FTA. SBCTA and Omnitrans staff and the consultant team initially reviewed the comments received on the EA, along with the responses to the comments, and compared the alternatives during a selected alternative workshop held on September 16, 2019. Based on the assessment and discussion during the workshop, SBCTA and Omnitrans staff members determined that the decision made by the 2018 SBCTA Board should be upheld and that Alternative B should remain as the LPA. The meeting minutes for the selection of the preferred alternative are provided in Attachment A.

In addition to the preferred alternative selection, workshop attendees also discussed the preferred O&M facility site. Three optional sites, all located in the same vicinity within Ontario (Site 1: 1516 S. Cucamonga Avenue; Site 2: 1440 S. Cucamonga Avenue, and Site 3: 1333 S. Bon View Avenue), were analyzed in the EA. All three sites are owned by the City of Ontario. Impacts from construction and operation on each potential site would be similar; however, the cost to obtain Site 3 may be higher if hazardous material remediation is required. Based on the City of Ontario's comments received during the public review period, Sites 1 and 2 are currently not available. Staff, therefore, recommended that Site 3 be chosen for the proposed O&M facility as part of the LPA.

Staff presented this finding to the SBCTA Transit Committee, and the Committee voted unanimously at its October 10, 2019, meeting to recommend Alternative B as the Preferred Alternative to the SBCTA Board. Subsequently, the SBCTA Board voted for Alternative B to be identified as the Preferred Alternative in the Final Environmental Impact Report (EIR)/EA on November 6, 2019. Because the City of Pomona does not have a member in the SBCTA Transit Committee, the City of Pomona City Council voted to approve Alternative B as a Preferred Alternative on December 2, 2019.

The Minute Action of the SBCTA Board is provided in Attachment A.

Public Opportunity to Comment

After completion of the EA, FTA released a formal Notice of Availability (NOA) on June 24, 2019, to provide opportunities for the public to review and provide input during the 45-day comment period. The EA was circulated for public review and comment for a period of 45 days, from June 24 to August 8, 2019. The EA was also available for public review and comment on the SBCTA website at: <http://www.gosbcta.com/sbcta/plans-projects/projects-rail-WestValleyConnector.html>.

Project information and/or links to the SBCTA website were also provided at:

- FTA website at: <https://www.transit.dot.gov/funding/grant-programs/capital-investments/west-valley-connector-brt-project-profile>
- Omnitrans website at: <https://omnitrans.org/news-resources/west-valley-connector/>

Hard copies of the NOA and EA were made available at the following public libraries:

- Fontana Lewis Library, 8437 Sierra Avenue, Fontana, CA 92335
- Ovitt Family Community Library, 215 E. C Street, Ontario, CA 91764
- Pomona Public Library, 625 S. Garey Avenue, Pomona, CA 91766
- Law Library for San Bernardino County, 8409 Utica Avenue, Rancho Cucamonga, CA 91730
- Rancho Cucamonga Public Library, 12505 Cultural Center Drive, Rancho Cucamonga, CA 91739

Hard copies were also provided to these libraries:

- Archibald Library, 7368 Archibald Avenue, Rancho Cucamonga, CA 91730
- South Ontario Library, 3850 E. Riverside Drive, Ontario, CA 91761
- Summit Branch Library, 15551 Summit Avenue, Fontana, CA 92336

Newspaper Public Notice

SBCTA posted the NOA of the EA for the project in the following newspapers:

- *Daily Bulletin*, Inland Empire, on July 14 and 21, 2019
- *Redland Daily Facts*, on July 14 and 21, 2019
- *San Bernardino Sun*, Inland Empire, on July 14 and 21, 2019
- *La Prensa*, on July 19 and 26, 2019

Advertisements were also made from July 10 to July 22, 2019, in the online versions of these newspapers:

- *Daily Bulletin* (English)
- *Redlands Daily Facts* (English)
- *San Bernardino Sun* (English)
- *La Prensa* (Spanish)

E-blasts

The NOA and the reminder notice to attend public meetings were sent to members of the public via electronic mail a week before each public meeting. These meeting e-blasts were sent in English with a hyperlink to a Spanish-translated version within the e-blast. Five e-mail notifications were transmitted during July 2019, each encouraging meeting attendance and encouraging public comment.

Public Meetings

Four public meetings were held at the following dates, times, and locations to inform the public of the project and encourage public input.

| Date | Time | Location |
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| July 17, 2019 | 6:00-8:00 p.m. | City of Fontana – Flex Conference Room, City Hall |
| July 18, 2019 | 6:00-8:00 p.m. | City of Ontario Senior Center MPR |
| July 31, 2019 | 6:00-8:00 p.m. | City of Pomona City Council Chambers |
| August 1, 2019 | 6:00-8:00 p.m. | City of Rancho Cucamonga Central Park – Etiwanda Room |

The meetings were arranged in an open house format with various exhibits and a brief presentation explaining details of the project. Following the presentation, attendees were encouraged to review the exhibits and consult with staff from FTA, SBCTA, Omnitrans, and the consultant team. A Spanish-speaking interpreter was available for meeting attendees.

COMMENTS ON THE EA

The project team made the EA available for public and agency review during a 45-day comment period from June 24 to August 8, 2019. During this public circulation period, FTA and SBCTA received 35 comments on the EA from public and agency stakeholders. Attachment B provides the comment summary and responses to these comments. Of the comments received, 12 of them were from public agency stakeholders, wherein both State of California Department of Transportation Districts 7 and 8 and the City of Rancho Cucamonga expressed support for the project. The City of Fontana commented on project design issues, impacts to historic resources, and General Plan consistency for access and transit. The City of Ontario commented on solid waste management, inconsistency of information from Traffic Analysis Report and the Draft EIR/EA, environmental justice, and historic resources. In addition, the City of Ontario advised that only O&M Facility Site 3 (1333 S. Bon View Avenue, Ontario) is currently available. The City of Rancho Cucamonga provided comments regarding station design, traffic analysis methodology, safety, noise, and construction impacts. The Southern California Regional Rail Authority

requested SBCTA to update their address and provided input regarding connectivity with Metrolink. Ontario-Montclair School District expressed the concern related to impacts to Montera Elementary School. The remaining four agencies provided general comments related to the project.

A total of 23 comment letters were received from the general public, including Native American Tribes. Of these, 7 comments expressed support for the project, 1 comment did not support the project, 2 comments were not in support of Alternative B, and 13 comments did not express if they were for or against the project. The topics raised by this group of comments include project impacts on traffic, pedestrian access, bicycle operations, loss of parking, inability to make a left turn or U-turn, noise, air quality, school safety, and historic resources. Questions related to alternative analysis, preferred alternative selection, funding sources, and inconsistency with the 2018 Fontana General Plan were also raised.

DETERMINATIONS AND FINDINGS

SBCTA, in cooperation with FTA, prepared an EA for the WVCC Project to evaluate the environmental effects of the project pursuant to the requirements of NEPA, as codified in *23 Code of Federal Regulations* (CFR) 771.119 and 23 U.S.C. 139. The EA concluded that construction and operation of the project, with incorporated mitigation and avoidance measures, would not result in significant adverse effects to the environment. The resources of minimal impacts with mitigation include traffic and transportation, aesthetics and visual resources, air quality during construction, biological resources, cultural and paleontological resources during construction, hazardous waste/materials, hydrology/water quality/floodplains, noise/vibration, acquisition/displacements, safety/security, and Section 4(f) resources. Finally, the resources with no impacts include geology/soils/seismicity, land use and planning, energy, demographic/neighborhood, public services/utilities, parks and recreation, and global climate change.

The findings requiring mitigation by federal environmental laws and Executive Orders are outlined below.

Land Acquisition, Displacements, and Fiscal Impacts

The Uniform Relocation Assistance and Real Property Acquisitions Policies Act (Uniform Relocation Act) of 1970, as amended (42 U.S.C. 61), and its implementing regulations ensure the fair and equitable treatment of persons whose real property is acquired or who are displaced as a result of a federal or federally assisted project. Construction of the 3.5-mile-long dedicated lanes under Alternative B would require partial and full acquisitions of numerous parcels. Based on preliminary engineering, 14 residential properties, 53 commercial businesses, and 8 industrial/manufacturing businesses are proposed for full acquisition under Alternative B. Partial acquisition of 168 parcels is also anticipated to accommodate bus stations and minor roadway widening. In addition, TCEs from 58 parcels would be required.

The overall economic forecast for the region is for growth to continue, and regional, county, and local plans to prioritize transit as a critical component to growth, development, and sustainability. Overall, employment is expected to increase and the property tax base expanded as land use spurred by transit-oriented development serves as a catalyst for economic development. More specifically, in the vicinity of the project, with the existing commercial building inventory and planned land development projects, business displacement impacts are expected to be of short duration and minimally disruptive to those business enterprises wishing to reestablish. Potential property lease-back options allowing small businesses to continue to function as long as feasible after acquisition will be explored in the Real Estate Acquisition Management Plan (RAMP), implemented under Measure ACQ-1. In addition, business entities may make claims to displacement impacts that are non-compensable under the Uniform Relocation Act, such as loss of profits, loss of clientele, loss of trained employees, and other non-compensable losses.

Air Quality Conformity:

The project satisfies the United States Environmental Protection Agency (EPA) transportation conformity requirements for air quality under 40 CFR 93. The WVCC Project is included in the Southern California Association of Governments (SCAG) 2019 Federal Transportation Improvement Program (FTIP), which was adopted by SCAG on September 14, 2016. The Clean Air Act and its amendments require that federal agencies and Metropolitan Planning Organizations only approve a transportation project, program, or plan if it conforms to the approved State Implementation Plan. The Federal Transportation Conformity Rule requires that FTA projects must be found to conform before they are adopted, accepted, approved, or funded. The 2019 FTIP was approved by SCAG on September 6, 2018, and FTA/Federal Highway Administration (FHWA) on December 17, 2018. The 2019 FTIP includes the project as RTP ID 4120213 (West Valley Corridor Connector (WVCC – Phase 1/Milliken Alignment): A 19-mile BRT service from the Downtown Pomona Metrolink Station to Ontario International Airport and the Rancho Cucamonga Metrolink Station). Accordingly, the regional conformity requirement is satisfied. Regarding project-level conformity, the WVCC Project is located in the South Coast Air Quality Management District and is within a nonattainment area for the federal particulate matter less than 2.5 microns in diameter (PM_{2.5}) National Ambient Air Quality Standards (NAAQS) and maintenance area for the particulate matter less than 10 microns in diameter (PM₁₀) NAAQS. Therefore, pursuant to 40 CFR Part 93, project-level PM_{2.5} and PM₁₀ Interagency Consultation and/or analyses are required for conformity purposes.

The project involves a 35-mile-long BRT line and associated roadway improvements. The project is not a highway project, nor is it a new or expanded bus or rail terminal or transfer point with a significant number of diesel vehicles. BRT buses are powered with CNG, which is not a significant source of diesel emissions. The bus transfer locations would operate similarly to existing bus stops on a local roadway; they are not considered significant terminals or transfer points with a significant number of diesel vehicles. For these reasons, the project is not a Project of Air Quality Concern (POAQC), the project-level particulate matter (PM) conformity determination requirements are satisfied. There is no potential for a PM hot spot in the project area.

On November 21, 2017, the WVCC Project was presented to the SCAG Transportation Conformity Working Group (TCWG), which is comprised of a representative from FTA, FHWA, and EPA. The WVCC Project was determined not to be a POAQC through TCWG concurrence on December 5, 2017; therefore, project-level conformity was effectively demonstrated.

National Historic Preservation Act Compliance:

In accordance with the National Historic Preservation Act (54 U.S.C. 300101 *et seq.*), and its implementing regulations at (36 CFR Part 800), FTA, in coordination with SBCTA, initiated consultation with the California State Historic Preservation Office (SHPO) on December 22, 2016. An area of potential effects (APE) was delineated to encompass potential project effects on cultural resources. FTA received concurrence from SHPO in its adequacy on November 17, 2017. Modifications were made to the APE to incorporate three alternative locations for a proposed O&M facility, with concurrence received from the SHPO on March 29, 2018. The pedestrian field surveys conducted for the project resulted in the recordation of 11 newly identified archaeological resources in the APE. All are historic-age sites with limited surface manifestations of building foundation pads and remnants of parking lots. None of these 11 new archaeological sites are eligible for the National Register of Historic Places (NRHP). Two previously recorded resources were identified through the records search conducted at the South Central Coastal Information Center to be within the project's archaeological APE: (P-36-007144), which is no longer extant and has been evaluated as not eligible for inclusion in the NRHP; and (P-36-002910), the National Old Trails Road/Route 66, which is listed in the NRHP.

FTA sent an invitation letter to 11 Native American contacts provided by the Native American Heritage Commission to consult under Section 106. As a result, two Native American groups, the Gabrieleño Band of Mission Indians – Kizh Nation and the San Manuel Band of Mission Indians, requested consultation.

As a result of consultation, FTA, in coordination with SBCTA, prepared a draft Cultural Resources Monitoring and Mitigation Plan (CRMMP). The CRMMP is a background document establishing protocols and procedures for archaeological and Native American monitoring and for the recordation/treatment of new finds inadvertently discovered during ground-disturbing activities. The WVCC Project would not result in an adverse effect related to archaeological and tribal cultural resources, with the implementation of CI-CR-1 and CI-CR-2. In addition, the records search also identified five previously NRHP-listed or eligible built-environment properties to be in the APE: Southern Pacific Railroad Depot (Pomona), Lincoln Park Historic District (Pomona), Euclid Avenue/SR 83 (Ontario), National Old Trails Road/Route 66 (Rancho Cucamonga; Fontana), and Malaga Underpass Bridge (Fontana). In addition to these five historic properties, the architectural history survey conducted for the WVCC Project newly identified four additional properties that have been determined eligible for inclusion in the NRHP: 1206 W. Holt Boulevard, Ontario (Vince's Spaghetti); 961 W. Holt Boulevard, Ontario (A.C. Moorhead House); 541 E. Holt Boulevard, Ontario (Jacob Lerch House); and 724 W. Holt Boulevard, Ontario (The Grinder Haven).

Because the project would result in some impacts to these historic architectural properties, coordination and consultation with the SHPO and potentially other interested parties under Section 106 has been carried out to develop and implement appropriate avoidance, minimization, and mitigation measures and strategies. Based on the impact assessment, the effects on historic properties do not appear to be adverse under 36 CFR § 800.5. Implementation of CI-CR-4 and CI-CR-5 would reduce impacts to historic properties by providing an environmentally sensitive buffer in the plans and specifications to alert contractors to avoid character-defining features of each built environment historic property and by adherence to the Secretary of the Interior's Standards (SOIS) for the Treatment of Historic Properties (36 CFR § 68) for alterations to each historic property.

No property listed in or determined eligible for listing in the NRHP would be transferred, leased, or sold out of federal ownership or control as a result of the project. Accordingly, on January 7, 2020, FTA made a finding of no adverse effect as part of the Finding of Effect (FOE) documentation. Upon reviewing the FOE, on February 4, 2020, the SHPO requested additional clarification on the treatment of The Grinder Haven and the Jacob Lerch House properties. FTA submitted the requested clarifications to the SHPO on February 26, 2020. The SHPO has concurred with the FTA determination of the Finding of No Adverse Effect on March 19, 2020.

Executive Orders 13609 and 11988 Floodplain Management:

The Federal Emergency Management Agency (FEMA) is an agency of the United States Department of Homeland Security created to coordinate responses to disasters that overwhelm the resources of local and state authorities. The National Flood Insurance Program is intended to reduce the loss of life, damage to property, and disaster relief costs in these high-risk areas. There are five water bodies crossing the corridor, including the San Antonio Channel, Cucamonga Channel, Day Creek Channel, Etiwanda Creek Channel, and the West Cucamonga Channel.

Based on the FEMA Flood Insurance Rate Map, the project corridor is only encroached in the West Cucamonga Channel's Zone X flood area designation. The project would require some improvements at West Cucamonga Channel, including roadway widening, grading, and culvert modification. Floodplain encroachment at West Cucamonga Channel would occur where the existing culvert crosses under Holt Boulevard. This culvert would be modified to accommodate the roadway widening. The proposed work would not substantially alter the floodplain because the culvert crossing would only be extended by approximately 30 feet total (15 feet on each side). Furthermore, the 100-year flood event would still be contained in the channel under the proposed conditions. The project will be designed to minimize impacts to floodplains where possible by limiting the grading and structural encroachments at designated floodplain and floodways areas.

Construction of the WVCC Project would not result in floodplain encroachment impacts other four water bodies crossing the corridor because improvements at these locations would be minor, such as restriping efforts, and would not include roadway widening.

Based on this analysis, FTA finds that the project would have less than substantial adverse impacts to any 100-year floodplains or floodways with mitigation incorporated.

Endangered Species Act Compliance:

Most of the study corridor area has been developed by urban land uses, resulting in additional leveling off of topography. Vegetation communities in the Biological Study Area (BSA), a 5-mile radius surrounding the project centerline, include developed/ornamental, disturbed/ruderal (including non-native grassland), agricultural/vineyard, waterways (channels), and disturbed coastal sage scrub. Based on the California Department of Fish and Wildlife 2019 and the United States Fish and Wildlife Service website visited in February 2020, 24 federally or state threatened or endangered, including California Species of Special Concern, are known to occur or have potential to occur in the BSA. Because of existing development, ongoing urbanization, absence of suitable habitat within the BSA, and absence of special-status plant and animal species during biological surveys by a qualified biologist, most of the special-status species are not likely to occur within the project area. However, Delhi Sands flower-loving fly (DSF) may occur within the BSA because of potential habitat that may support a federally endangered species. The project would not result in temporary or permanent impacts to DSF and its habitat. If the project design plans change and result in impacts to undeveloped and or open areas where historic DSF soils are identified, implementation of BR-4 would provide mitigation for potential DSF impacts.

Raptors and migratory birds protected under the Migratory Bird Treaty Act may potentially be using shrubs, trees, and structures within the BSA and could be affected by their removal and/or proximity to construction activities. The project impacts to nesting birds would be limited to the removal of trees and shrubs within the BSA and exclusion of swallows from any nests associated with both build alternatives. BR-2 provides mitigation for potential impacts to nesting migratory birds.

Based on this analysis, FTA finds that the project would have less than substantial adverse effects on threatened or endangered species and migratory birds with mitigation incorporated.

Executive Order 12898 (Environmental Justice) Compliance:

The potential for disproportionately high and adverse human health or environmental effects on minority and low-income populations were evaluated in the EA in accordance with EO 12898, United States Department of Transportation (USDOT) Order 5610.2(a), and FTA's Environmental Justice Circular 4703.1. The environmental justice study area was identified to be an approximately 1-mile-wide corridor from the centerline of the proposed alignment, though it varied in some locations depending on the size and boundaries of the adjoining Census Tract from which socioeconomic data was derived.

The study area covers a wide range of low-income and minority populations, which meet the definition of environmental justice populations. Public outreach activities to reach out to the residents and businesses throughout the corridor began in 2014 to explain the purpose and objectives of the project and to provide a range of opportunities to answer questions and collect comments from the public. To further the goals of environmental justice in accordance with federal directives, a Public Involvement Plan was developed and implemented as an integral part of the public involvement and outreach strategy for the project, including a targeted effort to engage environmental and social equity organizations in the region. Among local community-based organizations, several whose mission is achieving environmental justice, including the Center for Community Action and Environmental Justice, and the United Voice for Pomona Environmental Justice, were sent bilingual notices for the public scoping meetings held in each of the five project corridor cities between April 12 and 20, 2016. In addition, a specially focused workshop meeting for the purposes of engaging potentially affected businesses on Holt Boulevard in Ontario, and other

stakeholders, was also held in June 2017. No negative feedback related to environmental justice impacts were received.

The project will benefit all populations in the community by providing improved public transportation services, including increased mobility, connectivity, and access to transit. Based on the analysis contained in the EA and the minimization and mitigation commitments made by SBCTA, the project will not result in adverse effects on environmental justice populations. Measures CI-TRA-3 and CI-TRA-4 involve implementing a plan to coordinate detours with community groups and emergency service providers, restricting construction hours, rerouting traffic, minimizing lane and sidewalk closures, and maintaining access to businesses. Under measure ACQ-1, engagement with community business organizations, such as the Inland Empire chapters of the California Hispanic Chamber of Commerce, Asian Business Association, and Black Chamber of Commerce, will be conducted for help in providing resources for minority-owned businesses displaced by the project.

In summary, the analysis in the EA indicates that no disproportionately high or adverse impacts to minority or low-income populations would occur as a result of this project. Extensive meaningful opportunities for public involvement by environmental justice populations were provided during project planning and development, and communication and dialogue between the community and the project team will continue through design and construction.

Section 4(f) Compliance:

The USDOT Act of 1966, 49 U.S.C. 303 and/or regulations in 23 CFR Part 774, includes a special provision, Section 4(f), which stipulates that federal agencies cannot approve the use of land from publicly owned parks, recreational areas, wildlife and waterfowl refuges, and public or private historical sites unless (1) there is no feasible and prudent alternative to the use of such lands, and (2) such projects include all possible planning to minimize harm to those properties resulting from such use. Under 23 CFR Part 774.17, the word “use” refers to:

- Permanent – Land that is permanently incorporated into a transportation facility (e.g., purchased as ROW).
- Temporary Occupancy – May be necessary for activities such as regrading slopes or to provide staging or access areas. Depending upon conditions, such activities, even though temporary in nature, may be considered adverse in terms of the Section 4(f) statute’s preservation purpose, and therefore would be considered a Section 4(f) use. Once the easement is no longer needed, the Section 4(f) property must be restored to the condition in which it was originally found.
- Constructive – When the project’s proximity impacts are so severe that the activities, features, or attributes that qualify a resource for protection are substantially impaired (e.g., severe noise, vibration, visual, or access impacts).

FTA can make a determination that the project has a *de minimis* impact on the Section 4(f) property, if, after taking into account any measures to minimize harm (e.g., avoidance, minimization, mitigation, or enhancement measures) results in either: (1) A Section 106 finding of no adverse effect on a historic property or no historic properties affected by the project, or (2) A determination that the project would not adversely affect the activities, features, or attributes qualifying a park, recreation area, or refuge for protection under Section 4(f).

With mitigation measures incorporated to minimize harm to historic properties, FTA has determined Alternative B would have a *de minimis* impact on six historic properties, as follows:

- **Southern Pacific Railroad Depot** – Alternative B would result in a direct use of an approximately 4,356-square-foot area of the Southern Pacific Railroad Depot parcel to accommodate a BRT station platform, a new bus pad, and reconstructed sidewalks with ramps. The area impacted consists primarily of existing sidewalks, the parking lot used for motorcycles, and landscaping. The alternative

would also result in temporary occupancy of approximately 7,841 square feet of the parcel. Access to the property would be maintained at all times during project implementation. Temporarily disturbed areas would be fully restored to pre-project conditions once temporary impacts are complete. The existing sidewalks would be connected to the new sidewalks to match pre-project conditions. Any temporarily disturbed turf grass and landscaping would be replaced to match pre-project conditions at the completion of construction. These minor alterations to the property for the WVCC would not detract from or alter any of the character-defining features of the Southern Pacific Railroad Depot property that qualify it for the NRHP and as a resource under Section 4(f) after taking into account mitigation measure CI-CR-4, which requires establishing a buffer to avoid character-defining features of each built-environment historic property, and mitigation measure CI-CR-5, which requires any alterations to a historic property adhere to the SOIS for the Treatment of Historic Properties.

- **A.C. Moorhead House** – Alternative B would require acquisition of a 274-square-foot strip of the A.C. Moorhead House parcel and would use a temporary construction footprint area of approximately 1,363 square feet, consisting of a portion of two driveways and a portion of the front turf lawn to reconstruct the sidewalk on Holt Boulevard and to reconstruct the two driveways. The permanent acquisition represents 1.1 percent of the parcel’s pre-project size. Access to the property would be maintained at all times during project implementation. Temporarily disturbed areas would be fully restored to pre-project conditions once temporary impacts are complete. These minor proposed direct and temporary uses would not detract from or alter any of the character-defining features of the A.C. Moorhead House that qualify it for the NRHP and as a resource under Section 4(f) after taking into account mitigation measure CI-CR-4, which requires establishing a buffer to avoid character-defining features of each built-environment historic property, and mitigation measure CI-CR-5, which requires any alterations to the historic property adhere to the SOIS for the Treatment of Historic Properties.
- **Jacob Lerch House** – Alternative B would require acquisition of approximately 35 square feet of the Jacob Lerch House parcel and require a temporary construction area footprint of approximately 353 square feet. This area consists of a portion of the front lawn to accommodate a realigned sidewalk and curb return. Access to the property would be maintained at all times during project implementation. Temporarily disturbed areas would be fully restored to pre-project conditions once temporary impacts are complete. These minor proposed direct and temporary uses would not detract from or alter any of the character-defining features of the Jacob Lerch House property that qualify it for the NRHP and a resource under Section 4(f) after taking into account mitigation measure CI-CR-4, which requires establishing a buffer to avoid character-defining features of each built-environment historic property, and mitigation measure CI-CR-5, which requires any alterations to the historic property adhere to the SOIS for the Treatment of Historic Properties. More specific mitigation developed in concert with the SHPO also addresses the relocation or replacement of two historic date palms, depending on their condition, and the reconstruction of curb-high rock wall and columns adjacent to the sidewalk.
- **Vince's Spaghetti** – Alternative B would not require any direct use of land from the two parcels Vince’s Spaghetti occupies. It would require temporary occupancy of approximately 2,222 square feet, consisting of two driveways, a sidewalk, and a parking lot. A historic neon sign near the edge of the easternmost driveway will be retained. Access to the property would be maintained at all times during project implementation. Temporarily disturbed areas would be fully restored to pre-project conditions once temporary impacts are complete. These minor proposed direct and temporary uses would not detract from or alter any of the character-defining features of Vince's Spaghetti that qualify it for the NRHP and as a resource under Section 4(f) after taking into account mitigation measure CI-CR-4, which requires establishing a buffer to avoid character-defining features of each built-environment historic property, and mitigation measure CI-CR-5, which requires any alterations to the historic property adhere to the SOIS for the Treatment of Historic Properties.

- **The Grinder Haven** – Alternative B would require acquisition of a 1,747-square-foot strip of The Grinder Haven parcel and also a temporary construction area footprint of 1,721 square feet, consisting of a portion of the driveways and surface parking lot, which is not actually used for parking, to accommodate a new sidewalk and driveway reconstruction. The Grinder Haven building is set back 75 feet from the construction area. Access to The Grinder Haven would be maintained at all times during project construction. Temporarily disturbed areas would be fully restored to pre-project conditions once temporary impacts are complete. These minor proposed direct and temporary uses would not detract from or alter any of the character-defining features of The Grinder Haven that qualify it for the NRHP and as a resource under Section 4(f) after taking into account mitigation measure CI-CR-4, which requires establishing a buffer to avoid character-defining features of each built-environment historic property, and mitigation measure CI-CR-5, which requires any alterations to the historic property adhere to the SOIS for the Treatment of Historic Properties. More specific mitigation developed in concert with the SHPO also addresses the special protection and reinstallation of the free-standing outdoor neon sign within close proximity, and with the same street orientation, as present.
- **National Old Trails Road/Route 66** – Alternative B would require temporary occupancy of approximately 9,239 square feet of the National Old Trails Road/Route 66 to construct bus pads at 14 proposed side-running stations at 8 intersections on Foothill Boulevard between Haven Avenue and Sierra Avenue. The size of a typical bus pad approximates 660 square feet. The excavation depth to install a bus pad is approximately 2.5 feet, depending on the existing pavement conditions. The removal of historic materials or alteration of features and spaces that characterize a property will be avoided. The new work will protect the historic integrity of the property and its environment. This minor proposed temporary occupancy would not detract from or alter any of the character-defining features of the National Old Trails Road/Route 66 that qualify it for the NRHP and as a resource under Section 4(f) after taking into account mitigation measure CI-CR-5, which requires any alterations to the historic property adhere to the SOIS for the Treatment of Historic Properties.

The California SHPO provided written concurrence with the FTA determination of the Finding of No Adverse Effect under Section 106 on March 19, 2020.

Environmental Finding:

In accordance with 23 CFR Part 771.121, FTA finds, on the basis of the analysis, reviews, and mitigation measures identified in the EA, that there are no significant or adverse impacts on the environment associated with implementation of the project. SBCTA has incorporated mitigation measures into the project to reduce or eliminate potentially significant or adverse environmental impacts. SBCTA shall implement the mitigation measures and measures to avoid and minimize environmental impacts located in Attachment C.

FTA acknowledges the current impacts of the recent social response to the Coronavirus (COVID-19) and the resulting decline in travel demand. At this time, it is impossible to predict future changes to the project purpose and need, schedule, and impacts that may result from a COVID-19 response of an unpredictable nature and length. Should significant changes in the planning assumptions, project schedule, project scope, or surrounding project environment result because of a prolonged COVID-19 response, FTA will consider additional project evaluation and public input consistent with NEPA.

Approved:

Ray Tellis
Regional Administrator
Federal Transit Administration, Region IX

Attachments:

- A. Selection of the Preferred Alternative
- B. Public Comment and Responses
- C. Table 1: Mitigation Measures, Implementation, Scheduling, and Reporting (Operation Phase) and Table 2: Mitigation Measures, Implementation, Scheduling, and Reporting (Construction Phase)
- D. Cultural Resources Monitoring and Mitigation Plan (CRMMP)