



U.S. Department
of Transportation
**Federal Transit
Administration**

REGION IX
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Ms. Jennifer Bergener
Director, Rail Programs
Orange County Transportation Authority
550 South Main Street
Orange, CA 92863-1584

JAN 11 2012

Re: Environmental Assessment for the
Anaheim Regional Transportation Intermodal
Center -- Finding of No Significant Impact

Dear Ms. Bergener:

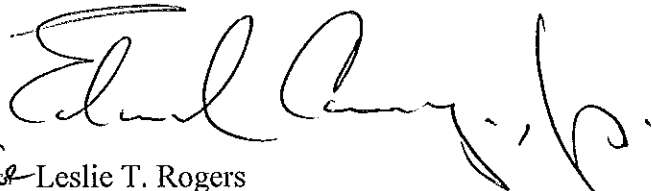
Based on our review of the Environmental Assessment, dated September 2011, we have issued a Finding of No Significant Impact (FONSI) for the Anaheim Regional Transportation Intermodal Center (ARTIC). A copy of the FONSI is enclosed.

Copies of the FONSI and supporting documentation information should be made available to affected units of government and to the public. Notice of this availability should be published in local newspapers and provided directly by you to affected units of Federal, State and Local governments as well as to the State intergovernmental review contact established under Executive Order 12372.

Please note that if a grant is approved for this project, the standard terms and conditions of the grant contract will require Orange County Transportation Authority (OCTA) to undertake the mitigation actions identified in the Environmental Assessment.

Thank you for your cooperation in meeting the requirements of the National Environmental Policy Act. If you have any questions, please contact Ted Matley at (415) 744-2590.

Sincerely,


Leslie T. Rogers
Regional Administrator

Attachment

Finding of No Significant Impact

Project: Anaheim Regional Transportation Intermodal Center

Sponsor: Orange County Transportation Authority (OCTA)

Location: City of Anaheim, Orange County, California

Description:

The Orange County Transportation Authority (OCTA), in partnership with the City of Anaheim (City) is proposing to relocate the existing Anaheim Metrolink/Amtrak Station (Station) located south of Katella Avenue and adjacent to The Grove of Anaheim. The new location will be approximately one quarter (0.25) mile to the east, along the existing OCTA railroad right-of-way (ROW) in a 310,000 square-foot facility. In addition, the project includes 86,000 square feet of platforms and 12,000 square feet for a Stadium Pavilion. The ROW is part of the Los Angeles-San Diego Corridor.

An Environmental Assessment (EA) has been prepared for the ARTIC, per the requirements of the National Environmental Policy Act (NEPA). The Federal Transit Administration (FTA) is the lead agency under the NEPA. Prior to the preparation of the EA, the City in partnership with OCTA prepared an a Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) which was published on September 18, 2009 for the ARTIC. Informal scoping and other planning and environmental studies that were conducted within the City and on adjacent infrastructure determined the areas of interest for the NEPA process. Public involvement activities continue to be offered during subsequent project development phases. In further development of the proposed project and as a result of the public involvement the FTA determined that an EA was the appropriate level of the documentation for the ARTIC.

ARTIC is located on an approximately 19-acre site, comprised of 16 acres for the facilities, two acres of OCTA and City roads and ROW, and less than one acre of California Department of Transportation (Caltrans) ROW. Approximately 18 of the 19 total acres are owned by OCTA and the City of Anaheim. The 405 parking spaces at the existing Anaheim Station are not a part of the project construction site as no improvements are anticipated but would continue to be utilized as parking for the project.

The 310,000 square-foot intermodal terminal will have three levels. One level below grade will be 170,000 square feet. Two levels above will have a total of 140,000 square feet. The terminal will accommodate near-term and future transportation service, including the bus transit center, the Station concourse, public hall and waiting area, and other functions, as needed. The selected design concept of the iconic ARTIC Intermodal Terminal is not an expandable structure, so the Bus Transit Center, the Station Concourse, the Public Hall/Waiting Area, and the Program Space are designed to accommodate current needs and not preclude services that need to be provided in the future. Track and platform construction will be within existing ROW, bounded by the Santa Ana River to the east and Katella Avenue to the west. There will be no improvements to the existing Santa Ana River railroad bridge or the existing Katella Avenue railroad bridge. Current rail operations and Station functions will not be disrupted by construction.

ARTIC will include an intermodal terminal, public plaza drop-off area, stadium pavilion, track and platforms, Douglass Road improvements, surface parking, and surface access. In addition to surface access, a pedestrian bridge will be built for crossing Katella Avenue between the project and Honda Center. An easement adjacent to the Santa Ana River Trail will provide a pedestrian trail on the east side of the project between the ROW and Katella Avenue.

ARTIC's final configuration will be two through tracks and one stub-end track, with platforms. A replacement railroad bridge will be built over Douglass Road to accommodate the three-track, two platform alignment. The new bridge will have stairs for emergency access from the platforms to Douglass Road.

ARTIC will have 960 surface parking spaces, distributed among three locations. The main vehicle access to the bus transit center and public plaza drop-off area will be via Douglass Road from Katella Avenue. The road will also provide for the entry and exit of high-traffic-volume events at Angel Stadium. Katella Avenue will provide secondary right-in/right-out access to ARTIC. The access point will be immediately west of the Santa Ana River and will not interfere with the use of the existing Santa Ana River Trail.

The project's Proposed Actions are itemized in the EA, in the Table on pages 12 through 15. More-detailed elements describe each of the Actions to address, for example, track and platform, easements and pedestrian access, parking, roads, and utilities.

Alternatives Considered

OCTA considered three alternatives and the Proposed Action in the ARTIC EA. The alternatives were evaluated based with criteria that measured the ability of each alternative to satisfy the Purpose and Need of the project, see Chapter 2 of the ARTIC EA.

The three alternatives are. As follow:

No Action Alternative – assumes that the Proposed Action would not be built and that transportation services would continue to be accommodated at the existing Station.

Reduced Building Size Alternative – assumes that an intermodal transportation center would be built at the Proposed Action site to increase capacity at the existing Station.

Reduced Site Size Alternative – as a variation of the Reduced Building Size alternative, a Reduced Site Size alternative was also considered. It would assume that an intermodal center would be developed at the Proposed Action site and increase capacity at the existing Station. However, it would require a 16-acre project site, and parking spaces would require an additional 19 acres.

Three alternative sites were also evaluated as potential locations for an intermodal transportation center. These alternative sites were found to have effects either identical with or more severe than the Proposed Action, or the sites would not meet most of the project objectives. These alternative locations were considered, evaluated, and then dismissed from further consideration in the EA.

OCTA concluded that the Proposed Action would be the best way to satisfy the need to provide safe pedestrian access, and improve vehicle circulation and intermodal transfers, with adequate parking. The Proposed Action would improve the transportation system county-wide by improving both bus and rail services significantly. The Proposed Action would also provide varied opportunities for transit-oriented development which are supported by the City's Platinum Triangle Master Land Use Plan.

Agency Coordination and Public Opportunity to Comment

A summary of the public review process is provided in Chapter 5 of the ARTIC EA. Prior to the preparation of the EA, the City in partnership with OCTA prepared an Environmental Impact Report (EIR) for the ARTIC, as required by the California Environmental Quality Act. As part of that preparation, a 30-day public scoping period was initiated on February 10, 2010 by posting the Notice of Preparation (NOP) with the State Clearinghouse. Scoping was announced in the local paper, and an email announcement was distributed to the members of the public who signed-up on the ARTIC website (www.articinfo.com). The public scoping meeting was on February 24, 2010, in the City. Attendees identified air quality, noise, traffic, aesthetics, cumulative impact, water quality, flood control, the Santa Ana River, Santa Ana River Trail, California Assembly Bill AB 32, State Senate Bill SB 375 as issues. The Final EIR was certified by the City Council on September 28, 2010.

Pursuant to the NEPA process a Notice of Intent (NOI) to prepare an EIS was published on September 18, 2009 for the ARTIC. Informal scoping, meetings and other planning and environmental studies were conducted within the City and on adjacent infrastructure determined

the areas of interest for this NEPA process. The FTA then determined that the Proposed Action would not need the preparation of an EIS but rather an EA that would evaluate any significant effects on the area resources from the Proposed Action. A notice of availability (NOA) for the ARTIC EA 30-Day public period was published on September 22, 2011. The EA was made available for public and agency comment from September 22, 2011 to October 24, 2011. The EA, FONSI and supporting documentation are available upon request. During the 30-Day public period, no substantive public comments were received.

Mitigation Measures to Minimize Harm

The EA concluded that no significant adverse effects would occur to any resource as a result of the proposed action. OCTA made explicit environmental commitments as part of the project's description to address the likely effects of construction and operation. OCTA also incorporated mitigation measures into the project to reduce or eliminate potentially adverse effects, as well. The potential effects include construction impact on air quality; ambient noise level; cultural, paleontological and biological resources; and, operational impact on traffic. Mitigation measures were incorporated into the project to prevent potential exposure to hazardous materials in soil during construction and to ensure that Best Management Practices are implemented. See Section 4.7 Mitigation, on pages 46 through 50.

Determinations and Findings

National Environmental Policy Act (NEPA) Finding

FTA served as the lead agency and OCTA served as a joint-lead agency in the preparation of the EA in compliance with NEPA, 42 U.S. C. Section 4321 et. seq. and with FTA's regulations, 23 CFR Part 771. The EA analyzes and describes the project's potential significant impacts. The EA was issued in August 2011. The EA found that the project's construction and operation would cause no significant adverse environmental effects that would not be mitigated.

After considering the EA, its supporting documents, public comments, and responses, FTA finds under 23 CFR 771.121 that the proposed project with the mitigation to which OCTA has committed, will have no significant adverse impacts on the environment. The record provides sufficient evidence and analysis for determining that an EIS is not required.

Air Quality Conformity

The Clean Air Act (CAA) requires that Federal agencies and Metropolitan Planning Organizations (MPOs) not approve any transportation project, program, or plan which does not conform to the

approved State Implementation Plan (SIP). The Federal Transportation Conformity Rule requires that FTA projects must be found to conform before they are adopted, accepted, approved, or funded.

The project site is located within the City of Anaheim, which is part of the South Coast Air Basin (SCAB or Basin), a 6,600 square-mile area encompassing all of Orange County and the non-desert parts of Los Angeles, Riverside and San Bernardino Counties. The Basin is an area of high air pollution potential, particularly from June through September. Light winds and shallow vertical atmospheric mixing frequently reduce pollutant dispersion and cause elevated air pollution levels. Pollutant concentrations in the Basin vary with location, season and time of day. Ozone concentrations, for example, tend to be lower along the coast, higher in the near inland valleys, and lower in the far inland areas of the Basin and adjacent desert. SCAB is under the jurisdiction of the South Coast Air Quality District (SCAQMD).

In SCAQMD, the threshold quantities of federal nonattainment pollutants are 10 tons per year of VOC or NO_x for ozone nonattainment, 70 tons per year PM₁₀ for PM₁₀ nonattainment, and 100 tons per year of PM_{2.5}, NO₂, SO₂, or VOC for PM_{2.5} nonattainment. Emissions from the proposed project are less than these thresholds and General Conformity does not apply.

FTA finds the proposed project in air quality conformity with the approved SIP and meets all requirements of the federal Clean Air Act.

Section 4(f) Finding

The Department of Transportation Act of 1966 (as amended) established Section 4(f) as a national policy which states that the Secretary of Transportation may not approve transportation projects that use publicly owned parks, recreation areas, wildlife and waterfowl refuges, or any significant historic site unless a determination is made that there is no prudent and feasible alternative to using that land, and that all possible planning has been done to minimize harm.

Based on its analysis, FTA finds that the proposed project includes all measures to minimize harm and there is no potential for impacts to Section 4(f) resources.

Environmental Justice Finding

Executive Order 12898 provides that “each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations.”

The project is located within the City of Anaheim adjacent to the Orange Freeway (SR-570) and along the LOSSAN railroad right-of-way. The project site which has been used as the County of Orange Maintenance Facility and a construction lay-down yard is zoned for institutional land use as a "Semi-Public Zone". A portion of the site is also zoned as "Public Recreation Zone" since the site partially occupies the California Angels parking lot for Angel Stadium. The stadium has a capacity of 45,389. To the north is the Honda Center which is an arena for concerts, basketball and hockey and depending on its configuration has a capacity of about 18,000. There are other commercial businesses nearby as well. Residential areas are distant from the site and mostly on the other side of Angel Stadium to the south and west.

Per table 3.3-1 of the Environmental Assessment, the project is considered to be within a minority community since Anaheim has a minority population that is greater than 50% which, by the 2000 census, is 61.9%. The study area near the project had a slightly higher proportion of minority population at 65%. Approximately 12.5% of the study area near the project is below the poverty threshold which is less than the overall number for the City of Anaheim which is 14.1%.

The majority of impacts from the project are related to temporary construction impacts. The Environmental Assessment in Section 4.7 identifies mitigation measures designed to avoid, minimize or compensate for environmental consequences. The effects of construction will be temporary and measures to mitigate or minimize these temporary impacts will be implemented per section 4.7. No residences are being re-located.

The City of Anaheim will also participate in a study to identify contributions for future traffic improvement projects. This study is designed to assure that a fair share is paid by private and public development. This contribution will compensate for traffic impacts.

Based on its analysis, FTA finds that the proposed project will not have disproportionately high and adverse effects on minority or low-income populations.

Section 106 Compliance

In accordance with Section 106 of the National Historic Preservation Act, technical analysis of cultural resources was completed. The evaluation of historic resources did not identify any historic properties within the project site that are listed on the NRHP. The Big "A" scoreboard, which does not appear eligible for listing on the National Register of Historic Places (NRHP), is located outside the affected area. The project will have no effect on the Big "A".

Section 106 consultation was initiated in July 2010. Several Native American tribes were contacted because they were identified as potentially interested parties. On June 3, 2011, a letter was sent to the State Historic Preservation Office (SHPO) requesting its concurrence in the Area of Potential Effect and No Adverse Effect on Historic Properties determinations. The SHPO responded with a letter, date June 26, 2011, concurring with the FTA determination. No Memorandum of Agreement (MOA) with the SHPO or other parties will be required because the project has no adverse effect on historic and archaeological resources.

Environmental Finding

The Environmental Assessment for the Anaheim Regional Transportation Intermodal Center (ARTIC) project was prepared by OCTA in cooperation with the Federal Transit Administration pursuant to the National Environmental Policy Act of 1969, §102 (42 U.S. §4332); Federal Transit Laws (49 U.S.C. §5301 [e], §5323[b], and §5324[b]); Title 49 U.S.C. §303 (formerly Department of Transportation Act of 1966, §4[f]; and Executive Order 12898 (Environmental Justice).

Based on the Environmental Assessment and its associated supporting documents, the Federal Transit Administration pursuant to 23 CFR Part 771.121, finds there are no significant impacts on the environment associated with the construction and operation of the proposed ARTIC.

Approved: _____

Leslie T. Rogers

Regional Administrator

Federal Transit Administration, Region IX

Date: _____

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