

Caltrans Surplus Property Sale

Los Angeles County, California
District 7 – LA – South Pasadena

Initial Study with Proposed Negative Declaration



Prepared by the State of California Department of Transportation



October 2014

Caltrans Surplus Property Sale

Los Angeles County, California
District 7 – LA – South Pasadena

Initial Study with Proposed Negative Declaration

Submitted Pursuant to: (State) Division 13, California Public Resources Code

THE STATE OF CALIFORNIA

Department of Transportation

10/6/14
Date of Approval


Garrett Damrath
Chief Environmental Planner
California Department of Transportation

PROPOSED NEGATIVE DECLARATION

Pursuant to: Division 13, Public Resources Code

Description of Action

The California Department of Transportation (Caltrans) proposes to sell 20 State owned properties in the City of South Pasadena that have been deemed surplus.

Determination

Caltrans has prepared an Initial Study for this action, and pending public review, expects to determine from this study that the proposed action would not have a significant effect on the environment for the following reasons:

- The proposed action will not significantly affect land use or public facilities.
- The proposed action will not significantly affect relocated individuals as long as the Roberti Bill and Senate Bill 416 are followed.
- The proposed action would have less than significant impacts to Cultural Resources as long as Municipal Codes/City Regulations are followed.
- The proposed action may contain asbestos containing materials, and lead-based paint may be present within the painted surfaces of the buildings. As long as there are no demolition activities, there is no evidence of hazardous waste impacts to the environment.

Date of Approval

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Section 1 - Proposed Action

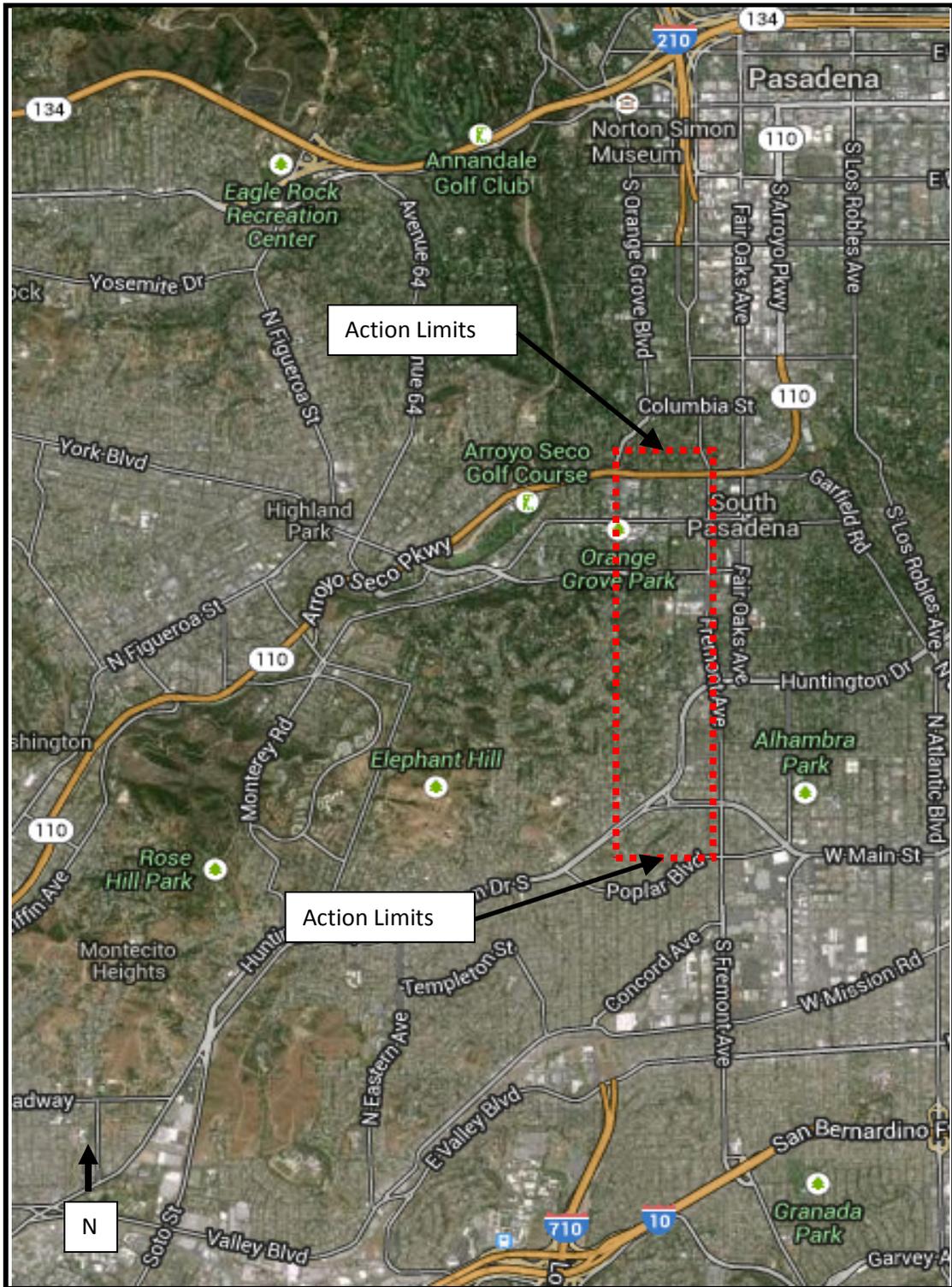
1.1 Introduction

There exist 20 properties in the City of South Pasadena that were once acquired as part of a proposed surface freeway project that would extend State Route 710 (SR-710) to Interstate 210 (I-210). Feasibility studies were performed in 2006 resulting in proposed alternatives which would not require use of the 20 properties and the properties have now been deemed surplus.

The California Department of Transportation (Caltrans), as the lead agency for CEQA, proposes to sell these surplus properties in compliance with Senate Bill 416 and the Roberti Bill. Senate Bill 416 streamlines the process of Caltrans to sell surplus residential and non-residential properties that were purchased more than 50 years ago for the SR-710 Gap Closure project. Existing law known as the Roberti Bill requires single-family residences to be first offered to current occupants who were former owners to purchase their homes at an affordable price, followed by current tenants who have occupied the property for 2 or more years and are of low or moderate income, and then current tenants who have occupied the property for 5 years whose household income does not exceed 150% of the area median income. For more information see Senate Bill 416 and the full Roberti Bill (Appendix A & B).

Figure 1 shows the property area map.

Figure 1 - Property Area Map



1.2 Description of Action

The properties are located in Los Angeles County, in the City of South Pasadena. They are within the area bound by Buena Vista Street to the north, Orange Grove Avenue to the west, Kendall Avenue to the south and Fremont Avenue to the east. The scope of this action is to sell 20 surplus properties owned by Caltrans.

The properties being proposed at this time are:

#	Address	City	Parcel Number
1	532 Meridian Avenue	South Pasadena	061294
2	1109 Grevelia Street	South Pasadena	068500
3	530 Orange Grove Avenue	South Pasadena	068635
4	534 Orange Grove Avenue	South Pasadena	067558
5	529 Prospect Avenue	South Pasadena	068626
6	533 Prospect Avenue	South Pasadena	061159
7	540 Prospect Avenue	South Pasadena	044428
8	535 Meridian Avenue	South Pasadena	068509
9	852 Monterey Road	South Pasadena	074836
10	863 Monterey Road	South Pasadena	068353
11	1707 Meridian Avenue	South Pasadena	067567
12	1101 Pine Street	South Pasadena	068232
13	885 Oneonta Drive	South Pasadena	044538
14	815 Bonita Drive	South Pasadena	068672
15	808 Valley View Road	South Pasadena	068109
16	822 Valley View Road	South Pasadena	068670
17	2007 Cambridge Place	South Pasadena	060763
18	2011 Cambridge Place	South Pasadena	045699
19	2028 Berkshire Avenue	South Pasadena	047924
20	2035 Berkshire Avenue	South Pasadena	047407

Figure 2 discloses the address and the location of the properties.

Figure 2- Property Address and Location Maps



KEY



N

 Property Area Limit

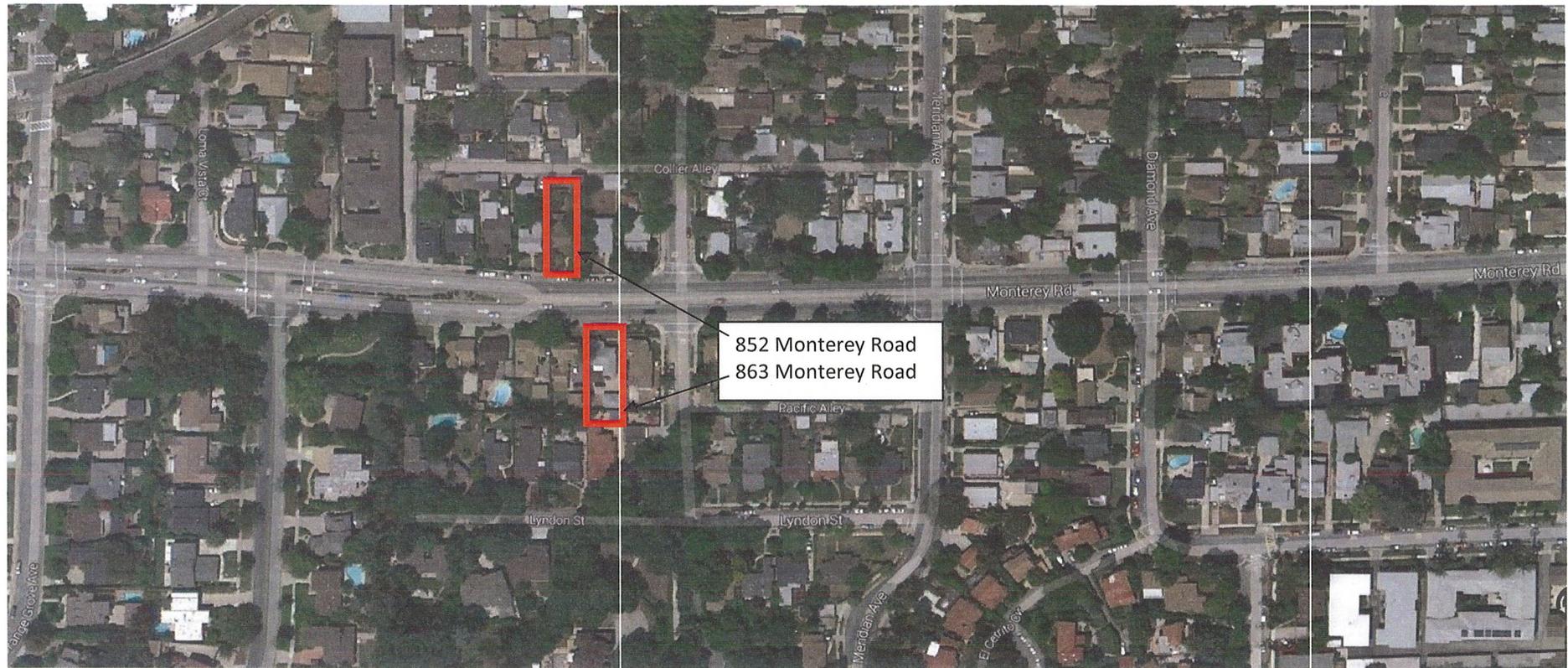
No scale

Base map: Google Maps, 2014

MAP 1 OF 5

PROPERTY AREA LIMITS MAP

**EXCESS LAND SALES OF STATE-OWNED PROPERTIES
IN THE I-710 CORRIDOR
20 PARCELS**



KEY



Property Area Limit

No scale

Base map: Google Maps, 2014



MAP 2 OF 5

PROPERTY AREA LIMITS MAP

**EXCESS LAND SALES OF STATE-OWNED PROPERTIES
IN THE I-710 CORRIDOR
20 PARCELS**



KEY

 Property Area Limit

No scale

Base map: Google Maps, 2014



N

MAP 3 OF 5

PROPERTY AREA LIMITS MAP

**EXCESS LAND SALES OF STATE-OWNED PROPERTIES
IN THE I-710 CORRIDOR
20 PARCELS**



KEY

 Property Area Limit

No scale

Base map: Google Maps, 2014



N

MAP 4 OF 5

PROPERTY AREA LIMITS MAP

**EXCESS LAND SALES OF STATE-OWNED PROPERTIES
IN THE I-710 CORRIDOR
20 PARCELS**



KEY

 Property Area Limit

No scale

Base map: Google Maps, 2014



N

MAP 5 OF 5

PROPERTY AREA LIMITS MAP

EXCESS LAND SALES OF STATE-OWNED PROPERTIES
IN THE I-710 CORRIDOR
20 PARCELS

1.3 Purpose and Need

Purpose

This action intends to offer surplus properties to previous owners and persons and families of low or moderate income, pursuant to Senate Bill 416 and the Robert Bill.

On October 1, 2013, Governor Brown approved Senate Bill 416. This bill revised the procedures applicable to the sale of surplus residential properties not otherwise sold pursuant to existing procedures, to be offered to current and former tenants in good standing, respectively, and to purchasers who will be owner occupants. The bill additionally would require Caltrans to offer tenants in good standing of nonresidential properties to be given priority to purchase the property they occupy. The bill would authorize Caltrans to offer a residence or property in an “as is” condition, at the request of a person with priority to purchase the residence or property in accordance with existing law.

This bill also requires proceeds from sales of surplus residential property to be placed in the SR-710 Rehabilitation Account. This account, created by the bill, would continuously appropriate these funds for the purpose of providing specified repairs to the properties not sold until the last of the properties is repaired, at which time the funds, less any reimbursements due to the federal government, would be transferred to the State Highway Account, for allocation by the California Transportation Commission, as specified.

Need

Caltrans is in the business of providing a safe, sustainable, integrated and efficient transportation system, not property management. Since these 20 properties would not affect any of the feasible alternatives for the current SR-710 Gap Closure project, they are no longer needed and have been deemed surplus.

Section 2 - Environmental Factors

2.1 Introduction

Environmental impacts and mitigation measures reported in this document were based on technical studies conducted for this action. The studies are listed in Section 7 and are available for review at:

Caltrans, District 7 Office, 100 South Main Street, Los Angeles, CA, 90012

As part of the preliminary studies and environmental analysis carried out for the action, the following environmental issues were considered but no adverse impacts were identified. As a result, there is no further discussion about these issues in this document.

- Coastal Zone. The properties are not located in a coastal zone.
- Wild and Scenic Rivers. The properties are not contained near any Wild and Scenic Rivers.
- Parks and Recreational Facilities. No Parks and Recreational Facilities are located within the property limits.
- Farmlands/Timberlands. The properties have no Farmlands/Timberlands.
- Paleontology. The action will not encounter native soil.
- Wetlands and Other Waters. No Wetlands and Other Waters are located within the property limits.
- Utilities/Emergency Services. The action will not touch any utilities nor will it affect emergency services or require temporary street closures/detours.
- Traffic and Transportation/Pedestrian and Bicycle Facilities. The scope of the action is to sell excess surplus properties only so no streets, sidewalks or bicycle facilities will be affected as part of this action.
- Visual/Aesthetics. The action will be selling properties as is and additional covenants will be set in place to protect the properties' aesthetically and culturally pleasing features.
- Hydrology and Floodplain. This action will not conduct any work within any floodplain nor will it generate additional non-porous planes.
- Water Quality and Stormwater Runoff. The action will not affect Water Quality and Stormwater Runoff.
- Geology/Soils/Seismic/Topography. The action will not have any soil disturbance.
- Air Quality. This action will not have any effect on Air Quality.

- Noise/Vibration. This action would not result in any changes affecting noise or vibration.
- Biology. The properties have no special environmental or biological issues of concern.
- Land Use. This action will not alter the land use.
- Growth. This action will not induce growth; rather, it will serve to accommodate the growth that is anticipated and planned for by the city.

2.2 Community Impacts

A Community Impact Assessment Report was prepared by Caltrans in August 2014.

2.2.1 Affected Environment

As shown in Figure 1, the Property Area extends across the City of South Pasadena in the County of Los Angeles. The City of South Pasadena is bordered by the City of Pasadena to the north, the City of San Marino to the east, the City of Alhambra to the south, and the City of Los Angeles to the south and the west. The City of South Pasadena is approximately 3.4 square miles in size and is located east of the SR 110 and approximately 2 miles south of I-210.

The Properties are located inside the City of South Pasadena is predominately residential low density, estate and very low density. The City of South Pasadena was the seventh city to incorporate in Los Angeles County. As of 2010, the City of South Pasadena had 25,619 residents with a median income of \$84,914 and has approximately 6.1% of its residents living below the poverty level.

The City of South Pasadena is primarily a built-out community. The City has very little vacant land available for new development. Any future development would likely involve infill development or the recycling of land that is currently occupied by existing homes or businesses.

According to the Southern California Association of Governments (SCAG), the City of South Pasadena is forecast to increase to 26,300 by 2035. However, the City of South Pasadena is projected to experience less population, household, and employment growth than the County over the next two decades.

Existing development near the properties are mostly residential and does not include substantial space for future growth. The existing land uses in the City of South Pasadena are as follows: 62% is devoted to residential uses of residential densities, approximately 3.87% is allocated to general commercial, professional office, mixed use, and auto sales uses, and 0.6% to light manufacturing. In contrast, 21.4% is used for circulation purposes. The remaining 12.9% is distributed among open space/parks, institutional uses, commercial-recreation, and flood control or is vacant.

Future land uses in the property area are guided by the City General Plan and zoning. Future land uses are oriented in terms of types of use, placement, and density, and are subject to limitations such as jurisdictional boundaries, topographical and environmental conditions, and overriding state or federal regulations. The City of South Pasadena is a primarily built-out community. While the city's General Plan Land Use Element contains policies to promote quality development within the city; the city has very little vacant land available for new development.

Any future development would likely involve infill development or the recycling of land that is currently occupied by existing homes or businesses. The proposed action will not have direct impacts nor indirect impacts on changing existing land use designations.

The City of South Pasadena has a 40.7% of long-term residents, which is higher than the Los Angeles County average of 39.6%. Long term residents are an indicator of community cohesion and this action's goal is ultimately to allow current occupants an opportunity to purchase the homes they have been renting.

2.2.2 Minimization, and/or Mitigation Measures

The proposed action will not have a direct impact on changing existing land use designations, and thus, will not have any substantial environmental consequences to Land Use in the property area.

No minimization and/or mitigation measures are required or proposed.

2.3 Relocation and Real Property Acquisition

At this time, the number of relocations is unknown as Caltrans cannot predict the number of properties that will be purchased by current tenants. Any person who is displaced from any property listed in Section 1 shall be eligible to receive the relocation advisory assistance provided by Government Code Section 54235-54238.7.

No real property acquisitions will be part of this action, as Caltrans owns all properties contained in this action.

2.3.1 Affected Environment

The process of determining what Relocation Benefits are to be allotted, if any, is an evolving dynamic process. All tenants that are unable or choose not to buy will be allotted those benefits described by State laws Government Code Section 54235-54238.7 or any future laws or guidelines that may be established before the sale of the houses.

2.3.2 Minimization, and/or Mitigation Measures

It is anticipated that the proposed action will have no significant impact to owners, tenants, businesses or persons in possession of real property to be sold who would qualify for relocation assistance benefits for entitlements under the government code sections found in Appendix B.

2.4 Cultural Resources

The term "cultural resources" as used in this document refers to all "built environment" resources (structures, bridges, railroads, water conveyance systems, etc.), culturally important resources, and archaeological resources (both prehistoric and historic), regardless of significance. Laws and regulations dealing with cultural resources include:

Historical resources are considered under the California Environmental Quality Act (CEQA), as well as CA Public Resources Code (PRC) Section 5024.1, which established the California Register of Historical Resources. PRC Section 5024 requires state agencies to identify and protect state-owned resources that meet the National Register of Historic Places listing criteria. It further specifically requires the Department to inventory state-owned structures in its rights-of-way. Sections 5024(f) and 5024.5 require state agencies to provide notice to and consult with the State Historic Preservation Officer (SHPO) before altering, transferring, relocating, or demolishing state-owned historical resources that are listed on or are eligible for inclusion in the National Register or are registered or eligible for registration as California Historical Landmarks.

2.4.1 Affected Environment

Caltrans prepared a Historical Resources Compliance Report (HRCR) in September 2014. In an effort to identify potential historic properties, Caltrans records search included current historic property databases at the national, state and local levels, previous HRCRs, and National Park Service Determinations of Eligibility for properties in the Project Area Limits. Pertinent local governments (City of South Pasadena), Native American Tribes, local historical societies and the public were contacted to assist in identifying cultural resources. The Project Area Limits (PAL) for this action were established as the legal parcel boundaries for each of the properties that have been declared excess and are proposed to be sold.

Of the twenty (20) subject properties, none were found eligible for listing in the National Register of Historic Places, either individually or as part of a historic district, or for registration as a California Historical Landmark. Of the twenty properties, nine (9) individual properties were included in the City of South Pasadena historic property inventory or designated within a local historic neighborhood boundary. The properties listed below were identified as significant in a local survey meeting the Office of Historic Preservation standards. Caltrans considers these properties historical resources for the purposes of CEQA. Concurrence is pending with the State Historic Preservation Officer.

Address	City	Parcel Number
533 Prospect Avenue	South Pasadena	061159
1707 Meridian Avenue	South Pasadena	067567
852 Monterey Road	South Pasadena	074836
1101 Pine Street	South Pasadena	068232
885 Oneonta Drive	South Pasadena	044538
815 Bonita Drive	South Pasadena	068672
2028 Berkshire Avenue	South Pasadena	047924
2007 Cambridge Place	South Pasadena	060763
2011 Cambridge Place	South Pasadena	045699

2.4.2 Minimization, and/or Mitigation Measures

The transfer (sale) of the nine subject properties would result in no substantial adverse change because their protection under the City of South Pasadena’s Municipal Code Section 2.64 (demolition and alteration) affords protection for historical resources. Additionally, the City Planning Commission, Design Review Board and Cultural Heritage Commission, all have responsibilities for reviewing alterations to existing structures in the City of South Pasadena. Protection under City Municipal Code 2.64 reduces any impact to below the level of significance

by adhering to *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings (Standards)*. Based on this, no mitigation measures are required or proposed.

2.5 Hazardous Waste/Materials

Hazardous materials, including hazardous substances and wastes, are regulated by many state and federal laws. Statutes govern the generation, treatment, storage and disposal of hazardous materials, substances, and waste, and also the investigation and mitigation of waste releases, air and water quality, human health and land use.

2.5.1 Affected Environment

A specific Hazardous Waste Assessment was prepared in February 2014 in conjunction with an on site reconnaissance, review of GeoTracker data base, EnviroStor database, Historic Aerials and records obtained from City of South Pasadena.

California regulates hazardous materials, waste, and substances under the authority of the CA Health and Safety Code and is also authorized by the federal government to implement RCRA in the state. California law also addresses specific handling, storage, transportation, disposal, treatment, reduction, cleanup and emergency planning of hazardous waste. The Porter-Cologne Water Quality Control Act also restricts disposal of wastes and requires clean up of wastes that are below hazardous waste concentrations but could impact ground and surface water quality. California regulations that address waste management and prevention and clean up contamination include Title 22 Division 4.5 Environmental Health Standards for the Management of Hazardous Waste, Title 23 Waters, and Title 27 Environmental Protection.

Worker and public health and safety are key issues when addressing hazardous materials that may affect human health and the environment. Proper management and disposal of hazardous material is vital if it is found, disturbed, or generated during construction.

2.5.2 Minimization, and/or Mitigation Measures

Based on the age of the buildings, it is likely that they may contain asbestos containing materials, and lead-based paint may be present within the painted surfaces of the buildings. As long as there are no demolition activities, there is no evidence of hazardous waste impacts to the environment and no mitigation is needed.

Section 3 - California Environmental Quality Act Evaluation Checklist

3.1 Introduction

This checklist identifies physical, biological, social and economic factors that might be affected by the proposed project. In many cases, background studies performed in connection with the projects indicate no impacts. A NO IMPACT answer in the last column reflects this determination. Where there is a need for clarifying discussion, the discussion is included either following the applicable section of the checklist or is within the body of the environmental document itself. The words "significant" and "significance" used throughout the following checklist are related to CEQA, not NEPA, impacts. The questions in this form are intended to encourage the thoughtful assessment of impacts and do not represent thresholds of significance.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
I. AESTHETICS: Would the project:				
a) Have a substantial adverse effect on a scenic vista	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

IV. BIOLOGICAL RESOURCES: Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

V. CULTURAL RESOURCES: Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

VI. GEOLOGY AND SOILS: Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

VII. GREENHOUSE GAS EMISSIONS: Would the project:

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

An assessment of the greenhouse gas emissions and climate change is included in the body of environmental document. While Caltrans has included this good faith effort in order to provide the public and decision-makers as much information as possible about the project, it is Caltrans determination that in the absence of further regulatory or scientific information related to GHG emissions and CEQA significance, it is too speculative to make a significance determination regarding the project's direct and indirect impact with respect to climate change. Caltrans does remain firmly committed to implementing measures to help reduce the potential effects of the project. These measures are outlined in the body of the environmental document.

VIII. HAZARDS AND HAZARDOUS MATERIALS: Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

IX. HYDROLOGY AND WATER QUALITY: Would the project:

- a) Violate any water quality standards or waste discharge requirements?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

- b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?
- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
- e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
- f) Otherwise substantially degrade water quality?

- g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
- h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
- j) Inundation by seiche, tsunami, or mudflow

X. LAND USE AND PLANNING: Would the project:

- a) Physically divide an established community?
- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

XI. MINERAL RESOURCES: Would the project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

XII. NOISE: Would the project result in:

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
-) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

XIII. POPULATION AND HOUSING: Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XIV. PUBLIC SERVICES:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XV. RECREATION:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XVI. TRANSPORTATION/TRAFFIC: Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XVII. UTILITIES AND SERVICE SYSTEMS: Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?
- e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- g) Comply with federal, state, and local statutes and regulations related to solid waste?

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?
- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Section 4 - Comments and Coordination

Early and continuing coordination with the general public and public agencies is an essential part of the environmental process. It helps planners determine the necessary scope of environmental documentation and the level of analysis required, and to identify potential impacts and avoidance, minimization and/or mitigation measures and related environmental requirements. Agency consultation and public participation for this action have been accomplished through a variety of formal and informal methods, including Project Development Team (PDT) meetings and interagency coordination meetings. This section summarizes the results of Caltrans' efforts to fully identify, address, and resolve project-related issues through early and continuing coordination.

A Notice of Availability of the Draft Initial Study was published in the Pasadena Star News on October 7, 2014 and the Pasadena Weekly on October 9, 2014 and in Spanish in the Eastern Group Publications News on October 7, 2014.

A Copy of the Draft Initial Study was sent out to interested parties, federal, state, and local agencies on the distribution list on October 7, 2014.

The Draft Document is also available at the South Pasadena Public Library, the Caltrans District 7 Office: 100 South Main Street, Los Angeles, CA, 90012 and the Caltrans District 7 website at: <http://www.dot.ca.gov/dist07/resources/envdocs/>

Written Comments can be submitted on the Draft Initial Study no later than November 10, 2014 to:

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Senior Environmental Planner
California Department of Transportation
Division of Environmental Planning
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Los Angeles, CA, 90012

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South Pasadena, CA, 91030

Current Resident
2011 Cambridge Place
South Pasadena, CA, 91030

Current Resident
535 Meridian Avenue
South Pasadena, CA, 91030

Current Resident
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Current Resident
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Current Resident
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South Pasadena, CA, 91030

Current Resident
2007 Cambridge Place
South Pasadena, CA, 91030

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South Pasadena Public Library
Library
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South Pasadena, CA, 91030

Current Resident
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South Pasadena, CA, 91030

Current Resident
540 Prospect Avenue
South Pasadena, CA, 91030

Current Resident
533 Prospect Avenue
South Pasadena, CA, 91030

Current Resident
532 Meridian Avenue
South Pasadena, CA, 91030

Current Resident
863 Monterey Road
South Pasadena, CA, 91030

Current Resident
1101 Pine Street
South Pasadena, CA, 91030

Current Resident
885 Oneonta Drive
South Pasadena, CA, 91030

Current Resident
815 Bonita Drive
South Pasadena, CA, 91030

Current Resident
808 Valley View Road
South Pasadena, CA, 91030

Current Resident
822 Valley View Road
South Pasadena, CA, 91030

Section 6 - List of Preparers

This section includes a list of state personnel who were primarily responsible for preparing the environmental document and supporting technical studies for this Initial Study.

Ron Kosinski, Deputy District Director

Garrett Damrath, Office Chief

Dawn Kukla, Senior Environmental Planner

Kelly Ewing-Toledo, Senior Environmental Planner

Le Chen, Associate Environmental Planner

Lourdes Ortega, Associate Environmental Planner

Christopher Stevenson, Associate Biologist

Agustin Barajas, Associate Environmental Planner

John K. Lee, Project Manager

Derek Higa, Senior Transportation Engineer

Otto Jarquin, Supervising Transportation Surveyor

Billy E. Cooper, Senior Right of Way Agent of the Relocation Assistance Program

Kaz Kayoda, Transportation Engineer

Megan Van Alstine, Associate Right of Way Agent

Section 7 - List of Technical Studies

Community Impact Assessment August 2014

Historical Resources Compliance Report September 2014

R/W RAP Clearance Report September 2014

Hazardous Waste Assessment February 2014

APPENDIX A

Senate Bill No. 416

CHAPTER 468

An act to amend Sections 54236 and 54237 of, and to add Sections 54237.3, 54237.7, and 54237.8 to, the Government Code, relating to surplus residential property, and making an appropriation therefor.

[Approved by Governor October 01, 2013. Filed with Secretary of State October 01, 2013.]

LEGISLATIVE COUNSEL'S DIGEST

SB 416, Liu. Surplus residential property.

Existing law declares the intent of the Legislature to preserve, upgrade, and expand the supply of housing to persons and families of low or moderate income, through the sale of specified surplus residential property owned by public agencies. Existing law establishes priorities and procedures that any state agency disposing of that surplus residential property is required to follow, and defines relevant terms for these purposes, including “fair market value.”

This bill would revise the definition of “fair market value” for purposes of the sale of this surplus residential property, to reflect the existing “as is” condition of the property, taking into account any needed repairs.

Existing law requires specified single-family residences to be first offered to their present occupants, at an affordable price, as defined. Under existing law, the selling agency has the option of making repairs to the property required by lenders or government assistance programs, or providing the occupants with a replacement dwelling, pursuant to a specified provision of law.

This bill would revise the procedures applicable to the sale of these surplus residential properties not otherwise sold pursuant to existing procedures, to be offered to current and former tenants in good standing, respectively, and to purchasers who will be owner occupants. The bill additionally would

require the selling agency to offer tenants in good standing of nonresidential properties to be given priority to purchase the property they occupy. The bill would authorize the Department of Transportation to offer a residence or property in an “as is” condition, at the request of a person with priority to purchase the residence or property in accordance with existing law.

This bill would require proceeds from sales of surplus residential property to be placed in the SR-710 Rehabilitation Account, created by the bill, and would continuously appropriate these funds for the purpose of providing specified repairs to the properties until the last of the properties is repaired, at which time the funds, less any reimbursements due to the federal government, would be transferred to the State Highway Account, for allocation by the California Transportation Commission, as specified.

This bill would provide that the preliminary project alternative referred to as Alternative F-6 in the December 2012 Alternative Analysis Report of the Los Angeles Metropolitan Transportation Authority shall no longer be deemed a feasible alternative for consideration in any state environmental review process for the Interstate 710 North Gap Closure project, as specified.

DIGEST KEY

Vote: 2/3 Appropriation: yes Fiscal Committee: yes Local Program: no

BILL TEXT

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

Section 54236 of the Government Code is amended to read:

54236.

(a) As used in this article, the term “offer” means to solicit proposals prior to sale in a manner calculated to achieve a sale under the conditions specified, and to hold the offer open for a reasonable period of time, which shall be no more than one year, unless the time is extended by the selling agency at its discretion, for a period to be specified by the selling agency.

(b) As used in this article, the term “affordable price” means, in the case of a purchaser, other than a lower income household, the price for residential property for which the purchaser’s monthly payments will not exceed that portion of the purchasing household’s adjusted income as determined in accordance with the regulations of the United States Department of Housing and Urban Development, issued pursuant to Section 235 of the National Housing Act; and, in the case of a purchaser that is a lower income household, the price for residential property for which the

purchaser's monthly payments will not exceed that portion of the purchasing household's adjusted income as determined in accordance with the regulations of the United States Department of Housing and Urban Development issued pursuant to Section 8 of the United States Housing Act of 1937.

(c) As used in this article, the term "single-family residence" means a real property improvement used, or intended to be used, as a dwelling unit for one family.

(d) As used in this article, the term "surplus residential property" means land and structures owned by any agency of the state that is determined to be no longer necessary for the agency's use, and that is developed as single-family or multifamily housing, except property being held by the agency for the purpose of exchange.

Surplus residential properties shall only include land and structures that, at the time of purchase by the state, the state had intended to remove the residences thereon and to use the land for state purposes.

(e) As used in this article, the term "displacement" includes, but is not limited to, persons who will have to move from surplus residential property that they occupy when it is sold by a state agency because they are unable to afford to pay the price that the state agency is asking for the residential property.

(f) As used in this article, the term "fair market value" shall mean fair market value as of the date the offer of sale is made by the selling agency pursuant to the provisions of this article and shall reflect the existing "as is" condition of the property, taking into account any repairs required to make the property safe and habitable. This definition shall not apply to terms of sale that are described as mitigation measures in an environmental study prepared pursuant to the Public Resources Code if the study was initiated before this measure was enacted.

(g) As used in this article, the term "affordable rent" means, in the case of an occupant person or family, other than a person or family of low or moderate income, rent for residential property that is not more than 25 percent of the occupant household's gross monthly income, and in the case of an occupant person or family of low or moderate income, rent for residential property that is not more than the percentage of the adjusted income of the occupant person or family as permitted under regulations of the United States Department of Housing and Urban Development issued pursuant to Section 8 of the United States Housing Act of 1937, but not in excess of the market rental value for comparable property.

(h) As used in this article, the term "area median income" means median household income, adjusted for family size as determined in accordance with the regulations of the United States Department of Housing and Urban Development issued pursuant to Section 235 of the National Housing Act, as amended (Public Law 90-448), for the standard metropolitan statistical area (SMSA), in which

surplus residential property to be disposed of pursuant to this article is located, or the county in which the property is located, if it is outside an SMSA.

(i) As used in this article, the term “persons and families of low or moderate income” means persons and families who meet both of the following conditions:

(1) Meet the definition of persons and families of low or moderate income set forth in Section 50093 of the Health and Safety Code.

(2) Have not had an ownership interest in real property in the last three years.

(j) As used in this article, the term “lower income households” means lower income households as defined in Section 50079.5 of the Health and Safety Code.

SEC. 2.

Section 54237 of the Government Code is amended to read:

54237.

(a) Notwithstanding Section 11011.1, any agency of the state disposing of surplus residential property shall do so in accordance with the following priorities and procedures:

(1) First, all single-family residences presently occupied by their former owners shall be offered to those former owners at the appraised fair market value.

(2) Second, all single-family residences shall be offered, pursuant to this article, to their present occupants who have occupied the property two years or more and who are persons and families of low or moderate income.

(3) Third, all single-family residences shall be offered, pursuant to this article, to their present occupants who have occupied the property five years or more and whose household income does not exceed 150 percent of the area median income.

(4) Fourth, a single-family residence shall not be offered, pursuant to this article, to present occupants who are not the former owners of the property if the present occupants have had an ownership interest in real property in the last three years.

(b) Single-family residences offered to their present occupants pursuant to paragraphs (2) and (3) of subdivision (a) shall be offered to those present occupants at an affordable price, which price shall not be less than the price paid by the agency for original acquisition, unless the acquisition price was greater than the current fair market value, and shall not be greater than fair market value. When single-family residences are offered to present occupants at a price that is less than fair market value, the selling agency shall impose terms, conditions, and restrictions to ensure that the housing will remain available to persons and families of low or moderate income and households with incomes no

greater than the incomes of the present occupants in proportion to the area median income. The Department of Housing and Community Development shall provide to the selling agency recommendations of standards and criteria for these prices, terms, conditions, and restrictions. The selling agency shall provide repairs required by lenders and government housing assistance programs, or, at the option of the agency, provide the present occupants with a replacement dwelling pursuant to Section 54237.5.

(c) If single-family residences are offered to their present occupants pursuant to paragraphs (2) and (3) of subdivision (a), the occupants shall certify their income and assets to the selling agency. When single-family residences are offered to present occupants at a price that is less than fair market value, the selling agency may verify the certifications, in accordance with procedures utilized for verification of incomes of purchasers and occupants of housing financed by the California Housing Finance Agency and with regulations adopted for the verification of assets by the United States Department of Housing and Urban Development. The income and asset limitations and term of residency requirements of paragraphs (2) and (3) of subdivision (a) shall not apply to sales that are described as mitigation measures in an environmental study prepared pursuant to the Public Resources Code, if the study was initiated before this measure was enacted.

(d) All other surplus residential properties and all properties described in paragraphs (1), (2), and (3) of subdivision (a) that are not purchased by the former owners or the present occupants shall be then offered to housing-related private and public entities at a reasonable price, which is best suited to economically feasible use of the property as decent, safe, and sanitary housing at affordable rents and affordable prices for persons and families of low or moderate income, on the condition that the purchasing entity shall cause the property to be rehabilitated and developed as limited equity cooperative housing with first right of occupancy to present occupants, except that where the development of cooperative or cooperatives is not feasible, the purchasing agency shall cause the property to be used for low and moderate income rental or owner-occupied housing, with first right of occupancy to the present tenants. The price of the property in no case shall be less than the price paid by the agency for original acquisition unless the acquisition price was greater than current fair market value and shall not be greater than fair market value. Subject to the foregoing, it shall be set at the level necessary to provide housing at affordable rents and affordable prices for present tenants and persons and families of low or moderate income. When residential property is offered at a price that is less than fair market value, the selling agency shall impose terms, conditions, and restrictions as will ensure that the housing will remain available to persons and families of low or moderate income. The Department of Housing and Community Development shall provide to the selling agency recommendations of standards and criteria for prices, terms, conditions, and restrictions.

(e) Any surplus residential properties not sold pursuant to subdivisions (a) to (d), inclusive, shall then be sold at fair market value, with priority given first to purchasers who are present tenants in good standing with all rent obligations current and paid in full, second to former tenants who were in good

standing at the time they vacated the premises, with priority given to the most recent tenants first, and then to purchasers who will be owner occupants. The selling agency may commence the sales of properties that former tenants may possess a right to purchase as provided by this subdivision 30 days after the selling agency has done both of the following:

(1) Posted information regarding the sales under this subdivision on the selling agency's Internet Web site.

(2) Made a good faith effort to provide written notice, by first-class mail, to the last known address of each former tenant.

(f) Tenants in good standing of nonresidential properties shall be given priority to purchase, at fair market value, the property they rent, lease, or otherwise legally occupy.

SEC. 3.

Section 54237.3 is added to the Government Code, to read:

54237.3.

Notwithstanding the requirement to provide repairs in subdivision (b) of Section 54237, the Department of Transportation may offer a residence or property in an "as is" condition at the request of a person given priority to purchase pursuant to paragraphs (2) and (3) of subdivision (a) of Section 54237.

SEC. 4.

Section 54237.7 is added to the Government Code, to read:

54237.7.

Notwithstanding Section 183.1 of the Streets and Highways Code, the Department of Transportation shall deposit proceeds from sales pursuant to this article into the SR-710 Rehabilitation Account, which is hereby created. Notwithstanding Section 13340, funds in the account are hereby continuously appropriated to the department without regard to fiscal years for the purpose of providing repairs required pursuant to subdivision (b) of Section 54237. The total funds maintained in the account shall not exceed five hundred thousand dollars (\$500,000). Funds exceeding that amount, less any reimbursements due to the federal government, shall be transferred to the State Highway Account in the State Transportation Fund to be used for allocation by the California Transportation Commission (commission) exclusively to fund projects located in Pasadena, South Pasadena, Alhambra, La Cañada Flintridge, and the 90032 postal ZIP Code. Projects shall be selected and prioritized by the affected communities in consultation with the Los Angeles County Metropolitan Transportation Authority, pursuant to guidelines developed by the commission. The Los Angeles Metropolitan Transportation Authority shall submit a proposed program of projects and the commission shall have final authority to approve the projects. Eligible projects may include, but are not limited to: sound walls; transit and rail capital improvements; bikeways; pedestrian

improvements; signal synchronization; left turn signals; and major street resurfacing, rehabilitation, and reconstruction. The funds shall not be used to advance or construct any proposed North State Route 710 tunnel. Any funds remaining in the SR-710 Rehabilitation Account on the date that final payment due for the last of the properties repaired has been made, less any reimbursements due to the federal government, shall be transferred to the State Highway Account in the State Transportation Fund, to be used exclusively for the purposes described in this section.

SEC. 5.

Section 54237.8 is added to the Government Code, to read:

54237.8.

Notwithstanding any other law, for purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code), the preliminary project alternative referred to as Alternative F-6 in the December 2012 Alternative Analysis Report of the Los Angeles Metropolitan Transportation Authority shall no longer be deemed a feasible alternative for consideration in any state environmental review process for the Interstate 710 North Gap Closure project, State Clearinghouse number 1982092310.

APPENDIX B

GOVERNMENT CODE

SECTION 54235-54238.7

54235. The Legislature reaffirms its finding that the disposition of surplus property owned by public agencies should be utilized to further state policies.

The Legislature reaffirms its finding that there exists within the urban and rural areas of the state a serious shortage of decent, safe, and sanitary housing which persons and families of low or moderate income can afford, and consequently a pressing and urgent need for the preservation and expansion of the low- and moderate-income housing supply. The Legislature further reaffirms its finding that highway and other state activities have contributed to the severe shortage of such housing. The Legislature reaffirms that the provision of decent housing for all Californians is a state goal of the highest priority. The Legislature finds and declares that actions of state agencies including the sales of surplus residential properties which result in the loss of decent and affordable housing for persons and families of low or moderate income is contrary to state housing, urban development, and environmental policies and is a significant environmental effect, within the meaning of Article XIX of the California Constitution, which will be mitigated by the sale of surplus residential property pursuant to the provisions of this article.

The Legislature further finds and declares that the displacement of large numbers of persons as a result of the sale of surplus residential property owned by agencies of the state is a significant environmental effect, within the meaning of Article XIX of the California Constitution which will be mitigated by sale of such properties pursuant to the provisions of this article.

The Legislature further finds and declares that the sale of surplus residential property pursuant to the provisions of this article will directly serve an important public purpose. Wherefore, the Legislature intends by this article to preserve, upgrade and expand the supply of housing available to persons and families of low or moderate income. The Legislature further intends by this article to mitigate the environmental effects, within the meaning of Article XIX, of the California Constitution, caused by highway activities.

54236. (a) As used in this article, the term "offer" means to solicit proposals prior to sale in a manner calculated to achieve a sale under the conditions specified, and to hold such offer open for a reasonable period of time, which shall be no more than one year, unless such time is extended by the selling agency at its discretion, for a period to be specified by the selling agency.

(b) As used in this article, the term "affordable price" means, in the case of a purchaser, other than a lower income household, the

price for residential property for which the purchaser's monthly payments will not exceed that portion of the purchasing household's adjusted income as determined in accordance with the regulations of the United States Department of Housing and Urban Development, issued pursuant to Section 235 of the National Housing Act; and, in the case of a purchaser that is a lower income household, the price for residential property for which the purchaser's monthly payments will not exceed that portion of the purchasing household's adjusted income as determined in accordance with the regulations of the United States Department of Housing and Urban Development issued pursuant to Section 8 of the United States Housing Act of 1937.

(c) As used in this article, the term "single-family residence" means a real property improvement used, or intended to be used, as a dwelling unit for one family.

(d) As used in this article, the term "surplus residential property" means land and structures owned by any agency of the state that is determined to be no longer necessary for such agency's use, and which is developed as single-family or multi-family housing, except property being held by the agency for the purpose of exchange.

Surplus residential properties shall only include land and structures which, at the time of purchase by the state, the state had intended to remove the residences thereon and to use the land for state purposes.

(e) As used in this article the term "displacement" includes, but is not limited to, persons who will have to move from surplus residential property that they occupy when it is sold by a state agency because they are unable to afford to pay the price which the state agency is asking for the residential property.

(f) As used in this article, the term "fair market value" shall mean fair market value as of the date the offer of sale is made by the selling agency pursuant to the provisions of this article. This definition shall not apply to terms of sale that are described as mitigation measures in an environmental study prepared pursuant to the Public Resources Code if such study was initiated prior to the enactment of this measure.

(g) As used in this article, the term "affordable rent" means, in the case of an occupant person or family, other than a person or family of low or moderate income, rent for residential property which is not more than 25 percent of the occupant household's gross monthly income, and in the case of an occupant person or family of low or moderate income, rent for residential property which is not more than the percentage of the adjusted income of the occupant person or family as permitted under regulations of the United States Department of Housing and Urban Development issued pursuant to Section 8 of the United States Housing Act of 1937, but not in excess of the market rental value for comparable property.

(h) As used in this article, the term "area median income" means median household income, adjusted for family size as determined in accordance with the regulations of the United States Department of Housing and Urban Development issued pursuant to Section 235 of the National Housing Act, as amended (P.L. 90-448), for the Standard Metropolitan Statistical Area (S.M.S.A.), in which surplus residential property to be disposed of pursuant to this article is located, or the county in which such property is located, if it is outside an S.M.S.A.

(i) As used in this article, the term "persons and families of low

or moderate income" means persons and families of low or moderate income as defined by Section 50093 of the Health and Safety Code.

(j) As used in this article, the term "lower income households" means lower income households as defined in Section 50079.5 of the Health and Safety Code.

54237. (a) Notwithstanding Section 11011.1, any agency of the state disposing of surplus residential property shall do so in accordance with the following priorities and procedures:

(1) First, all single family residences presently occupied by their former owners shall be offered to such former owners at the appraised fair market value.

(2) Second, all single-family residences shall be offered, pursuant to this article, to their present occupants who have occupied the property two years or more and who are persons and families of low or moderate income.

(3) Third, all single-family residences shall be offered, pursuant to this article, to their present occupants who have occupied the property five years or more and whose household income does not exceed 150 percent of the area median income.

(b) Single-family residences offered to their present occupants pursuant to paragraphs (2) and (3) of subdivision (a) shall be offered to such present occupants at an affordable price, which price shall not be less than the price paid by the agency for original acquisition, unless the acquisition price was greater than the current fair market value, and shall not be greater than fair market value. When such single-family residences are offered to present occupants at a price which is less than fair market value, the selling agency shall impose such terms, conditions and restrictions to assure that such housing will remain available to persons and families of low or moderate income and households with incomes no greater than the incomes of the present occupants in proportion to the area median income. The Department of Housing and Community Development shall provide to the selling agency recommendations of standards and criteria for such prices, terms, conditions and restrictions. The selling agency shall provide repairs required by lenders and government housing assistance programs, or, at the option of the agency, provide the present occupants with a replacement dwelling pursuant to Section 54237.5.

(c) If single-family residences are offered to their present occupants pursuant to paragraphs (2) and (3) of subdivision (a) the occupants shall certify their income to the selling agency. When such single-family residences are offered to present occupants at a price which is less than fair market value, the selling agency may verify such certifications, in accordance with procedures utilized for verification of incomes of purchasers and occupants of housing financed by the California Housing Finance Agency. The income limitations and term of residency requirements of paragraphs (2) and (3) of subdivision (a) shall not apply to sales that are described as mitigation measures in an environmental study prepared pursuant to the Public Resources Code, if such study was initiated prior to the enactment of this measure.

(d) All other surplus residential properties, and all properties described in paragraphs (1), (2), and (3) of subdivision (a) which are not purchased by the former owners or the present occupants shall

be then offered to housing-related private and public entities at a reasonable price, which is best suited to economically feasible use of the property as decent, safe, and sanitary housing at affordable rents and affordable prices for persons and families of low or moderate income, on the condition that the purchasing entity shall cause the property to be rehabilitated and developed as limited equity cooperative housing with first right of occupancy to present occupants, except that where the development of such cooperative or cooperatives is not feasible, the purchasing agency shall cause the property to be used for low and moderate income rental or owner-occupied housing, with first right of occupancy to the present tenants. The price of the property in no case shall be less than the price paid by the agency for original acquisition unless the acquisition price was greater than current fair market value, and shall not be greater than fair market value. Subject to the foregoing, it shall be set at the level necessary to provide housing at affordable rents and affordable prices for present tenants and persons and families of low or moderate income. When such residential property is offered at a price which is less than fair market value, the selling agency shall impose such terms, conditions and restrictions as will assure that such housing will remain available to persons and families of low or moderate income. The Department of Housing and Community Development shall provide to the selling agency recommendations of standards and criteria for such prices, terms, conditions and restrictions.

(e) Any surplus residential properties not sold pursuant to subdivisions (a) to (d), inclusive, shall then be sold at fair market value, with priority given first to purchasers who are present occupants and then to purchasers who will be owner occupants.

54237.5. Notwithstanding the requirement to provide repairs in subdivision (b) of Section 54237, the selling agency may, at its option, provide the present occupants with a replacement dwelling if all of the following conditions exist:

(a) Providing a replacement dwelling is less expensive than providing the repairs required by subdivision (b) of Section 54237.

(b) The replacement dwelling is determined to have all of the following characteristics:

(1) Is decent, safe, and sanitary.

(2) Is suitable to the occupancy needs of the household as provided under regulations of the United States Department of Housing and Urban Development issued pursuant to Section 8 of the United States Housing Act of 1937.

(3) Is open to all persons regardless of race, color, religion, sex, or national origin and consistent with requirements of Title 8 of the Civil Rights Act of 1978.

(4) Is in an area not generally less desirable than the dwelling to be acquired in regard to public utilities and public and commercial facilities.

(5) Is reasonably accessible to the displaced person's place of employment.

(6) Is in an equal or better neighborhood.

(7) Is affordable, as defined in subdivision (a) of Section 54236, to the displaced person.

(c) The offer is made at an affordable price that is not less than the price paid by the agency for original acquisition of the unit now occupied by the displaced person or the replacement unit, whichever is less, and is not more than market value.

(d) The replacement dwelling is a newly constructed or a vacant residential unit. No resident shall be displaced pursuant to Section 7260 for the purpose of creating a replacement unit.

54238. In the event a purchaser of surplus residential property does not comply with terms, conditions, and restrictions imposed pursuant to Section 54237 of this article, to assure that such housing will remain available to persons and families of low or moderate income, the state agencies which sold the property may require that the purchasers pay the state the difference between the actual price paid by the purchaser for the property and the fair market value of such property, at the time of the agency's determination of noncompliance, plus 6 percent interest on such amount for the period of time the land has been held by the purchaser. This section does not limit the right to seek injunctive relief to enforce the provisions of this article.

54238.3. (a) This article shall apply only to surplus residential properties which were acquired for a state project, for which at least 20 dwelling units were acquired and owned by the state on January 1, 1980, or on the date the properties were declared to be surplus, whichever date occurs later. For the purpose of this section, a freeway route and its interchanges shall be considered one state project. Except for State Highway Route 7 in Los Angeles County, this article shall not apply to freeway routes rescinded on or after January 1, 1984.

(b) Any person who is displaced from any dwelling located on such residential property that is also located within the right-of-way of a freeway route or its interchanges for which the property was declared surplus on or after January 1, 1984, and who occupied that dwelling for at least 90 days prior to the date the property was declared surplus, shall be eligible to receive the relocation advisory assistance provided by Section 7261, the relocation benefits provided by paragraph (1) of subdivision (a) or subdivision (b) of Section 7262, the payments authorized by subdivision (b) or (c) of Section 7264, and the right for review of decision as provided by Section 7266 if the person is forced to relocate from the dwelling, as a direct result of the state agency's disposal of the excess real property, within 90 days of the recordation of the deed from the state agency to a new owner.

(c) Whenever a state surplus residential property disposal project, as described in subdivision (b), includes 50 or more dwelling units, a Relocation Liaison shall be appointed by the Secretary of the Business, Transportation and Housing Agency. The term of the appointment shall be of sufficient duration for the Relocation Liaison to fulfill the assignment, not to exceed 180 days, and shall begin on the date that the property is declared to be surplus. The Relocation Liaison shall have the following assigned duties and responsibilities:

(1) Meet with the eligible persons and explain to them the benefits defined in subdivision (b).

(2) In conjunction with the state agency, assist in obtaining replacement housing for eligible persons.

(3) Assist eligible persons in completing and processing claims for benefits.

The state agency which is disposing of the surplus residential property shall be responsible for underwriting all reasonable costs as determined by the secretary associated with the operation of the Relocation Liaison's office necessary to perform all duties assigned to it.

54238.4. This article is intended to benefit persons and families subject to displacement and persons and families of low or moderate income. The article shall be liberally construed to permit such persons or families to enforce the rights, duties, and benefits created by the article.

54238.5. Failure to comply with the provisions of this article shall not invalidate the transfer, sale, or conveyance to a bona fide purchaser for value or an encumbrancer for value.

54238.6. If a provision of this article or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this article which can be given effect without the invalid provision or application thereof, and to this end the provisions of this article are severable.

54238.7. Except those properties the Department of Transportation is in escrow as of August 15, 1997, to sell, the Department of Transportation shall not dispose of any surplus property in the City of South Pasadena prior to January 31, 1998. The department shall report to the Legislature by December 1, 1997, on the planned disposition of any surplus property in the City of South Pasadena, the impact on the availability of housing stock, possible impacts upon the community of the proposed sale of properties, and the steps being taken to maintain the character and integrity of the neighborhoods and community.