



CEQA: A GOOD LAW IN NEED OF REFORM.

NIMBY Group Uses CEQA Lawsuit in Attempt to Derail Major Public Transit Extension Project

The Perris Valley Line Metrolink extension project would extend an existing LA Metrolink line 24 miles from north of the City of Riverside to Perris. It would serve an expected 4,000 riders every day and take enough cars off of the road to eliminate 34 million road miles traveled per year.

It is part of the Southern California Association of Government's (SCAG) 2012-2035 Regional Transportation Plan and Sustainable Communities Strategy, the long-range plan that improves regional mobility and greenhouse gas emission reduction standards required in AB 32 and SB 375. The project has qualified for a \$75 million federal transportation grant.

Planning for this project began in 2002. This extension would utilize tracks that have served the area since 1888, occasionally used by slow-moving freight trains. The project enjoys broad support from local community groups, local government and the business community. Beyond providing environmental benefits, construction of the project would create over 618 direct jobs and would pay an estimated \$35.2 million in wages - with \$25.5 million of those wages going to union workers. Throughout the planning process, there have been over 48 public meetings to address public concerns and gather input and feedback from the community.

In 2008, an extensive CEQA environmental review was conducted and a Mitigated Negative Declaration was circulated for public review. After receiving and responding to all public comments, the Riverside County Transportation Commission (RCTC) decided to complete a more rigorous and costly environmental document for the project: a full blown Environmental Impact Report (EIR). The EIR was circulated for public comment in April 2010 and approved in July 2011.

Shortly after the EIR was approved, a neighborhood group filed a CEQA lawsuit challenging the project. The NIMBY group claimed there were inadequacies in the EIR, including the assertion that RCTC must analyze and mitigate for the safety of illegal trespassers that walk across the tracks.

In May 2013, a court judge's ruling overturned the entire 3,000-page EIR over a few discrete issues - prohibiting RCTC from moving forward with construction. This has caused an indefinite delay of the project. Faced with budget and timing constraints, the project could be in jeopardy of being killed altogether.

Since the project is a part of SCAG's 2012-2035 Regional Transportation Plan and Sustainable Communities Strategy, another project will have to be conceived and put into place that delivers the same GHG reduction benefits, within the same time frame if this project is unable to move forward. Otherwise, their plan could be out of compliance with federal clean air standards, in addition to the GHG targets set under SB 375 and AB 32. This project is vital not only to the Riverside area, but Southern California as a region.

COST OF CEQA MISUSE:

- Years' long delay of vital mass transit project that will reduce emissions
- Over \$600,000 in litigation costs for taxpayers thus far
- Loss of 600 union and private sector construction jobs
- Potential loss of \$75 million in federal funding

About this series:

The California Environmental Quality Act (CEQA) is an important environmental law. However, today's CEQA is too often misused to stop or delay projects that comply with all applicable environmental laws and standards. "CEQA: A Good Law In Need of Reform" will call attention to the many examples of CEQA misuses, and the consequences on vital projects, our environment and our economy. Visit www.CEQAWorkingGroup.com for more case studies or information about efforts to modernize CEQA.



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So far the litigation has cost RCTC over \$600,000 in taxpayer dollars and has indefinitely delayed the creation of over 600 jobs for the area.

RCTC is evaluating all legal options to save this project from yet another misuse of CEQA.

To read the complete case study, visit www.CEQAWorkingGroup.com/perrisline



 Proposed Perris Valley Line