

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: December 6, 2012

Reference No.: 2.2c. (2)  
Action

From: BIMLA G. RHINEHART  
Executive Director

Subject: **APPROVAL OF PROJECT FOR FUTURE CONSIDERATION OF FUNDING  
FINAL ENVIRONMENTAL IMPACT REPORT FOR FOOTHILL PARKWAY WESTERLY  
EXTENSION PROJECT (RESOLUTION E-12-70)**

## **ISSUE:**

Should the Commission, as a Responsible Agency, accept the Final Environmental Impact Report (FEIR), Findings of Fact and Statement of Overriding Considerations for the Foothill Parkway Westerly Extension Project in Riverside County and approve the project for future consideration of funding?

## **RECOMMENDATION:**

Staff recommends that the Commission accept the FEIR, Findings of Fact and Statement of Overriding Considerations and approve the project for future consideration of funding.

## **BACKGROUND:**

The City of Corona (City) is the CEQA lead agency for the Foothill Parkway Westerly Extension Project. The project is located within the southwesterly limits of the City of Corona and in the unincorporated area of Riverside County, within the City's sphere of influence, along the base of the Santa Ana Mountains. The project will extend Foothill Parkway for approximately two miles by constructing a four-lane roadway with bicycle and pedestrian facilities from 600 feet west of Skyline Drive to Green River Road. The project will be designed to protect the existing 108 inch Metropolitan Water District feeder line located approximately 1,000 feet east of Paseo Grande. The project also includes a new signalized intersection at Paseo Grande, and two possible signalized intersections at the Border Avenue and Chase Drive connections. The FEIR was approved and certified by the City Council of the City of Corona on February 4, 2009.

The FEIR determined that impacts related to aesthetics; construction air quality; construction noise; cultural resources; and geologic and seismic hazards would be significant and unavoidable as follows:

- Short-term, long-term and cumulative impacts to scenic vistas, the existing visual character and quality of the project area resulting from construction of the project and the developed appearance of the alignment.
- Air quality impacts relate to local and regional criteria pollutants that will exceed the South Coast Air Quality Management District (SCAQMD) significance thresholds during construction and will contribute to cumulative short-term air quality impacts despite the implementation of all feasible mitigation measures.
- Noise impacts relate to construction noise and vibration impacts that have the potential to exceed the City's noise standards despite the implementation of all feasible mitigation measures.
- Cultural resources impacts relate to the removal of an arroyo stone footbridge to implement the proposed roadway alignment. Mitigation will require the demolition/relocation and recordation of the historic resource to be undertaken consistent with Historic American Engineering Record standards. However, despite the implementation of mitigation measures, the stone footbridge will be removed from its original site contributing to cumulative impacts and resulting in significant and unavoidable impacts to historic resources.
- Geologic and seismic hazards impacts relate to active faults that traverse the project site which have the potential to expose commuters to adverse effects. The proposed alignment will be designed and constructed to minimize seismic impacts. However, despite implementation of all feasible mitigation measures, development of the project will result in significant, unavoidable and cumulative impacts in this regard.

The City adopted the FEIR, Findings of Fact and a Statement of Overriding Considerations for the project on February 4, 2009. The City found that there were several benefits that outweigh the unavoidable adverse environmental effects of the project. These benefits include, but are not limited to, completion of the City's overall traffic circulation plan; alleviation of existing traffic congestion on the local circulation network; accommodation of traffic generated by approved and planned development; increasing access to existing and future developments for routine daily traffic and emergency response vehicles; and achieving the City's standard Level of Service D for local streets and roads in the most cost-effective manner, compatible with existing and future physical and legal constraints while minimizing impacts to the extent feasible and providing value to the community. The City established a Mitigation Monitoring Program to ensure that the mitigation measures specified for the project are implemented.

On October 29, 2012 the City provided written confirmation that the preferred alternative set forth in the final environmental document is consistent with the project programmed by the Commission. On November 15, 2012 the City confirmed that the 2009 FEIR remains valid and that there are no new impacts requiring mitigation which have been identified since adoption of the FEIR in 2009.

The project is estimated to cost \$23,518,000 for construction. The project is funded with SLPP (\$7,000,000) funds and Local (\$16,518,000) funds. Construction is estimated to begin in fiscal year 2013/14.

Attachment

- Resolution E-12-70
- Findings of Fact & Statement of Overriding Considerations
- Project Location

# CALIFORNIA TRANSPORTATION COMMISSION

## Resolution for Future Consideration of Funding 08 – Riverside County Resolution E-12-70

- 1.1 **WHEREAS**, the City of Corona (City) has completed a Final Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:
  - Foothill Parkway Westerly Extension
- 1.2 **WHEREAS**, the City has certified that the Final Environmental Impact Report has been completed pursuant to CEQA and the State CEQA Guidelines for its implementation; and
- 1.3 **WHEREAS**, the project will construct a new four lane roadway with bicycle and pedestrian facilities and up to three new signalized intersections; and
- 1.4 **WHEREAS**, the California Transportation Commission, as a Responsible Agency, has considered the information contained in the Final Environmental Impact Report; and
- 1.5 **WHEREAS**, Findings of Fact made pursuant to CEQA guidelines indicate that specific unavoidable significant impacts related to aesthetics, air quality, noise, cultural resources, geologic and seismic hazards make it infeasible to avoid or fully mitigate to a less than significant level the effects associated with the project; and
- 1.6 **WHEREAS**, the City adopted a Statement of Overriding Considerations for the project; and
- 1.7 **WHEREAS**, the City adopted a Mitigation Monitoring Program for the project; and
- 1.8 **WHEREAS**, the above significant effects are acceptable when balanced against the facts as set forth in the Statement of Overriding Considerations.
- 2.1 **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby accept the Final Environmental Impact Report, Findings of Fact and Statement of Overriding Considerations and approve the above referenced project to allow for future consideration of funding.

Excerpt from Resolution No. 2009-014 A Resolution of the City Council of Corona, California, Certifying the Final Environmental Impact Report for the Foothill Parkway Westerly Extension Project, Adopting Environmental Findings Pursuant to the California Environmental Quality Act; and Adopting a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program.

The Project proposes a modified Mabey Canyon Debris Basin, which includes an open spillway structure (triple-box culvert), rather than a drop inlet structure. Also, instead of lowering the basin floor, the basin limits would be extended upstream to accommodate the original storage volume. This design was submitted to the Riverside County Flood Control and Water Conservation District (RCFC&WCD, or "Flood Control") in the Mabey Canyon Hydrology and Hydraulics Study prepared by RBF, dated October 2007, and was approved by Flood Control in April 2008. This "Stone Bridge Avoidance" Alternative revisits the grading concept currently proposed for the Project. In this Alternative, the basin floor would be lowered in order to maintain the existing basin perimeter and fully avoid the existing historic arroyo stone footbridge. This Alternative, as in the proposed Project, maintains the previously-approved open spillway concept. (Draft EIR, pp. 7-131 to 7-132.)

Impacts. Most of the short-term and long-term impacts of the Stone Bridge Avoidance Alternative would be similar to those of the Project. (Draft EIR, p. 7-132.) The Stone Bridge Avoidance Alternative would reduce the already less than significant impact of the Project on habitat and vegetation due to the fact that less acreage of vegetation would be disturbed by the Alternative. (Draft EIR, pp. 7-132 to 7-133.) The significant and unavoidable impact of the Project related to the removal of the historic arroyo stone foot bridge would be completely avoided by this Alternative. (Draft EIR, p. 7-135.) However, this Alternative would result in a significant and unavoidable impact due to the risk of dam failure. (Draft EIR, pp. 7-135 to 7-136.)

Objectives. The "Stone Bridge Avoidance" Alternative would attain Project objective 3 at a lesser degree than the proposed Project. (Draft EIR, p. 7-135.)

Finding. The City Council finds that (1) the Stone Bridge Avoidance Alternative would not offer an overall environmental advantage over the proposed Project, as avoidance of the Project's significant and unavoidable impact to cultural resources is offset by a new significant and unavoidable impact related to dam failure (Draft EIR, pp. 7-134 to 7-135); (2) this Alternative would not attain Project objective 3 to the same degree than the proposed Project (Draft EIR, p. 7-135); and (3) this Alternative is infeasible due to social, legal, and policy reasons, as the Riverside County Flood Control & Water Conservation District has indicated they would not approve the debris basin modifications associated with this Alternative because of potential safety impacts to upstream and downstream residents (Draft EIR pp. 7-134 to 7-136). The City Council therefore rejects the Stone Bridge Avoidance Alternative on these bases, each of which is sufficient on its own to substantiate the action of the City Council.

## **SECTION 9: RESOLUTION ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS.**

The City Council hereby declares that, pursuant to State CEQA Guidelines Section 15093, the City Council has balanced the benefits of the Project against any unavoidable environmental impacts in determining whether to recommend approval of the Project to the City

Council. If the benefits of the Project outweigh the unavoidable adverse environmental impacts, those impacts may be considered “acceptable.”

The City Council hereby declares that the Draft EIR and Final EIR have identified and discussed significant effects which may occur as a result of the Project. With the implementation of the Mitigation Measures discussed in the Draft EIR and Final EIR, these effects can be mitigated to a level of less than significant except for unavoidable significant impacts as discussed in Section 4 of this Resolution.

The City Council hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Project.

The City Council hereby declares that to the extent any Mitigation Measures recommended in the Draft EIR could not be incorporated, such Mitigation Measures are infeasible because they would impose restrictions on the Project that would prohibit the realization of specific economic, social and other benefits that this City Council finds outweigh the unmitigated impacts.

The City Council further finds that except for the Project, all other alternatives set forth in the Draft EIR and Final EIR are infeasible because they would prohibit the realization of Project objectives and/or specific economic, social and other benefits that this City Council finds outweigh any environmental benefits of the alternatives.

The City Council hereby declares that, having reduced the adverse significant environmental effects of the Project to the extent feasible by adopting the proposed Mitigation Measures, having considered the entire administrative record on the Project, and having weighed the benefits of the Project against its unavoidable adverse impacts after mitigation, the City Council has determined that the each of the following social, economic and environmental benefits of the Project outweigh the potential unavoidable adverse impacts and render those potential adverse environmental impacts acceptable based upon the following overriding considerations:

- The completion of the City’s overall traffic circulation plan in the southern portion of the City (Draft EIR, p. 3-28);
- The alleviation of existing traffic congestion on the local circulation network (*Id.*);
- The accommodation of traffic generated by approved and planned development in south Corona (*Id.*);
- Increasing access to existing and future developments in the southern portion of Corona for routine daily traffic and emergency response vehicles (*Id.*); and
- The achieving the City’s standard of Level of Service “D” for local streets and arterial highways in the most cost-effective manner that would be compatible with existing and future physical and legal constraints while minimizing impacts to the extent feasible and providing value to the community. (Draft EIR, pp. 3-28 to 3-29.)

The City Council hereby declares that the foregoing benefits provided to the public through approval and implementation of the Project outweigh the identified significant adverse environmental impacts of the Project, which cannot be mitigated. The City Council finds that each of the Project benefits separately and individually outweighs the unavoidable adverse environmental effects identified in the EIR and therefore finds those impacts to be acceptable.

**SECTION 10: RESOLUTION RECOMMENDING CERTIFICATION OF THE EIR.**

The City Council finds that it has reviewed and considered the Final EIR in evaluating the Project, that the Final EIR is an accurate and objective statement that fully complies with CEQA, the State CEQA Guidelines and the Corona CEQA Guidelines and that the Final EIR reflects the independent judgment of the City Council.

The City Council declares that no evidence of new significant impacts as defined by State CEQA Guidelines section 15088.5 have been received by the City after circulation of the Draft EIR which would require recirculation.

The City Council certifies the EIR based on the following findings and conclusions:

**A. Findings.**

The following significant environmental impacts have been identified in the EIR and will require mitigation as set forth in Sections 4 and 5 of this Resolution but cannot be mitigated to a level of less than significant:

- Short-term impacts to the visual character of the Project site and the surrounding area;
- Long-term impacts from the alteration of a scenic vista within the viewshed of the Project site;
- Long-term impacts from the alteration of the existing visual character and quality of the Project site and its surroundings;
- Cumulative aesthetic impacts relating to short-term impacts to the visual character of the Project site and the surrounding area, long-term impacts to scenic vistas within a viewshed of the Project site, and long-term impacts to the visual character and quality of the Project site and its surroundings;
- Short-term impacts from exceeding SCAQMD's daily emissions thresholds for construction activities;
- Cumulative air quality impacts;
- Short-term noise and vibration impacts on nearby noise-sensitive receptors due to construction of the Project;
- Impacts related to adverse effects on a significant historical resource;
- Cumulative impacts related to adverse effects on significant historical resources;
- Impacts related to the exposure of commuters to adverse effects associated with

- the rupture of a known earthquake fault; and
- Cumulative impacts related to the adverse effects associated with the rupture of known earthquake faults.

**B. Conclusions.**

All significant environmental impacts from the implementation of the Project have been identified in the EIR and, with implementation of the Mitigation Measures identified, will be mitigated to a less than significant level, except for the impacts listed in subsection A above.

Other reasonable alternatives to the Project which could feasibly achieve the basic objectives of the Project have been considered and rejected in favor of the Project.

Environmental, economic, social and other considerations and benefits derived from the development of the Project override and make infeasible any alternatives to the Project or further Mitigation Measures beyond those incorporated into the Project.

**SECTION 11: RESOLUTION ADOPTING A MITIGATION MONITORING AND REPORTING PLAN.**

Pursuant to Public Resources Code section 21081.6, the City Council hereby adopts the Mitigation Monitoring and Reporting Plan attached to this Resolution as Exhibit "A". In the event of any inconsistencies between the Mitigation Measures as set forth herein and the Mitigation Monitoring and Reporting Plan, the Mitigation Monitoring and Reporting Plan shall control.

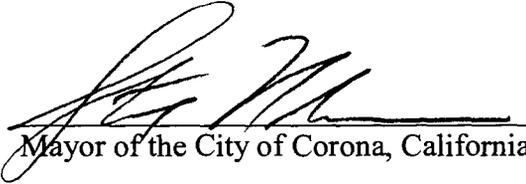
**SECTION 12: RESOLUTION REGARDING CUSTODIAN OF RECORD.**

The documents and materials that constitute the record of proceedings on which these Findings have been based are located at the City of Corona, Public Works Department 400 South Vicentia Avenue, Corona, California 92882. The custodian for these records is the Public Works Director. This information is provided in compliance with Public Resources Code section 21081.6.

**SECTION 13. RESOLUTION REGARDING STAFF DIRECTION.**

A Notice of Determination shall be filed with the County of Riverside and the State Clearinghouse within five (5) days of final Project approval.

**ADOPTED AND APPROVED** this 4th day of February, 2009.

  
Mayor of the City of Corona, California

**ATTEST:**

  
City Clerk of the City of Corona, California

**CERTIFICATION**

I, Victoria J. Wasko, City Clerk of the City of Corona, California, do hereby certify that the foregoing Resolution was regularly introduced and adopted by the City Council of the City of Corona, California, at a regular meeting thereof held on the 4th day of February, 2009, by the following vote:

<b>AYES:</b>	<b>MONTANEZ, NOLAN, SCOTT, SKIPWORTH, SPIEGEL</b>
<b>NOES:</b>	<b>NONE</b>
<b>ABSENT:</b>	<b>NONE</b>
<b>ABSTAINED:</b>	<b>NONE</b>

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the official seal of the City of Corona, California, this 4th day of February, 2009.

  
City Clerk of the City of Corona, California

[SEAL]

