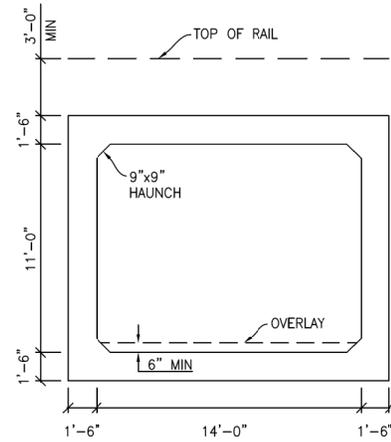
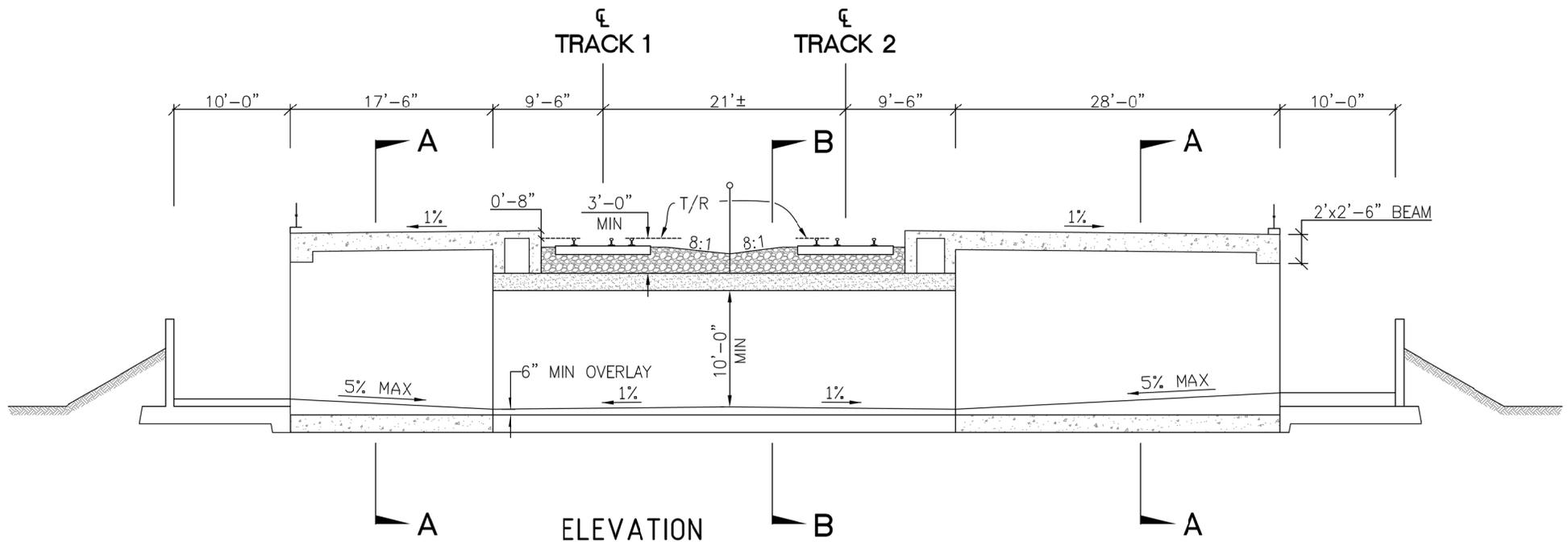


**CAST-IN-PLACE BOX
SECTION A-A**



**PRECAST BOX
SECTION B-B**



ELEVATION

NOT TO SCALE



**EXHIBIT B-1
STADIUM PAVILION PEDESTRIAN
BRIDGE TUNNEL**

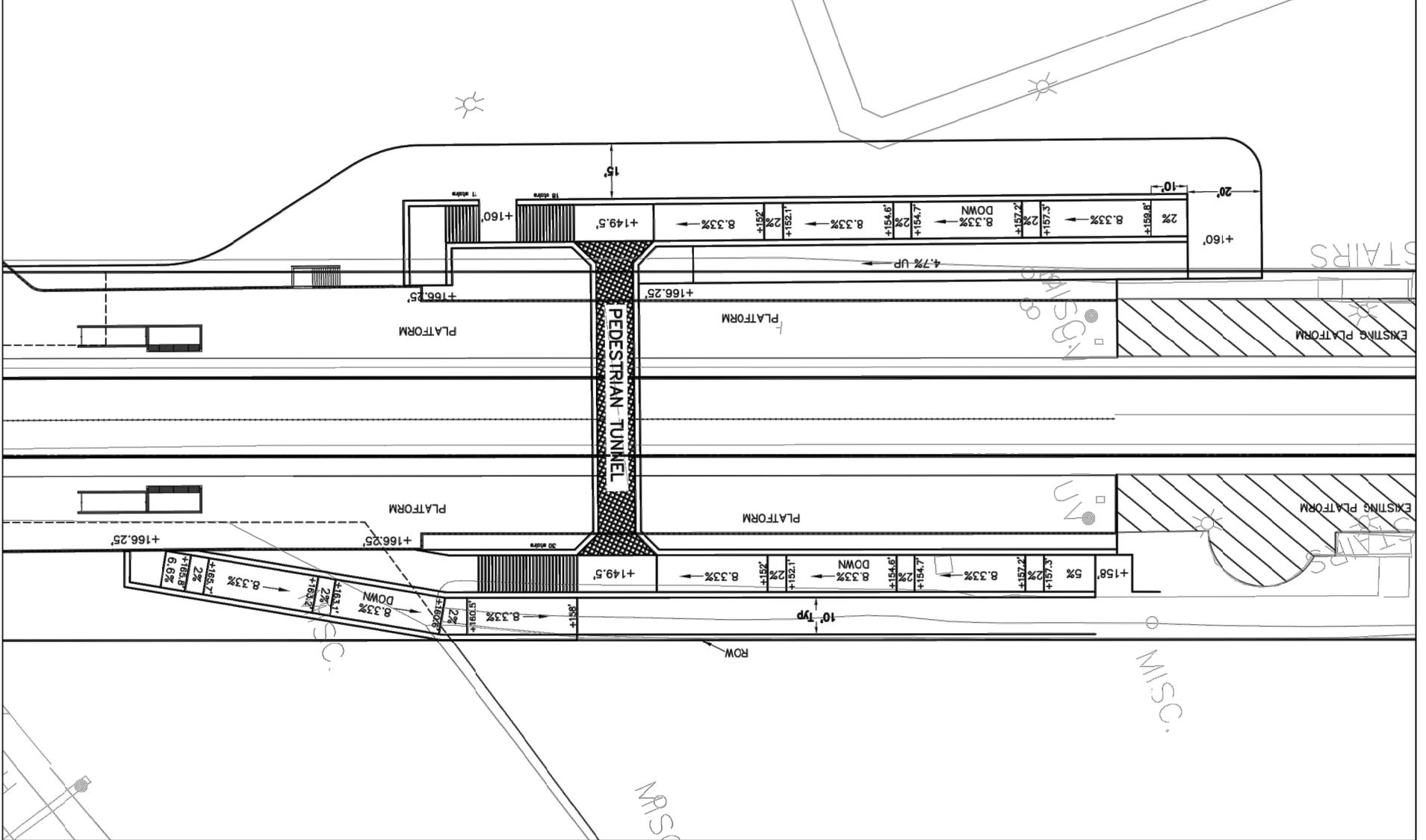


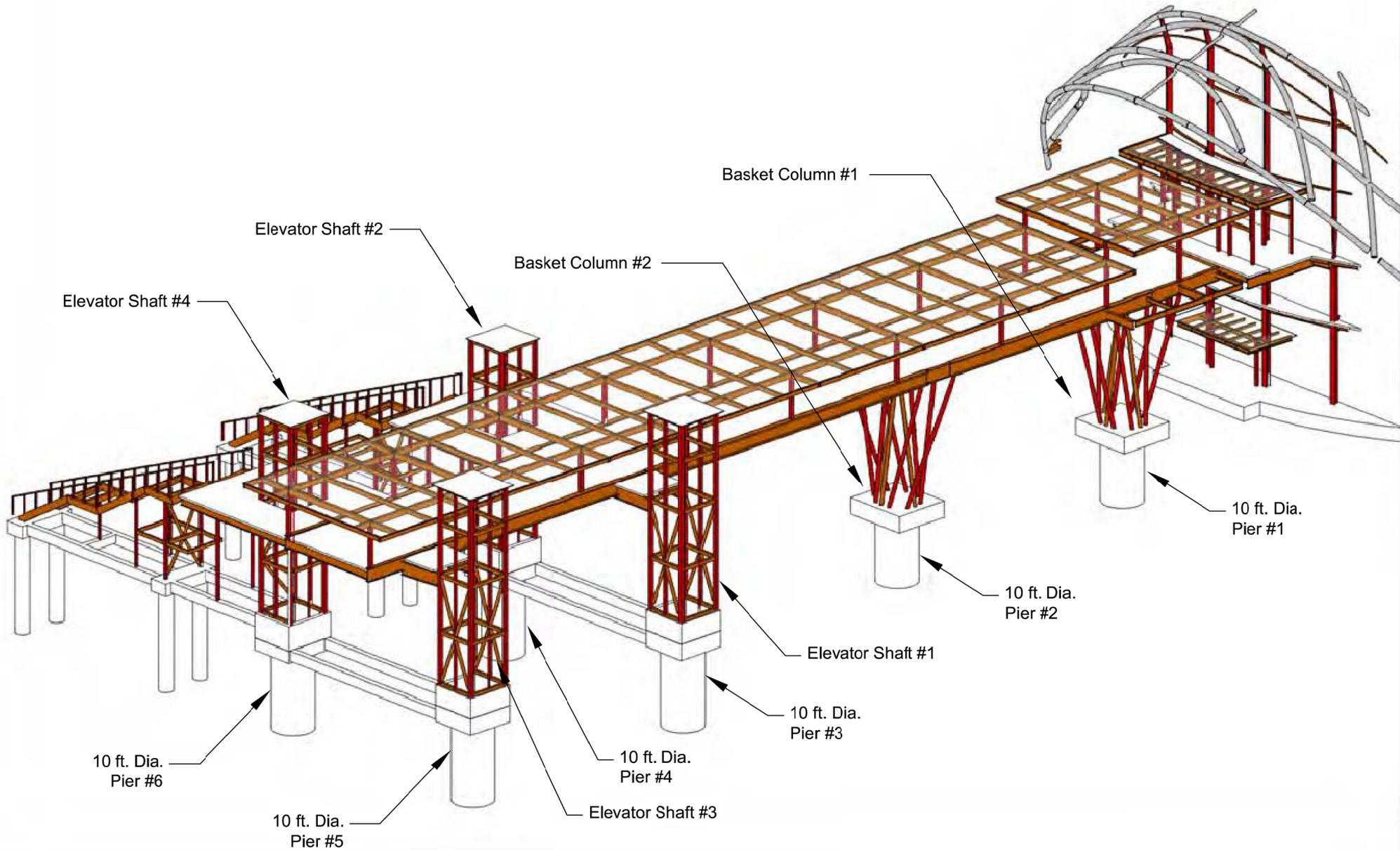


STADIUM PAVILION PEDESTRIAN TUNNEL
 EXHIBIT B-2
 PLAN VIEW



NOT TO SCALE





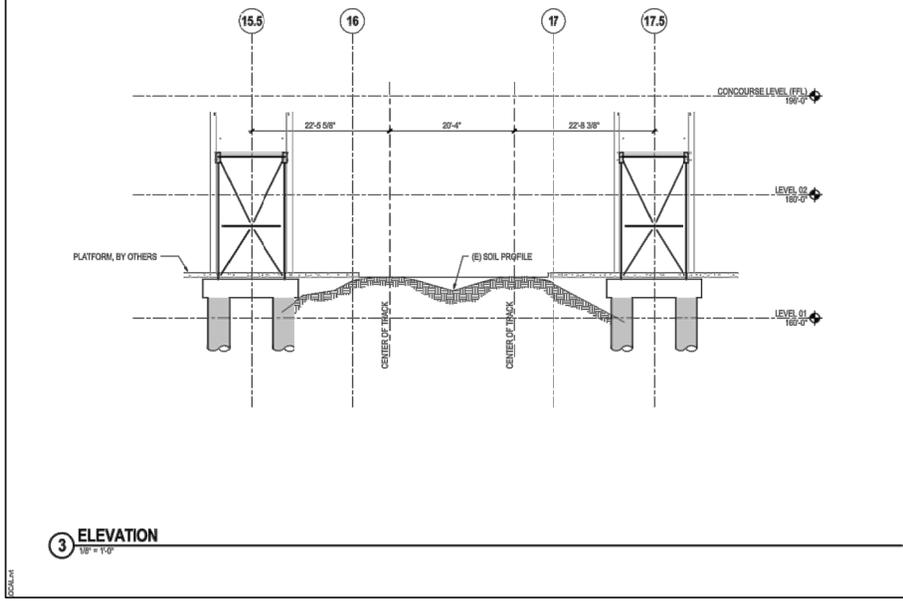
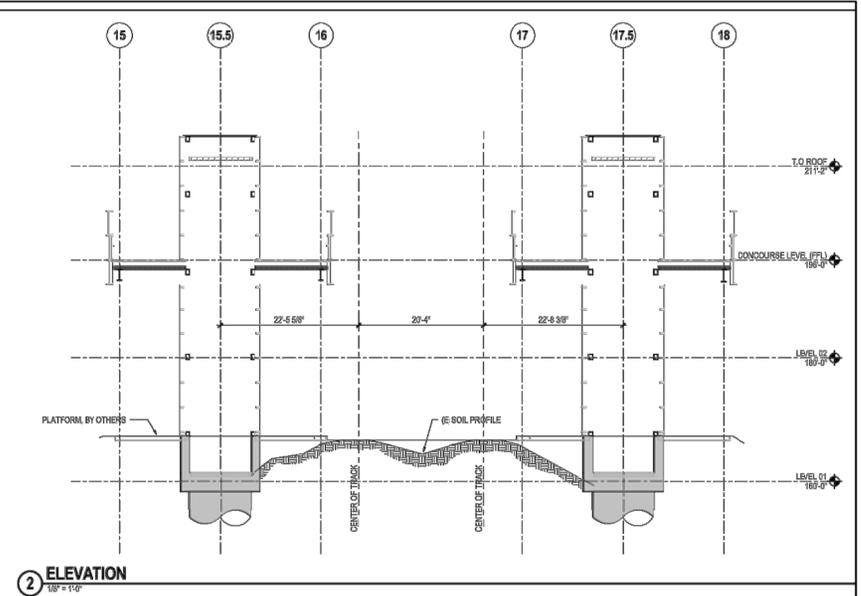
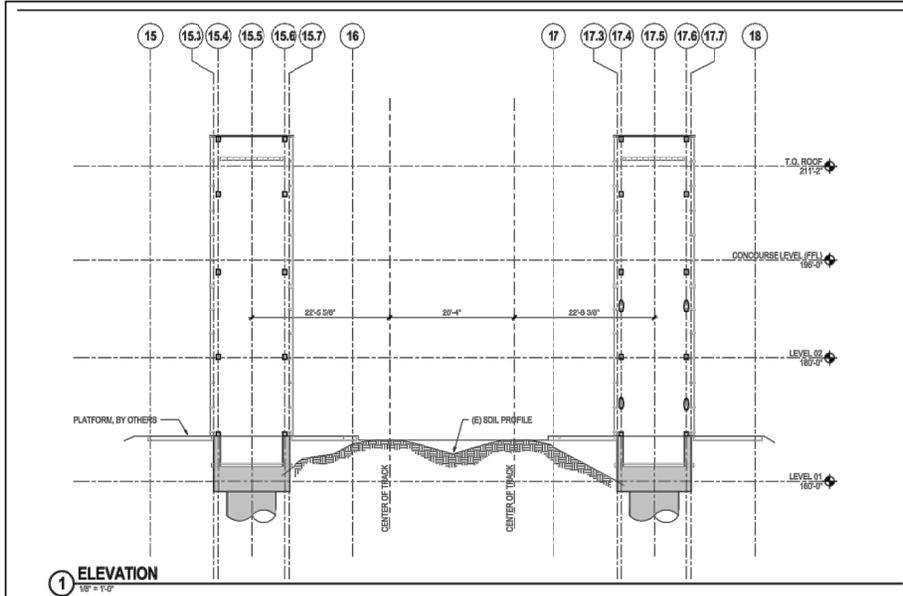
NOT TO SCALE

**PARSONS
BRINCKERHOFF**

EXHIBIT C-1
CONCOURSE BRIDGE
3D VIEW



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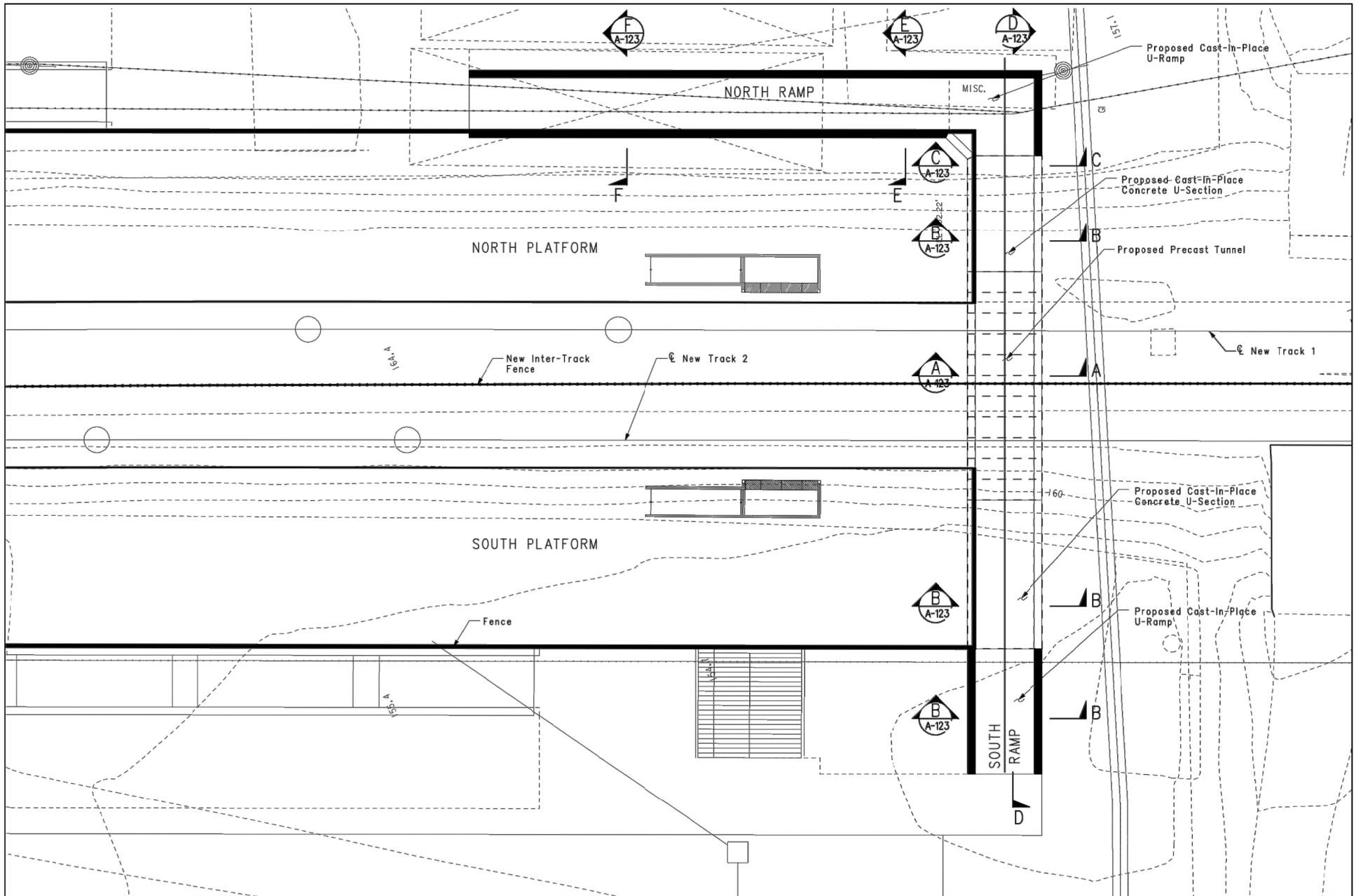


NOT TO SCALE



EXHIBIT C-4 CONCOURSE BRIDGE ELEVATIONS





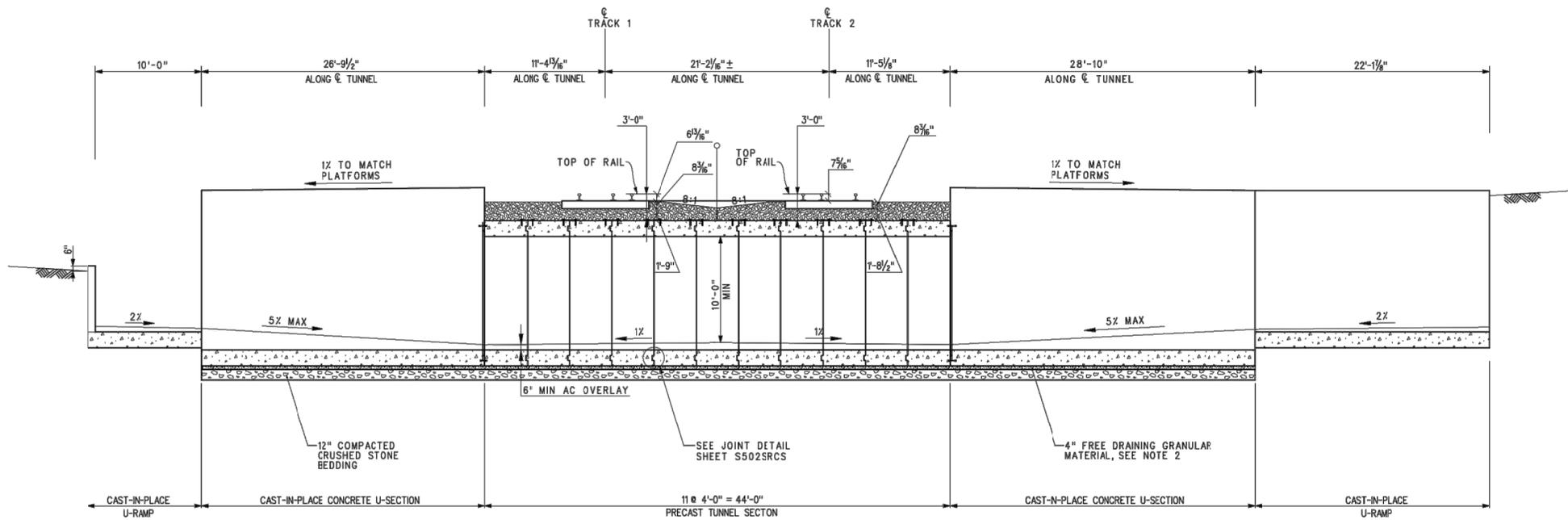
NOT TO SCALE



EXHIBIT D-1
BAGGAGE TUNNEL
STRUCTURAL UNDERPASS PLAN



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ELEVATION
(SHOWN ALONG ϕ TUNNEL)

NOTES:

1. STRUCTURAL BACKFILL SHALL CONFORM TO SCRRA STANDARD SPECIFICATIONS SECTION 02300.
2. THE FREE DRAINING GRANULAR MATERIAL SHOULD CONTAIN LESS THAN 5 PERCENT FINES AND SHOULD BE PLACED IMMEDIATELY BELOW THE PRECAST BOX.

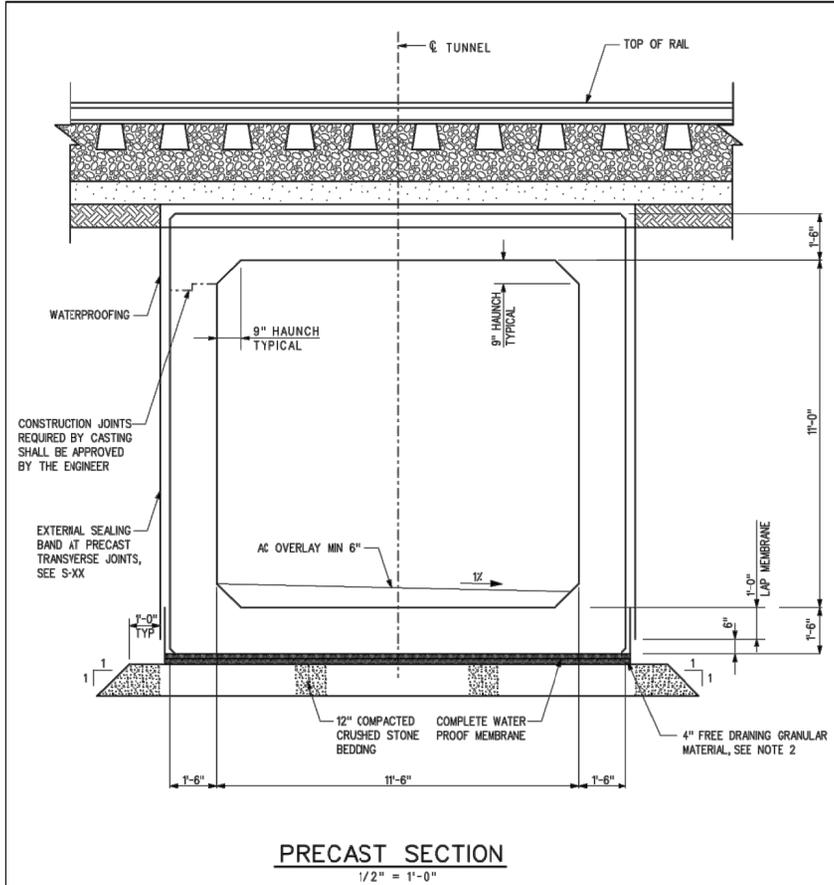
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EXHIBIT D-2
BAGGAGE TUNNEL
ELEVATION



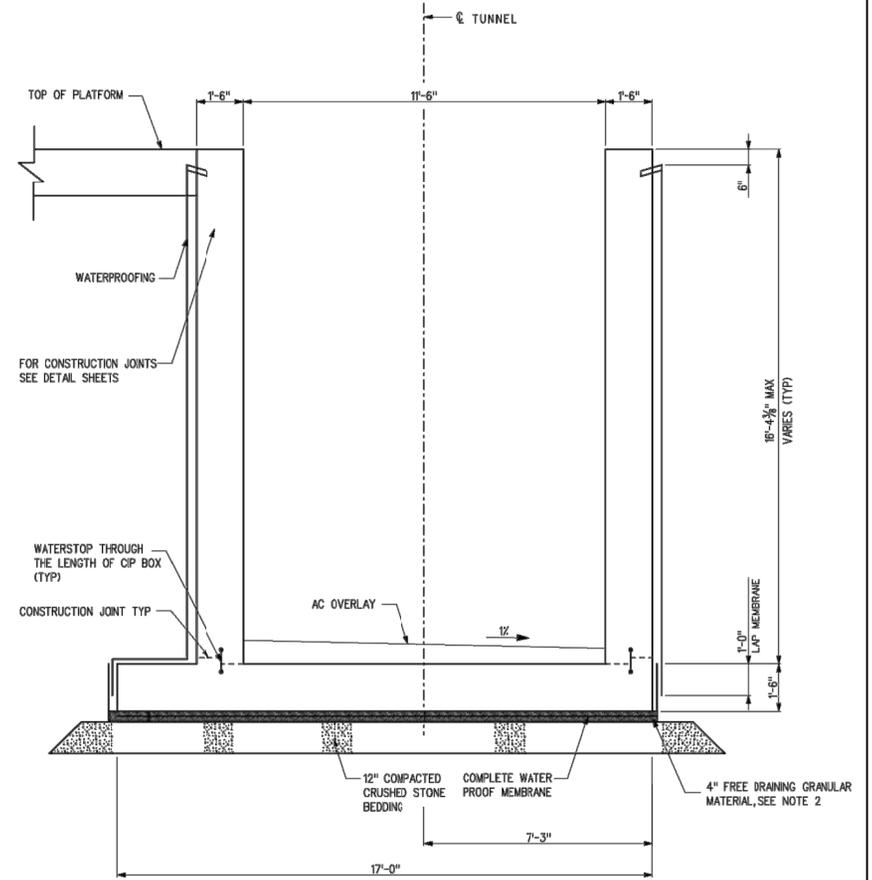
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PRECAST SECTION
1/2" = 1'-0"

NOTES:

1. STRUCTURAL BACKFILL SHALL CONFORM TO SCRRR STANDARD SPECIFICATIONS SECTION 02300.
2. THE FREE DRAINING GRANULAR MATERIAL SHOULD CONTAIN LESS THAN 5 PERCENT FINES AND SHOULD BE PLACED IMMEDIATELY BELOW THE PRECAST BOX.



CAST-IN-PLACE SECTION
1/2" = 1'-0"

NOT TO SCALE



EXHIBIT D-3
BAGGAGE TUNNEL
TYPICAL SECTION



EXHIBIT “E”

Scoping Memo Information for Applications

A. Category¹ (Check the category that is most appropriate)

Adjudicatory – “Adjudicatory” proceedings are: (1) enforcement investigations into possible violations of any provision of statutory law or order or rule of the Commission; and (2) complaints against regulated entities, including those complaints that challenge the accuracy of a bill, but excluding those complaints that challenge the reasonableness of rates and charges, past, present, or future, such as **formal rough crossing complaints** (maximum 12 month process if hearings are required).

Ratesetting – “Ratesetting” proceedings are proceedings in which the Commission sets or investigates rates for a specifically named utility (or utilities), or establishes a mechanism that in turn sets the rates for a specifically named utility (or utilities). “Ratesetting” proceedings include complaints that challenge the reasonableness of rates or charges, past, present, or future. Other proceedings may also be categorized as ratesetting when they do not clearly fit into one category, such as **railroad crossing applications** (maximum 18 month process if hearings are required).

Quasi-legislative – “Quasi-legislative” proceedings are proceedings that establish policy or rules (including generic ratemaking policy or rules) affecting a class of regulated entities, including those proceedings in which the Commission investigates rates or practices for an entire regulated industry or class of entities within the industry.

B. Are hearings necessary? **Yes** **No**

If yes, identify the material disputed factual issues on which hearings should be held, and the general nature of the evidence to be introduced. Railroad crossing applications which are not controversial usually do not require hearings.

¹ See California Public Utilities Commission Rules of Practice and Procedure, Article 2.5, especially Rules 5 and 6a, which appear on the Commission’s internet page (www.cpuc.ca.gov) under the heading “CPUC General Information, Rules of Practice and Procedure.” For information on rail crossing applications see the Commission’s Traffic Engineering Web Page (http://www.cpuc.ca.gov/s_e_LARail/index.htm).

Are public witness hearings necessary?

Yes

No

Public witness hearings are set up for the purpose of getting input from the general public and any entity that will not be a party to the proceeding. Such input usually involves presenting written or oral statements to the presiding officer, not sworn testimony. Public witness statements are not subject to cross-examination.

C. Issues – List here the specific issues that need to be addressed in the proceeding.

All issues have been worked out before the filing of this application. There are no objections or issues to be worked out that the applicant is aware of.

D. Schedule (Even if you checked “No” in a B above) Should the Commission decide to hold hearings, indicate here the proposed schedule for completing the proceeding within 12 months (if categorized adjudicatory) or 18 months (if categorized at ratesetting or quasi-legislative).

The schedule should include proposed dates for the following events as needed:

12-19-11	Submission
03-19-12	Proposed decision (90 days after submission)
05-19-12	Final decision (60 days after proposed decision is mailed)

EXHIBIT "F"

Certification of Mailing

TO: PUBLIC UTILITIES COMMISSION

RE: Application by the City of Anaheim in conjunction with the Orange County Transportation Authority (OCTA) for an order authorizing the construction of a grade separated pedestrian tunnel, a grade separated pedestrian bridge and a grade separated baggage tunnel over/under the OCTA tracks in conjunction with the new Anaheim Regional Transportation Intermodal Center in the City of Anaheim, Orange County, California.

On this 26th day of January, 2012, I certify that a copy of the foregoing Application was delivered to the U.S. POSTAL SERVICE for service upon:

Ms. Jennifer Bergener
600 South Main Street
P.O. Box 14184
Orange, CA. 92863-1584

Mr. Melvin Thomas
Manager Public Projects
BNSF Railway Co.
740 East Carnegie Drive
San Bernardino, CA 92408-3571

Mr. Freddie Cheung
Manager Public Projects
Union Pacific Railroad
2015 S. Willow Ave.
Bloomington, CA 92316

Daren Gilbert
Program Manager
California Public Utilities Commission
180 Promenade Circle, Suite 115
Sacramento, California 95834

Mr. Kenneth Tom
Manager of Industry – Special Projects
Union Pacific Railroad
2015 S. Willow Ave.
Bloomington, CA 92316

Bill Lay
Utilities Engineer
California Public Utilities Commission
320 West 4th Street, Suite 500
Los Angeles, CA 90013

Naresh D. Patel, P.E.
Assistant Director, Standards and Design
Southern California Regional Rail Authority
(SCRRA)
279 E. Arrow Highway
Suite A
San Dimas, CA 91773

Harry C. Steelman, Division Engineer West
National Railroad Passenger Corporation
(Amtrak)
810 N. Alameda St., 2nd floor
Los Angeles, CA 90012
213-615-1511
steelmh@amtrak.com

Todd H. Almilli
Senior Project Manager
Amtrak Engineering
2650 Tulare Street
Fresno, CA 93721

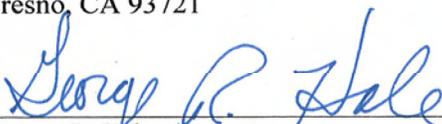

George R. Hale
Parsons Brinckerhoff on behalf of
The City of Anaheim

EXHIBIT "G"

The Notice of Determination



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

REGION IX
Arizona, California,
Hawaii, Nevada, Guam
American Samoa,
Northern Mariana Islands

201 Mission Street
Suite 1650
San Francisco, CA 94105-1839
415-744-3133
415-744-2726 (fax)

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

JAN 17 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,

For 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 NOx for ozone nonattainment, 70 tons per year PM10 for PM10 nonattainment, and 100 tons per year of PM2.5, NO2, SO2, or VOC for PM2.5 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: _____

JAN 11 2012

RESOLUTION NO. 2010-161

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM CERTIFYING FINAL ENVIRONMENTAL IMPACT REPORT NO. 2010-00343 AND ADOPTING FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS AND MITIGATION MONITORING PLAN FOR THE ANAHEIM REGIONAL TRANSPORTATION INTERMODAL CENTER (ARTIC).

WHEREAS, the City of Anaheim ("City"), in partnership with the Orange County Transportation Authority ("OCTA"), is proposing to relocate the existing Metrolink/Amtrak station from the current location south of Katella Avenue and west of State Route (SR) 57. The new station, known as the Anaheim Regional Transportation Intermodal Center ("ARTIC"), will be located south of Katella Avenue, east of SR 57 and Douglass Road, and west of the Santa Ana River. The new location will be approximately one quarter (0.25) mile east along the existing OCTA railroad right-of-way (ROW). The OCTA railroad ROW is part of the Los Angeles to San Diego (LOSSAN) Corridor; and

WHEREAS, ARTIC is proposed to include about 16 acres owned by OCTA and the City. There are anticipated improvements to approximately 2 acres of OCTA and City ROW and less than an acre of California Department of Transportation ROW between the Santa Ana River and Katella Avenue. The total project area is approximately 19 acres including the roads and ROW. The 405 parking spaces at the existing Anaheim Metrolink/Amtrak Station are not a part of the project construction site as no improvements are anticipated but will continue to be utilized as parking for the project. ARTIC includes the development of an Intermodal Terminal, Public Plaza/Drop-Off Area, the Stadium Pavilion, the Tracks/Platforms, Douglass Road Improvements, Katella Avenue improvements, and Surface Parking/Access. In addition to the surface access points, improvements envisioned for ARTIC include a pedestrian bridge to be constructed over Katella Avenue connecting the project site and the Honda Center, and a trail easement, adjacent to the Santa Ana River Trail along the east side of ARTIC between the railroad ROW and Katella Avenue. The ARTIC Intermodal Terminal is envisioned to include space up to 310,000 square feet, Platforms up to 86,000 square feet, and a Stadium Pavilion up to 12,000 square feet. For the purpose of the Environmental Impact Report these are the maximum sizes and the impacts identified are the maximum impacts anticipated. The construction analysis is based on a 26-month construction period. The size and timing of construction will depend on available funding; and

WHEREAS, the City is the lead agency for the preparation and consideration of environmental documents for the ARTIC project, as defined in the California Environmental Quality Act of 1970, as amended ("CEQA"), and the State of California Guidelines for Implementation of the California Environmental Quality Act (the "CEQA Guidelines"); and

WHEREAS, the City submitted a Notice of Preparation ("NOP") for preparation of an Environmental Impact Report ("EIR") for ARTIC on February 4, 2010 for a 30-day review; the scoping period identified in the NOP was from February 4, 2010 until March 8, 2010; and

WHEREAS, interested parties were invited to attend a public scoping meeting held on February 24, 2010, in the Anaheim West Tower, Gordon Hoyt Conference Center, 201 South Anaheim Boulevard, Anaheim, California. The purpose of the scoping meeting was to provide members of the public with an opportunity to learn about the project, ask questions, and provide comments about the scope and content of the information addressed in the EIR; and

WHEREAS, on July 19, 2010, the Draft EIR (EIR2010-00343) was sent to the State Clearinghouse, State and local agencies, special districts, public libraries and other known interested parties, and was made available to the general public, thereby commencing a 45-day period, from July 19, 2010 until September 3, 2010, for public review and comment on the Draft EIR in accordance with the requirements of CEQA and the CEQA Guidelines; and

WHEREAS, the City has evaluated the comments received from the public agencies and persons who reviewed said Draft EIR and has prepared, or caused to be prepared, responses to the comments received during the public review period; and

WHEREAS, in conformance with Sections 15132 and 15362(b) of the CEQA Guidelines, Final Environmental Impact Report No. 2010-00343 (the "Final EIR") shall consist of the Draft EIR; the comments and recommendations received on the Draft EIR either verbatim or in summary; a list of persons, organizations and public agencies that submitted comments on the Draft EIR; the responses of the City, as Lead Agency, to significant points raised in the review and consultation process; and the Mitigation Monitoring Plan prepared for the ARTIC project. A complete copy of the Final EIR is on file and can be viewed in the City Planning Department and at <http://www.anaheim.net/planning/>; and

WHEREAS, on September 13, 2010, the Anaheim City Planning Commission (hereinafter referred to as "Planning Commission") did hold a public hearing, notice of said public hearing having been duly given as required by law and in accordance with the provisions of the Anaheim Municipal Code, Chapter 18.60, to hear and consider evidence for and against EIR2010-0343 and to investigate and make findings in connection therewith; and

WHEREAS, at said public hearing, the Planning Commission did receive evidence and reports, including all written and verbal comments received during the 45-day public review period, concerning the contents and sufficiency of the Draft EIR; and

WHEREAS, the Planning Commission, after due inspection, investigation and studies made by itself and in its behalf and after due consideration of all evidence and reports offered at said hearing, did adopt its Resolution No. 2010-078 recommending that the Anaheim City Council certify EIR2010-00343; and

WHEREAS, on September 28, 2010, the City Council did conduct a public hearing, notice of said public hearing having been duly given as required by law and in accordance with the provisions of the Anaheim Municipal Code, Chapter 18.60, to hear and consider evidence for and against the Final EIR and to investigate and make findings in connection therewith; and

WHEREAS, based upon the evidence and reports received at said public hearing, and upon the studies and investigation made by itself and in its behalf, the City Council finds and determines as follows:

The Final EIR has been presented to and independently reviewed and considered by the City Council.

The Final EIR reflects the independent judgment and analysis of the City Council.

The Final EIR has been processed and completed in compliance with the requirements of CEQA, and all applicable CEQA Guidelines.

WHEREAS, in conformance with the requirements of CEQA and the CEQA Guidelines, the City has prepared, or caused to be prepared, the (i) ARTIC Project Environmental Impact Report Findings of Fact and Statement of Overriding Considerations, relating to the Final EIR, which is attached hereto as Exhibit "A" and incorporated herein by this reference as though set forth in full, and (ii) ARTIC Project Environmental Impact Report Mitigation Monitoring Plan, Section IV, Pages IV-1 through IV-9 of the Final EIR; and

WHEREAS, to the extent authorized by law, the City desires and intends to use the Final EIR as the environmental documentation required by CEQA and the CEQA Guidelines for the ARTIC project; and

WHEREAS, the City Council takes legislative notice that in addition to the Final EIR, an Environmental Assessment is being prepared for ARTIC as a separate document. The Federal Transit Administration (FTA) is the lead agency for the Environmental Assessment, prepared in accordance with the National Environmental Policy Act (NEPA) and FTA guidelines.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby certifies Final Environmental Impact Report No. 2010-00343 and adopts the ARTIC Project Environmental Impact Report Findings of Fact and Statement of Overriding Considerations.

BE IT FURTHER RESOLVED, that the City Council hereby finds and determines that the Final EIR has been presented to and independently reviewed and considered by the City Council, reflects the independent judgment and analysis of the City Council, has been processed and completed in compliance with the requirements of CEQA and the CEQA Guidelines, and is adequate to serve as the environmental documentation for the ARTIC project and all related discretionary actions.

BE IT FURTHER RESOLVED, in conformance with the requirements of CEQA and the CEQA Guidelines, the City Council hereby adopts the ARTIC Project Environmental Impact Report Mitigation Monitoring Plan.

THE FOREGOING RESOLUTION is approved and adopted by the City Council of the City of Anaheim this 28th day of September, 2010, by the following roll call vote:

AYES: Mayor Pringle, Council Members Sidhu, Hernandez, Galloway, Kring

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

CITY OF ANAHEIM

By: 
MAYOR OF THE CITY OF ANAHEIM

ATTEST:


CITY CLERK OF THE CITY OF ANAHEIM

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