

RESOLUTION NO. 2012-R-01

A RESOLUTION OF THE METRO GOLD LINE FOOTHILL EXTENSION CONSTRUCTION AUTHORITY CERTIFYING FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT NO. 2 FOR PROJECT REFINEMENTS TO PHASE 2A OF THE GOLD LINE FOOTHILL EXTENSION FROM PASADENA TO AZUSA; MAKING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; ADOPTING A MITIGATION MONITORING PROGRAM; AND APPROVING THE PHASE 2A PROJECT REFINEMENTS

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”), formerly known as the Los Angeles to Pasadena Metro Blue Line Construction 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 Metro Foothill Extension Gold Line light rail project, formerly known as the Los Angeles – Pasadena Metro Blue 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 Claremont; 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 Claremont, and potentially to 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 has determined that Phase 2 will be 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 extending eastward into the City of Glendora; and Phase 2B from Azusa to Claremont, and potentially Montclair; and,

WHEREAS, the Authority previously prepared and certified an Environmental Impact Report for Phase 2A (the “2007 Final EIR”) pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*, Guidelines for California Environmental Quality Act, Cal. Code of Regs. Section 15000 *et seq.* “CEQA”); and,

WHEREAS, certain refinements to Phase 2A have been approved since initial project approval, with Addendum No. 1 to the 2007 Final EIR adopted in August of 2009 and Addendum No. 2 to the 2007 Final EIR adopted in June of 2010, both prepared in accordance with CEQA; and,

WHEREAS, further project refinements, including location of a maintenance and operating facility in the City of Monrovia, were considered that required the preparation of Supplemental Environmental Impact Report (“SEIR No. 1”) to the certified 2007 Final EIR which was certified by the Authority in January of 2011; and,

WHEREAS, the Authority has determined that additional project refinements are needed for Phase 2A consisting of: (1) adding traction power supply substation (TPSS) units in various cities within Phase 2A; (2) relocating the Duarte Station parking facility in the City of Duarte; (3) eliminating a sound barrier in the City of Duarte; and (4) mitigating vibration impacts for a

single-family residence in the City of Azusa, which refinements are collectively referred to as the “Additional Project Refinements;” and,

WHEREAS, the Additional Project Refinements are entirely separate from and unrelated to the project refinements considered in SEIR No. 1; and,

WHEREAS, the Authority originally prepared a third addendum for the Additional Project Refinements in accordance with CEQA; and,

WHEREAS, in order to provide the opportunity for public comment on the Additional Project Refinements, the Authority prepared Supplemental Environmental Impact Report No. 2 (“SEIR No. 2”) for the Additional Project Refinements; and,

WHEREAS, the Authority completed the Draft SEIR No. 2 together with those certain technical appendices (the “Appendices”), on or about November 7, 2011 so as to disclose potential environmental impacts associated with the proposed Additional Project Refinements and the various alternatives considered. The Authority circulated the Draft SEIR No. 2 to the public and other interested persons between November 7, 2011 and December 21, 2011 for a forty-five (45) day comment period, as required by CEQA Guidelines Sections 15087 and 15105; and,

WHEREAS, the Draft SEIR No. 2 and supporting technical reports were available for public review at the Authority’s offices, local libraries and city halls, and on the Authority’s website during the public comment period; and,

WHEREAS, the Authority prepared written responses for each of the comments that were presented to the Authority during the public review period that raised a significant

environmental issue or issues. The Authority made revisions to the Draft SEIR No. 2, as appropriate, in response to those comments; and,

WHEREAS, after reviewing the responses to comments and the revisions to the Draft SEIR No. 2 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 recirculation of the SEIR No. 2, and proceeded to prepare a Final SEIR No. 2; and,

WHEREAS, more than ten (10) days in advance of the Authority's action certifying the Final SEIR No. 2 for the Additional Project Refinements of Phase 2A, the Authority provided public agencies that commented on the Draft SEIR No. 2 with proposed written responses to the respective agency's comments; and,

WHEREAS, the Final SEIR No. 2 was made available to the public at the Authority's office and on the Authority's website in advance of the Authority's action certifying the Final SEIR No. 2; and,

WHEREAS, the Authority's Board of Directors ("Authority Board") held a public meeting to consider Final SEIR No. 2 and the Additional Project Refinements on January 25, 2012; and

WHEREAS, Final SEIR No. 2 is comprised of: the Draft SEIR No. 2 as modified in response to comments, including all Appendices, the Comments and Responses to Comments on the Draft SEIR No. 2, and the Mitigation Monitoring and Reporting Program; and,

WHEREAS, the findings made in this Resolution are based upon the information and evidence set forth in Final SEIR No. 2 and upon other substantial evidence which has been

presented to the Authority Board in the record of the proceedings. The documents, staff reports, technical studies, appendices, plans, specifications, and other materials that constitute the record of proceedings on which this Resolution is based are on file and available for public examination during normal business hours in the Authority's offices at 406 East Huntington Drive, Suite 202, Monrovia, California 91016 and with the Clerk of the Board, who serves as the custodian of these records.

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

Section 1. The foregoing recitals are incorporated into this Resolution by this reference, and constitute a material part of this Resolution.

Section 2. The Authority Board finds that agencies and interested members of the public have been afforded ample notice and opportunity to comment on SEIR No. 2.

Section 3. The Authority Board has independently reviewed and considered the contents of the Final SEIR No. 2 prior to deciding whether to approve the Phase 2A Additional Project Refinements or some alternative. The Authority Board hereby finds that the Final SEIR No. 2 reflects the independent judgment of the Authority. The Authority Board further finds that the additional information provided in the staff reports, in the responses to comments received after circulation of the Draft SEIR No. 2 and in the evidence presented in written and oral testimony presented at the public meeting held January 25, 2012, does not constitute new information requiring recirculation of the SEIR No. 2 under CEQA. None of the information presented to the Authority after circulation of the Draft SEIR No. 2 has deprived the public of a meaningful opportunity to comment upon a substantial environmental impact of the project or a feasible mitigation measure or

feasible alternative that the Authority has declined to implement. The Authority Board also considered the certified 2007 Final EIR, and the Final SEIR No. 1.

Section 4. The Authority Board finds that the comments regarding the Draft SEIR No. 2 and the responses to those comments have been received by the Authority; that the Authority Board received public testimony regarding the adequacy of the SEIR No. 2; and that the Authority Board, as the final decision-making body for the lead agency, has reviewed and considered in its independent judgment, all such documents and testimony prior to acting on the Additional Project Refinements. Pursuant to CEQA Guidelines Section 15090, the Authority Board hereby certifies that the Final SEIR No. 2 has been completed in compliance with CEQA with respect to the proposed Additional Project Refinements of Phase 2A of the Metro Gold Line.

Section 5. Based upon the Final SEIR No. 2 and the record before the Authority, the Authority Board finds that the Additional Project Refinements will not cause any significant environmental impacts after mitigation. Explanations for why the impacts were found to be less than significant are contained in the Findings set forth in Exhibit A to this Resolution and are more fully described in the Final SEIR No. 2.

Section 6. Based upon the Final SEIR No. 2 and the record before the Authority, the Authority Board finds that the Additional Project Refinements will have less than significant environmental impacts with the implementation of mitigation. The less than significant impact determinations are further described in the Findings set forth in Exhibit A, which is attached hereto and is incorporated herein by reference, and in the Final SEIR No. 2. All feasible mitigation measures have been adopted. The changes or alterations required in, or incorporated into, the Project, and a brief explanation of the rationale for this finding with regard to the identified impacts, are contained in Exhibit A. Further

explanation for these determinations is contained in the Final SEIR No. 2, and the attached Exhibit A.

Section 7. Based upon the Final SEIR No. 2 and the record before the Authority, the Authority Board finds that cumulative impacts are not significant. Further explanation for this determination is contained in the Final SEIR No. 2.

Section 8. The Final SEIR No. 2 describes, and the Authority Board has fully considered, a reasonable range of feasible alternatives to the Project. With respect to each of the alternatives analyzed in the Final SEIR No. 2, the Authority hereby makes the findings set forth in Exhibit A. The No-Action Alternative would not meet the objectives of the project, would continue the status quo, and would not address the additional traction power needed to support operation. The Authority finds that the Additional Project Refinements, with the mitigation proposed, represents the combination of features that best achieves the Authority's present objectives while minimizing environmental impacts and maximizing public benefits. However, the three potential sites for the Michillinda TPSS are found to be environmentally equivalent locations, any of which could be developed with a TPSS without any significant environmental impacts. In addition, the Duarte Station parking lot previously approved and Alternative A are environmentally equivalent locations, either of which could be developed as the parking lot without any significant environmental impacts.

Section 9. The Authority Board hereby adopts all findings set forth in Exhibit A, attached hereto and incorporated herein by reference.

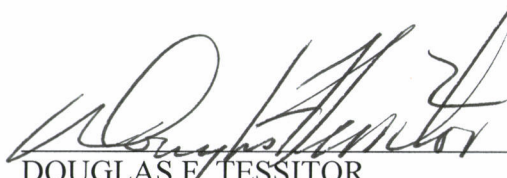
Section 10. The Authority Board hereby adopts the mitigation measures set forth in the Final SEIR No. 2, and the Mitigation Monitoring and Reporting Program attached hereto as Exhibit B and incorporated herein by this reference, and to the extent applicable, imposes each mitigation measure as a condition of approval of the Phase 2A

Additional Project Refinements. Authority staff and other responsible officials shall implement and monitor the mitigation measures as described in Exhibit B. It is the intent that all mitigation measures identified in the 2007 Final EIR, and in the Final SEIR No. 1 shall remain applicable to the overall Phase 2A extension, including the Additional Project Refinements, and that the additional mitigation measures identified in the Final SEIR No. 2 shall be applicable to the Additional Project Refinements.

Section 11. The Authority Board hereby approves and adopts the proposed Phase 2A Additional Project Refinements, conditioned upon compliance with the Mitigation Monitoring and Reporting Program, with authorization for staff to determine which of the three environmentally equivalent Michillinda TPSS sites to develop and which of the two environmentally equivalent Duarte Station parking lot options to develop. The Authority Board further directs staff to prepare and file a Notice of Determination in Los Angeles County within five (5) business days from the date this Resolution is adopted.

Section 12. 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.

Adopted: January 25, 2012



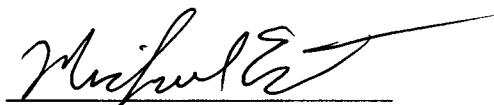
DOUGLAS E. TESSITOR
Chair of the Metro Gold Line Foothill Extension
Construction Authority Board

ATTEST:



CHRISTOPHER LOWE
Clerk of the Board

APPROVED AS TO FORM:



MICHAEL ESTRADA
General Counsel

APPROVED AS TO CONTENT:



HABIB F. BALIAN
Chief Executive Officer

EXHIBIT A

FINDINGS

I. INTRODUCTION, PROJECT DESCRIPTION, AND PROJECT OBJECTIVES

This Statement is not a new assessment of the environmental effects that will result from the implementation of the proposed project, nor does it replace or supersede any provisions of the “Gold Line Phase II Pasadena to Montclair Foothill Extension 2A Final Supplemental Environmental Impact Report No. 2” (“Final SEIR No. 2”). This Statement summarizes data and information contained in the Final SEIR No. 2 and the administrative record, regarding the environmental impacts and mitigation measures for those impacts as applied to the Additional Project Refinements (“Additional Project Refinements”). The purpose of this Statement, in part, is to bridge the analytic gap between the mass of data and information contained in the administrative record and the Final SEIR No. 2, and the decision to approve the proposed Additional Project Refinements to Phase 2A.

This Statement includes the environmental effects, including any significant effects, of the Additional Project Refinements, mitigation measures, findings with respect to environmental effects, the rationale for the findings, and incorporates by reference the mitigation monitoring and reporting program (MMRP) attached as Exhibit B to this Resolution.

Since the Gold Line Phase II Pasadena to Montclair-Foothill Extension Final Environmental Impact Report (2007 Final EIR) was certified in 2007 for Phase 2A, certain elements of the project have been refined and revised. Project refinements to Phase 2A have been approved since initial project approval, after review in addenda prepared in accordance with CEQA in both August 2009 and June 2010. Further project refinements were also considered in January of 2011 which required the preparation of a Supplemental Environmental Impact Report (“SEIR No. 1”) to the certified 2007 Final EIR which was certified by the Authority in January of 2011. Additional Project Refinements are now proposed.

According to the CEQA Guidelines, a Supplemental Environmental Impact Report (SEIR) is required when “substantial changes are proposed in the project which will require major revisions of the environmental impact report” (Section 15162), and “only minor additions of changes would be necessary to make the previous EIR adequately apply to the project in the changed situation” (Section 15163(a)). Accordingly, an SEIR was prepared to evaluate the Additional Project Refinements, which are more fully discussed in the Final SEIR No. 2.

Specific objectives of the Additional Project Refinements include the following:

- Maintaining traction voltage in compliance with Metro Design Criteria.
- Supporting pedestrian accessibility needs and safety, alleviating circulation impacts on surrounding businesses, and minimizing impacts to residential uses.
- Eliminating an unnecessary sound barrier.
- Mitigating vibration impacts for a single-family residence.

II. ENVIRONMENTAL DOCUMENTATION

The SEIR No. 2 was prepared following opportunities for input from affected agencies and members of the public. The Draft SEIR No. 2 was distributed directly to numerous agencies, organizations, and interested groups and persons for formal comment during the review period. The Draft SEIR No. 2 was also available for review online on the Authority's website. The Draft SEIR No. 2 was circulated for public review and comment for a period of 45 days from November 7, 2011 through December 21, 2011. Responses to the comments received were prepared, and are included in the Final SEIR No. 2.

The Draft SEIR evaluated in detail the potential effects of the elements of the proposed Additional Project Refinements. It also evaluated a No-Action Alternative that analyzed the effects of none of the Additional Project Refinements being implemented.

The Final SEIR No. 2 was prepared and consists of the full text of the Draft SEIR No. 2, with changes indicated by underline for new text and strikeout for deleted text, and written responses to the written comments provided during the public review period.

The documents and other materials that constitute the record of proceedings on which the Agency CEQA findings are based are located at 406 West Huntington Drive, Suite 202, Monrovia, California, 91016.

III. ENVIRONMENTAL EFFECTS FOUND TO BE LESS THAN SIGNIFICANT

Through the preparation of the SEIR No. 2, it was determined that the Additional Project Refinements would not have the potential to cause significant impacts in the following areas:

- Cultural Resources
- Traffic and Transportation

No potentially significant impacts to these topical areas are anticipated as a result of the Additional Project Refinements. However, all related mitigation measures from the 2007 Final EIR and the SEIR No. 1 would still apply to the project as a whole, and to these Additional Project Refinements as applicable.

The Authority Board hereby finds that the Additional Project Refinements will not have any significant impacts related to Cultural Resources, and Traffic and Transportation, for the reasons set forth in the Final SEIR No. 2.

IV. ENVIRONMENTAL EFFECTS FOUND TO BE SIGNIFICANT, MITIGATION MEASURES, FINDING, AND RATIONALE FOR FINDING

It was determined that the proposed Project might have the potential to cause significant impacts in the areas discussed below. The environmental effects, mitigation measures, finding, and rationale for the finding for each are discussed below.