



# North County Corridor Transportation Expressway Authority

**To:** Board of Directors, Ex-Officio Members, Technical Advisory Committee  
**From:** Matt Machado, Authority Manager *mm*  
**CC:** City Councils, Board of Supervisors, County CEO's Office, City Managers  
**Date:** 5/19/09  
**Re:** North County Corridor Transportation Expressway Authority – May 13th Meeting Summary

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The May 13<sup>th</sup> NCC JPA meeting was held at 4:00 pm in the City / County Board Chambers. In attendance for this meeting were approximately 25 people from the general public.

Due to time constraints, multiple agenda items were continued to our next meeting. There is no Authority Manager's Report. Instead, attached are the copies of the Overview of Environmental Process presented by Tom Boze from Stanislaus County and Mike Davis from Jacobs, and the Opportunities for Public Participation in the California Environmental Quality Act (CEQA) Process handouts.

For complete agenda item discussions and actions see attached minutes.

Our next scheduled meeting is June 10<sup>th</sup> at 4:00 pm in the City / County Board Chambers at 1010 10<sup>th</sup> St.

## Overview of Environmental Process

North County Corridor (NCC)  
Tom Boze, Stanislaus County  
Mike Davis, Jacobs

## Overview of CEQA/NEPA Process

- What is CEQA
- What is NEPA
- Differences between CEQA/NEPA
- Familiar Environmental Documents
- Responsibility for conducting environmental review
- Phases of CEQA review

## Phases of CEQA Review

- Scoping
- Preparation of a Draft EIR
- Public Comment
- Certification of EIR and Project Approval

## Opportunities for Public Participation

- Notice of Preparation
- Scoping Meetings
- Early Public Consultation
- Circulation of Draft EIR
- Comment Period
- Responses to Comments
- Final EIR
- Certification of EIR and Project Approval

### Federal Environmental Requirements

- NEPA requirements – FHWA guidance 23 CFR 771
  - Caltrans NEPA Lead Agency (SAFETEA-LU 6005 NEPA Delegation)
  - Class of action
    - Environmental Impact Statement (EIS)
    - EIS Types - Policy, Program, Plan, Project (Tiering)
    - Environmental Assessment (EA)
    - Categorical Exclusion (CE)

### Status of Environmental Review for NCC

- **Status of environmental review for NCC**

### Environmental Process Overview

- “Step 1” – NCC SR 108 East Route Adoption Program CEQA process
- “Step 2” - NCC CEQA/NEPA Program/Project process

### Environmental Process Overview

- **“Step 1” – NCC SR 108 East Route Adoption Program CEQA process**
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### SR 108 East Route Adoption Program CEQA EIR

- Caltrans – Lead Agency
- JPA and members - CEQA Responsible Agencies
- Route Adoption by CTC
- Define preferred 2,000' wide corridor

### SR 108 East Route Adoption Program EIR Process – To Date

- CEQA Notice of Preparation (NOP) published Fall 2008
- Public scoping meetings conducted late 2008
- Amended NOP published early Spring 2009
- Preliminary draft analyses ongoing

### SR 108 East Route Adoption Program EIR Process – Moving Forward

- Publish Draft Program EIR – Summer 2009
- Conduct public hearings – Summer 2009
- Identify preferred alternative – Fall 2009
- Prepare Final Program – Fall 2009
- Caltrans certify EIR – Fall 2009
- CTC considers route adoption – Winter 2009

### Environmental Process Overview

- "Step 1" – NCC SR 108 East Route Adoption Program CEQA process
- **"Step 2" - NCC CEQA/NEPA Program/Project process**

### Future CEQA Environmental Review

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- Conducted with NEPA process
- Define full NCC alignment
  - SR 99 to SR 108
  - SR 108 East
- Identify initial construction segment
- Analyze impacts
- CEQA components - NCC Program/Project CEQA EIR(s) – begin early 2010

### Future NEPA Environmental Review

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- Conducted with CEQA process
- Caltrans NEPA Lead Agency
- Identify initial construction segment

### NCC NEPA Process

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- EIS starts early 2010
- Notice of intent – early 2010
- Public Scoping
- Prepare technical studies
- Evaluate alternatives
- Prepare Draft EIS
- Circulate Draft EIS
- Conduct public hearing
- Caltrans identify preferred alternative
- Prepare Final EIS
- Record of Decision (ROD)

### Comprehensive Environmental Review

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- Subsequent CEQA and NEPA review for future construction segments

### Opportunities for Public Participation in the CEQA Process

EIR PROCESS STEP	PUBLIC NOTICE	SOURCE
Determine the Scope of Environmental Review for the Project	The lead agency prepares a Notice of Preparation (NOP) and sends it to the Office of Planning and Research and each responsible and trustee agency and any federal agencies involved in approving or funding the project. Where a State agency will be a responsible agency, a copy of the NOP is also sent to the State Clearinghouse. The NOP must also be sent to any person who has filed a written request for notice with the lead agency. The NOP is posted for 30 days in the office of the county clerk. The NOP includes a project description, location of the project, possible environmental impacts, and the date and time of known future meetings on the project. Responses and comments on the NOP are due 30 days after receipt of the NOP.	GL 15082 PRC 21092.2 PRC 21092.3 PRC 21080.4
Scoping Meeting	For projects affecting highways under the jurisdiction of the California Department of Transportation, the lead agency holds at least one scoping meeting and provides notice to any city or county that borders on a county or city within which the project is located; any responsible agency; any public agency with jurisdiction by law; the local transportation planning agency; and any organization or individual who has filed a written request for notice.	PRC 21083.9 GL15082(c)(1)
Early Public Consultation	“Prior to completing the draft EIR, the lead agency may also consult directly with any person or organization it believes will be concerned with the environmental effects of the project. Many public agencies have found that early consultation solves many potential problems that would arise in more serious forms later in the review process. This early consultation may be called scoping. Scoping will be necessary when preparing an EIR/EIS jointly with a federal agency.”	GL 15083
Draft EIR is Prepared and Published for Public Comment.	When the Draft EIR is complete the lead agency files a Notice of Completion (NOC) with the Office of Planning and Research and posts the NOC with the county clerk for 30 days. The lead agency is required to mail notice of availability of the DEIR to organizations and persons who has filed a written request notices with the Lead Agency. In addition, the lead agency must publish notice in a newspaper with circulation in the area affected by the project; posting notice on and off the project site area; and directly mail notice to owners and occupants of property contiguous to the project. Copies of the DEIR are made available to the public at the State Clearing House, local libraries, the office of the lead agency, and are often published in electronic format via the internet.	GL 15085 GL 15087

<p>Comment Period</p>	<p>The Public review and comment period is normally 45 days. The comment period begins to run after copies of the DEIR are made available. An agency may also conduct public hearings on the project to solicit comments.</p>	<p>GL 15105 GL 15085-15089</p>
<p>Respond to Comments</p>	<p>After receiving the comments, the agency prepares responses to those issues raised by the reviewers and, in some instances is required to revise and circulate another draft EIR. The lead agency is not required to respond to comments received after the close of the comment period. The lead agency provides draft responses to comments to the agencies that provided comments 10 days before certification of the EIR.</p>	<p>GL 15088.5 PRC 21092.5</p>
<p>Preparation of the Final EIR</p>	<p>After the lead agency prepares the Final EIR it may provide an opportunity for the public to review the Final EIR, but it is not required to do so.</p>	<p>GL 15089</p>
<p>Certification of the Final EIR, Adoption of Findings and a Statement of Overriding Considerations, and Project Approval.</p>	<p>Certification of the Final EIR, adoption of findings and a statement of overriding considerations, and project approval by the lead agency take place at a regular meeting of the agency.</p>	<p>GL 54954.2</p>

Prepared by:  
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Stanislaus County