

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: January 25-26, 2024

From: TANISHA TAYLOR, Executive Director

Reference Number: 2.2c.(5), Action

Prepared By: Cherry Zamora
Assistant Deputy Director

Published Date: January 12, 2024

Subject: Approval of Project for Future Funding Consideration – Final Environmental Impact Report and Addendum for the Bundy Canyon Active Transportation Corridor Project, Resolution #E-24-07

Recommendation:

Staff recommends the California Transportation Commission (Commission), as a Responsible Agency, accept the Final Environmental Impact Report and Addendum for the Bundy Canyon Active Transportation Corridor Project in Riverside County and approve the project for future funding consideration.

Issue:

The City of Wildomar (City) is the California Environmental Quality Act Lead Agency for the Project. The Bundy Canyon Active Transportation Corridor Project will construct a 2.2-mile ADA-compliant 15-foot-wide Class I shared bike/pedestrian path along Bundy Canyon Road. The project includes lighting, a wood/rope barrier, and California Manual on Uniform Traffic Control Devices signage. The Bundy Canyon Active Transportation Corridor Project is located along Bundy Canyon Road, east of Interstate 15 from Monte Vista Drive to Harvest Way (600 feet east of “The Farm Road” near the Menifee border and Interstate 215), in the City of Wildomar in Riverside County.

For all projects that are anticipated to be funded through a program under the purview of the Commission, full compliance with the California Environmental Quality Act is required. The Commission will not allocate funds to projects for design, right-of-way, or construction until the environmental document is complete, and the Commission has approved the environmentally cleared project for future funding consideration.

Background:

On September 1, 2014, the City certified the Final Environmental Impact Report for the Bundy Canyon Road/Scott Road Improvement Project. On September 9, 2020, the City completed an Addendum to address modifications to the project including phasing, the Bundy Canyon Active Transportation Corridor Project as a component, and storm drain improvements. The City found that the Bundy Canyon Road/Scott Road Improvement Project, including the Bundy Canyon Active Transportation Corridor Project's, impacts on air quality and aesthetics would be significant and unavoidable adverse environmental impacts. While mitigation measures would be implemented for air quality as noted below, significant impacts would not be fully mitigable. Aesthetic impacts from loss of oak trees would not be mitigable.

Impacts that require mitigation measures to be reduced to less than significant levels relate to agriculture, biological resources, cultural resources, geology and soils, hazardous waste and materials, hydrology and water quality, noise, recreation, acquisitions, transportation and traffic, and utilities and service systems. Mitigation measures include Best Management Practices during construction; equipment maintenance; reduced idling; use of electricity to the extent practicable; compliance with air quality management district rules; pre-construction biological surveys; use of exclusion fencing, implementation of a Stormwater Pollution Prevention Plan; construction of wildlife crossings via culverts; obtaining biological permits; directing night lighting away from the Multiple Species Habitat Conservation Plan Conservation Area; ensuring maintenance activities do not discharge to the Multiple Species Habitat Conservation Plan Conservation Area; archaeological monitoring; inadvertent discovery measures; paleontological monitoring; avoidance of excessive blasting and scaling cut slopes; rock catchment; controlling top-of-slope drainage; geologist observation of cut slopes and grade; stockpiling and replacement of topsoil; control of the use, storage, and transport of hazardous materials; testing of materials; proper handling, cleanup, and disposal of hazardous materials; implementing measures adhering to the General National Pollutant Discharge Elimination Permit for Construction Activities; stormwater pollution control; compliance with applicable Regional Water Quality Control Board regulations for discharges; design pollution prevention, maintenance, and treatment Best Management Practices; use of mufflers for construction equipment; locating and timing construction activities to lessen noise; use of rubberized asphalt; noise abatement walls; posting public notices at temporarily closed trail crossings; implementation of a Traffic Management Plan; coordination with utility providers; and relocation assistance.

The City found there were several benefits that outweigh the unavoidable adverse impacts of the Bundy Canyon/Scott Road Improvement Project. These overriding benefits include economic, legal, social, technological, and other benefits that outweigh the identified significant effect on the environment. The City determined the Bundy Canyon/Scott Road Improvement Project would accomplish the following benefits summarized from the Findings of Fact and Statement of Overriding Considerations included in Attachment B:

- Improve safety through Bundy Canyon.
- Improve traffic handling capacity.
- Allows for planned build-out as designated by the Cities of Wildomar and Menifee.
- Provides a consistent approach to respond to growth in travel demand across the entire stretch of roadway, thereby providing both near-term benefits and a sound geometric basis upon which future modifications can be made.
- Avoids potentially more significant impacts in the longer term.
- Planned and designed to be consistent with requirements of the Western Riverside County Multiple Species Habitat Conservation Plan.
- Provides for regional roadway mitigation funding contributions to the Regional Conservation Authority for habitat acquisition, management, and monitoring.

On January 3, 2024, the City of Wildomar confirmed that the Final Environmental Impact Report and Addendum remain valid; there are no new impacts requiring mitigation; and the Bundy Canyon Active Transportation Corridor Project set forth in the Final Environmental Impact Report and Addendum is consistent with the Bundy Canyon Active Transportation Corridor Project scope of work programmed by the Commission.

The Project is estimated to cost \$26,000,000 and is funded through construction with Active Transportation Program (\$1,454,000), Transportation Uniform Mitigation Fee (\$4,515,000), developer impact fees (\$6,732,560), and Riverside County Transportation Commission (\$13,298,440) funds.

Construction is anticipated to begin in Fiscal Year 2024-25.

Attachments:

- Attachment A: Resolution E-24-07
- Attachment B: Findings of Fact and Statement of Overriding Considerations
- Attachment C: Notice of Determination
- Attachment D: Project Location Map

**CALIFORNIA TRANSPORTATION COMMISSION
Resolution for Future Funding Consideration**

**8 – Riverside County
Resolution E-24-07**

- 1.1 WHEREAS, the City of Wildomar has completed a Final Environmental Impact Report and Addendum for the Bundy Canyon/Scott Road Improvement Project, which includes the Bundy Canyon Active Transportation Corridor Project as a component; and
- 1.2 WHEREAS, the City of Wildomar has certified the Final Environmental Impact Report and prepared the Addendum pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines; and
- 1.3 WHEREAS, the Bundy Canyon Active Transportation Corridor Project is located along Bundy Canyon Road, east of Interstate 15 from Monte Vista Drive to Harvest Way (600 feet east of “The Farm Road” near the Menifee border and Interstate 215), in the City of Wildomar in Riverside County; and
- 1.4 WHEREAS, the Bundy Canyon Active Transportation Corridor Project will construct a 2.2-mile ADA-compliant 15-foot-wide Class I shared bike/pedestrian path along Bundy Canyon Road. The project includes lighting, a wood/rope barrier, and California Manual on Uniform Traffic Control Devices signage; and
- 1.5 WHEREAS, on September 1, 2014, the City of Wildomar certified the Final Environmental Impact Report; and
- 1.6 WHEREAS, the City of Wildomar completed an Addendum on September 9, 2020 to address modifications to the Bundy Canyon Road/Scott Road Improvement Project. Modifications included phasing, the Bundy Canyon Active Transportation Corridor Project as a component, and storm drain improvements; and
- 1.7 WHEREAS, the Addendum found that the modifications to the Bundy Canyon/Scott Road Improvement Project would not result in new or substantially more severe impacts than disclosed in the Final Environmental Impact Report; and
- 1.8 WHEREAS, on January 3, 2024, the City of Wildomar confirmed that the Bundy Canyon Active Transportation Corridor Project set forth in the Final Environmental Impact Report and Addendum is consistent with the Project scope of work programmed by the Commission; and
- 1.9 WHEREAS, the Commission, as a Responsible Agency, has considered the information contained in the Final Environmental Impact Report and Addendum; and
- 2.1 NOW, THEREFORE, BE IT RESOLVED that the Commission does hereby accept the Final Environmental Impact Report and Addendum and approves the above-referenced Bundy Canyon Active Transportation Corridor Project for future funding consideration.

Findings of Fact
and
Statement of Overriding Considerations

Bundy Canyon Road/Scott Road Improvement Project
(SCH#2007051156)

Findings by
City of Wildomar (City)

September 2014

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1 INTRODUCTION

Public Resources Code Section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would *substantially lessen* the significant environmental effects of such projects[.]” (Emphasis added.) The same statute states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will *avoid* or *substantially lessen* such significant effects.” (Emphasis added.) Section 21002 goes on to state that “in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.”

Section 21081 of the California Public Resources Code and Section 15091 of the California Environmental Quality Act (CEQA) Guidelines (hereinafter *CEQA Guidelines*) require a public agency, prior to approving a project, to identify significant impacts of the project and make one or more of three written findings for each of the significant impacts. The first possible finding is that “[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR” (*CEQA Guidelines*, Section 15091(a)(1)). The second possible finding is that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency” (*CEQA Guidelines*, Section 15091(a)(2)). The third possible finding is that “[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible mitigation measures or project alternatives identified in the final EIR” (*CEQA Guidelines*, Section 15091(a)(3)).

Public Resources Code Section 21061.1 defines “feasible” to mean “capable of being accomplished in a successive manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.” *CEQA Guidelines*, Section 15364 adds another factor: “legal” considerations. (See also Citizens of Goleta Valley v. Board of Supervisors (“Goleta II”) (1990) 52 Cal.3d 553, 565.)

The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (City of Del Mar v. City of San Diego (1982) 133 Cal.App.3d 410, 417.) “[F]easibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*Id.*; see also Sequoyah Hills Homeowners Assn. v. City of Oakland (1993) 23 Cal.App.4th 704, 715.)

The *CEQA Guidelines* do not define the difference between “avoiding” a significant environmental effect and merely “substantially lessening” such an effect. The City of Wildomar (City) must therefore glean the meaning of these terms from the other contexts in which the terms are used. Public Resources Code Section 21081, on which *CEQA Guidelines* Section 15091 is based, uses the terms “mitigate or avoid rather than “substantially lessen.” The *CEQA Guidelines* therefore equate

“mitigating” with “substantially lessening.” Such an understanding of the statutory term is consistent with the policies underlying CEQA, which include the policy that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects.” (Public Resources Code Section 21002.)

For purposes of these findings, the term “avoid” refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less-than-significant level. In contrast, the term “substantially lessen” refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less-than-significant level. These interpretations appear to be mandated by the holding in Laurel Hills Homeowners Association v. City Council (1978) 83 Cal.App.3d 515, 519-521 (Laurel Hills), in which the Court of Appeal held that an agency had satisfied its obligation to substantially lessen or avoid significant effects by adopting numerous mitigation measures, not all of which rendered the significant impacts in question less than significant.

Although *CEQA Guidelines* Section 15091 requires only that approving agencies specify that a particular significant effect is “avoid[ed] or substantially lessen[ed],” these findings, for purposes of clarity, in each case will specify whether the effect in question has been reduced to a less than significant level, or has simply been substantially lessened but remains significant.

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modifications or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the project lies with some other agency. (*CEQA Guidelines*, Section 15091 subdivision (a), (b).)

Mitigation measures are referenced in the *Mitigation Monitoring and Reporting Program* adopted concurrently with these findings, and will be effectuated through the process of constructing and implementing the project.

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project’s “benefits” rendered “acceptable” its “unavoidable adverse environmental effects.” (*CEQA Guidelines*, Sections 15093, 15043, subdivision (b); see also Public Resources Code, Section 21081 subdivision (b).) The California Supreme Court has stated that, “[t]he wisdom of approving ... any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced.” (Goleta II, 52 Cal.3d 553, 576.)

Except as otherwise noted, the findings reported in the following pages incorporate the facts and discussions of environmental impacts that are found in the *Final Environmental Impact Report* (Final EIR) for the Bundy Canyon Road/Scott Road Improvement Project as fully set forth therein.

These findings constitute the decision-makers' best efforts to set forth the rationales and support for their decision under the requirements of CEQA.

This *Findings of Fact and Statement of Overriding Considerations* document is divided into five major sections. Section 1 (Introduction) provides background information as to the purpose of the document. Section 2 (Project Description) provides a brief discussion of the proposed Road Widening Project. Section 3 (Findings Regarding Environmental Effects) presents the significant effects associated with the proposed project. Section 4 (Alternatives to the Proposed Project) provides a brief discussion of alternatives to the proposed project that were evaluated in less detail in the EIR. Finally, Section 5 (Statement of Overriding Considerations) is provided for those adverse effects that cannot be feasibly mitigated or avoided, even with the adopted mitigation measures.

For each of the significant project or cumulative impacts associated with the project, the following information is provided:

- Significance Criteria – Standards to which the proposed project is subject for determining whether a significant impact would occur.
- Description of the Significant Effect – A specific description of each significant environmental impact identified in the Final EIR.
- Proposed Mitigation – Mitigation measures or actions that are proposed for implementation as part of the project.
- Finding – The findings made are those allowed by Section 21081 of the California Public Resources Code. The findings are made in two parts. In the first part, a judgment is made regarding the significance of the impact or effect. In the second part, which pertains only to impacts found to be significant, one of three specific findings is made, in accordance with the statement of acceptable findings provided in Section 15091 of the *CEQA Guidelines*.
- Rationale – A summary of the reasons for the decision.
- Reference – A notation on the specific section in the Draft or Final EIR that includes the evidence and discussion of the identified impact.

Pursuant to Section 21081.6 of the California Public Resource Code and Section 15097 of the *CEQA Guidelines*, a *Mitigation Monitoring and Reporting Program* must be adopted in order to ensure the efficacy of proposed mitigation measures. The *Mitigation Monitoring and Reporting Program* for the Bundy Canyon Road/Scott Road Improvement Project is in Appendix I of the Final EIR and is presented for adoption together with these Findings of Fact and Statement of Overriding Considerations.

The Record of Proceedings for City's decision on the proposed project consists of the following documents, at a minimum:

- The Notice of Preparation (NOP; May 31, 2007) and all other public notices issued by the Riverside County Transportation Department (RCTD) and/or the City in conjunction with the project;
- The Draft Environmental Impact Report (Draft EIR) for the Bundy Canyon Road/Scott Road Improvement Project (January 2013) and all its supporting technical studies, which was advertised via a Notice of Availability dated January 15, 2013;
- All comments submitted by agencies or members of the public during the 45-day comment period (January 15, 2013 – February 28, 2013) on the Draft EIR.
- All comments and correspondence submitted to RCTD and/or the City with respect to the project, in addition to timely comments on the DEIR;
- The Final Environmental Impact Report (Final EIR) for the Bundy Canyon Road/Scott Road Improvement Project (September 2014), including comments received on the Draft EIR, responses to those comments and technical appendices;
- The Mitigation Monitoring and Reporting Program (MMRP) for the project;
- All findings and resolutions adopted by the City in connection with the Bundy Canyon Road/Scott Road Improvement Project, and all documents cited or referred to therein;
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the project prepared by RCTD and/or the City, consultants to RCTD and/or the City, or responsible or trustee agencies with respect to 's compliance with the requirements of CEQA and with respect to the City's action on the Bundy Canyon Road/Scott Road Improvement Project;
- All documents submitted to RCTD and/or the City by other public agencies or members of the public in connection with the Bundy Canyon Road/Scott Road Improvement Project, up through completion of the Final EIR;
- Minutes, verbatim transcripts, and/or information gathered from all information sessions, public meetings, and/or public hearings held by RCTD and/or the City in connection with the Bundy Canyon Road/Scott Road Improvement Project;
- Any documentary or other evidence submitted to RCTD and/or the City at such information sessions, public meetings, and public hearings;
- Matters of common knowledge to the City, including, but not limited to federal, state, and local laws and regulations;
- Any documents expressly cite in these findings, in addition to those cited above; and
- Any other materials required for the record of proceedings by Public Resources Code Section 21167.6, subdivision (e).

The City of Wildomar, 23873 Clinton Keith Road, Suite 201, Wildomar, CA 92595; is the custodian of record for the proposed project and EIR.

2 PROJECT DESCRIPTION

2-1 Project Objectives

The objectives of the project are as follows:

- Improve safety and access through Bundy Canyon Road/Scott Road and along the project alignment by reconstructing the roadway to current geometric standards and eliminating substandard sight distances and grades.
- Improve the traffic handling capacity of the existing roadway, which is currently heavily congested and has less than desirable roadway geometry.
- Provide a transportation facility that will allow for planned build-out of the area as designated by the adopted 2003 Riverside County General Plan ¹and its component Area and Specific Plans.

2-2 Project Location

The project site is located in the southwestern portion of Riverside County in the cities of Wildomar and Menifee. The project alignment consists of a segment of roadway named Bundy Canyon Road at the western end of the project that changes its name to Scott Road at the intersection of Murrieta Road and continues as Scott Road to the eastern end of the project. Bundy Canyon Road and Scott Road are east-west rural roadways that connect I-15 to I-215. The proposed project does not include improvements to the freeway interchanges.

2-3 Project Description

The Bundy Canyon Road/Scott Road Improvement Project is a circulation improvement project to allow for planned future growth in the area, as designated in the 2003 Riverside County General Plan, by providing additional travel lanes and improving safety through modification of the roadway's horizontal alignment and vertical profile. This project would provide for near-term expected growth in traffic volumes.

Proposed improvement activities include grading, paving of existing and new roadbed, adjusting the vertical alignment based on design speed criteria, adjusting the intersection geometry at cross streets to conform to new improvements, relocating utilities, acquiring right of way (ROW) to accommodate the widening of the road, and the extension and/or replacement of existing cross culverts under the current roadway. The four-lane roadway would include four 12-ft travel lanes, a 14-ft-wide center median for turning movements, two 8-ft outside shoulders, and areas beyond the outside shoulders to accommodate the intended ROW acquisition. The proposed project would generally require the acquisition of ROW along both sides of the existing roadway, and

¹ The project was designed to be consistent with the 2003 Riverside County General Plan at the time the Project Description was prepared. The project is consistent with the adopted City of Wildomar General Plan

would require temporary construction and permanent slope easements where grading would be necessary.

The current roadway is largely unsignalized except at Haun Road/Zeiders Road and The Farm Road. The Scott Road/Murrieta Road intersection has a stop sign. Several cross streets currently have stop signs. These include: Sellers Road, Monte Vista Road, Oak Canyon Drive, Oak Circle Drive, and Harvest Way. The proposed project would replace these stop signs and provide signalization at the following intersections from west to east: Sellers Road, Monte Vista Road, Oak Circle Drive, Harvest Way, and Murrieta Road. Depending upon which option is chosen, Oak Canyon Drive may be stop controlled or signalized. Stop signs currently on the cross streets at the intersection of Walnut Creek Road and at Canyon Ranch Road would remain. Depending upon which option is chosen, Walnut Creek Road and Canyon Ranch Road may allow for right or left turns onto Bundy Canyon Road. From westbound Bundy Canyon Road, there are also turn options, depending upon which traffic control option is chosen. Also included in the proposed project improvements are various safety measures, including a median barrier at the driveway onto Bundy Canyon Road from the Bundy Canyon Christian School just west of Oak Circle Drive.

2-3.1 Preferred Alternative

Proposed Alignment

The project alignment generally follows the current roadway along Bundy Canyon Road and Scott Road. Portions of the project alignment would be realigned to achieve improved geometry, and both the horizontal alignment and vertical profiles require modification to meet the current design and safety standards. Realignment of the existing roadway is proposed in two areas: (1) for approximately 1-mile, between Oak Canyon Drive and approximately 1,650 ft east of Oak Circle Drive; and (2) for approximately 1-mile, from approximately 1,500 ft west of The Farm Road to Sunset Road.

Proposed Widening

Dependent upon the pace of expected development within the project corridor, different build scenarios for the proposed widening of Bundy Canyon/Scott Road could occur under the proposed project. As stated earlier, the proposed project intends to support the ultimate planned development of the project corridor into a 6-lane roadway, to be constructed as needed to accommodate expected development. Thus, the proposed project involves securing ROW and widening the roadway to different lane widths throughout the project corridor, based on planned development within the corridor.

It is the intention to acquire private property and provide grading for a minimum 110 foot width to accommodate four lanes, drainage facilities, and power pole relocations. The existing ROW that extends beyond the minimum 110 foot width will be maintained.

It is expected that private development projects along the alignment would construct the “ultimate” six-lane cross section as part of their individual projects. For example, at a future time the Bundy Canyon Commercial project, located at the southeast corner of Bundy Canyon Road and Sellers Road, is expected to widen the portion of the project alignment from Cherry Drive to

Monte Vista Road to the ultimate planned six-lane cross section. Another example is the Future Development Project, which is a planned residential community located along both sides of the project alignment between The Farm Road and Sunset Avenue that is expected to widen this portion of the project alignment to six lanes by approximately year 2014.

Build Scenarios

At the west end of the project, it is expected that private development projects would, in the near-term future, construct the “ultimate” six-lane cross section from Cherry Street to Monte Vista Drive and would provide a raised median along Bundy Canyon Road, east of Monte Vista Drive through the Canyon Ranch Road intersection. Construction of the “ultimate” six-lane cross section in the area between Oak Canyon Drive and The Farm Road (approximately 1.5 miles in length) would allow for grading and property acquisition to occur once, which could reduce disruption of an environmentally sensitive area and decrease inconvenience to area residents. It is expected that the developer of the Future Development Project would construct the “ultimate” six-lane cross section in the segment between The Farm Road and Sunset Avenue, for which the needed ROW is located entirely within property owned by the developer. If the Future Development Project is delayed or cancelled, this portion could be constructed to the interim four-lane width as part of the proposed project. The remaining project length (i.e., approximately 4.5 miles) of this project would provide ROW necessary for the “interim” four-lane cross section. The project is considered an “interim” improvement that is intended to suffice until the “ultimate” six-lane roadway is required, based on traffic demand.

2-4 Project Background

Development has been occurring, in accordance with adopted local land use plans, in the western portion of Riverside County over the last decade. The 2003 Riverside County General Plan and its component plans reflect directed residential growth in the Wildomar and Temecula portion of the county. The component plans, the Elsinore Area Plan and Sun City/Meniffee Area Plan, designate the areas between I-15 and I-215 as desirable for future residential growth, and designate the vicinity of the two freeway interchanges as locations for planned community centers with a mix of commercial land uses, including regional commercial uses. The component plans have recognized the effects of this planned growth and are accommodating the growth by improving the local and regional circulation systems. Preliminary engineering and environmental documentation for the project began with the County; however, the Cities of Wildomar and Meniffee incorporated in July 2008 and October 2008. The western portion of the project, from Cherry Street to Sunset Avenue is within the City of Wildomar. The eastern portion of the project, from Sunset Avenue to Haun Road/Zeidlers Road is within the City of Meniffee. Both cities adopted County General Plan and Ordinances, which may be revised or replaced.

The City of Wildomar General Plan designates Bundy Canyon/Scott Road as an “urban arterial” highway that would ultimately provide six lanes of traffic (i.e., three in each direction) within a 152-foot (ft) right-of-way (ROW). However, for this project a modified “ultimate” cross section (134-ft ROW) based upon the County’s previous design standards has been utilized. Hence, the “ultimate” typical section for this corridor will include a 134-ft ROW, 110-ft curb to curb, 14-ft

median width, two 14-ft inside lanes, four 12-ft travel lanes, two 10-ft outside shoulders, 6 ft sidewalks, and 6-ft parkways.

3 FINDINGS/SIGNIFICANT EFFECTS AND MITIGATION MEASURES

The Final EIR identifies several effects (or “impacts”), produced by the Bundy Canyon Road/Scott Road Improvement Project, that are considered either significant or potentially significant prior to the application of mitigation measures. With two exceptions (i.e., air quality and aesthetics), these significant or potentially significant impacts can be reduced to less-than-significant or insignificant levels through the implementation of feasible mitigation measures. Some significant or potentially significant impacts cannot be avoided through implementation of feasible mitigation measures, however, because either no mitigation measure exists to fully mitigate the impact, or it cannot be known at this time if the impact will be significant when encountered. In addition, there are a few impacts that are not considered significant or potentially significant, but yet mitigation measures are proposed to lessen the effect, because it is prudent to do so.

These various impact considerations (not including impacts that are not significant and for which no mitigation measures have been proposed and no findings are required) are discussed in this *Findings* document. For those few impacts which may remain, even after mitigation measures have been imposed, these impacts are outweighed by overriding considerations as set forth in Section 5. Section 3 sets forth in detail the findings with respect to the significant and potentially significant environmental impacts and the mitigation measures which are proposed. Impacts are also associated with the time period in which they would be expected; construction-period (short-term impacts) versus operational (long-term impacts).

3-1 Aesthetics

3-1.1 Significance Criteria

Would the project:

- a) Have a substantial adverse effect on a scenic vista?*
- b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings and historic buildings within a state scenic highway?*
- c) Substantially degrade the existing visual character or quality of the site and its surroundings?*
- d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?*

3-1.2 Description of Effects

During construction, the visual character and quality of the project corridor will be temporarily affected by removal of vegetation, heavy equipment use and storage, excavation and the presence of other visible general construction activity. The loss of mature oak trees along the alignment would occur as a result of the project. This impact has the potential to be significant.

After construction, the proposed sound attenuation walls would introduce new visual elements. Although significant impacts are not expected from the proposed sound attenuation walls, a mitigation measure will be implemented as necessary, in an effort to further reduce the effects.

3-1.3 Proposed Mitigation

AE-C1 Provide replacement landscaping or vegetation consistent with the project design.

AE-1 Soundwall designs and treatment that balance noise attenuation with aesthetics will be developed.

3-1.4 Finding

- (X) Changes or alterations have been required in, or incorporated into, the project which substantially lessen the significant environmental effect as identified in the final EIR.
- () Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (I) **Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible mitigation measures or project alternatives identified in the final EIR.**

3-1.5 Rationale for Finding

The proposed project alignment has been designed to minimize the impact on number of oak trees needing to be removed. However, mature trees serve as visual shields of the roadway on some adjacent residential properties. The loss of these trees may result in adverse aesthetic impacts to some residents. This is still considered a significant and unavoidable impact.

3-1.6 Reference

For a full discussion of aesthetics, see Section 2.1 of the Bundy Canyon Road/Scott Road Improvement Project Final EIR.

3-2 Air Quality

3-2.1 Significance Criteria

Would the project:

- a) Conflict with or obstruct implementation of the applicable air quality plan?*
- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?*
- 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 that exceed quantitative thresholds for ozone precursors)?*
- d) Expose sensitive receptors to substantial pollutant concentrations?*
- e) Create objectionable odors affecting a substantial number of people?*

3-2.2 Description of Effects

Construction impacts to air quality may result from the generation of airborne dust from grading, demolition, and hauling dirt; gaseous emissions from heavy equipment, delivery and dirt hauling trucks, and employee vehicles; and paints and coatings. These impacts may affect both regional and local pollutant levels. Based upon emissions calculations conducted for the project, using accepted prediction models, predicted levels of particulate matter (PM₁₀ and PM_{2.5}) and nitrogen oxides (NO_x) would exceed the SCAQMD construction emissions significance thresholds for peak day of the construction period. This is considered a significant impact.

3-2.3 Proposed Mitigation

- AQ-C1** In addition to SCAQMD Rule 403 requirements, all land clearing/earth-moving activity areas shall be watered as necessary to remain visibly moist during active operations.
- AQ-C2** Water, three times daily or non-toxic soil stabilizers shall be applied, as needed, to reduce off site transport of fugitive dust from all unpaved staging areas and unpaved road surfaces.
- AQ-C3** Streets shall be swept as needed during construction, but not more frequently than hourly, if visible soil material has been carried onto adjacent public paved roads.
- AQ-C4** Construction equipment shall be visually inspected prior to leaving the site and loose dirt shall be washed off with wheel washers as necessary.

- AQ-C5** Traffic speeds on all unpaved roads shall not exceed 15 mph.
- AQ-C6** All construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications.
- AQ-C7** Construction equipment shall be operated such that exhaust emissions are minimized. For example, engines shall be turned off while in queues or while loading/unloading. Additionally, heavy, diesel-powered equipment shall be turned off when not in use. Construction activities shall be discontinued during second-stage smog alerts.
- AQ-C8** To the extent practicable, petroleum powered construction equipment shall utilize electricity from power poles rather than temporary diesel power generators and/or gasoline power generators.
- AQ-C9** Compliance with SCAQMD Rule 1113 on the use of architectural coatings shall be implemented. Emissions associated with architectural coatings would be reduced by implementing such measures as use of pre-coated/natural colored building materials, water-based or low-VOC coatings and paints, and manual brush or spray equipment with high transfer efficiency.

3-2.4 Finding

- (X) Changes or alterations have been required in, or incorporated into, the project which substantially lessen the significant environmental effect as identified in the final EIR.
- () Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (I) **Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible mitigation measures or project alternatives identified in the final EIR.**

3-2.5 Rationale for Finding

Implementation of the proposed mitigation measures above would reduce construction impacts on air quality to a less than significant level, namely below SCAQMD established significance thresholds, for both NO_x and PM_{2.5}. However, the calculation of peak day emissions of PM₁₀ still shows a calculated exceedance after mitigation. This is still considered a significant and unavoidable impact. The impact, however, would be temporary and would cease at completion of the sub-base/drainage/utilities phase of construction.

3-2.6 Reference

For a full discussion of air quality, see Section 2.3 of the Bundy Canyon Road/Scott Road Improvement Project Final EIR.

3-3 Biology

3-3.1 Significance Criteria

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 US Fish and Wildlife Service?*
- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?*
- 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?*
- 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?*
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*
- 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?*

3-2.2 Description of Effects

The proposed project would result in potentially significant impacts to coastal California gnatcatcher and may result in potentially significant impacts to Stephens' kangaroo rat and Quino checkerspot butterfly. The proposed project would result in temporary impacts to: Riversidean sage scrub, Southern willow scrub, southern coast live oak riparian forest, freshwater marsh and to riparian areas and other sensitive habitat types. A portion of the project alignment crosses the Riverside County Multiple Species Habitat Conservation Plan's (MSHCP) Proposed Linkage 8 for wildlife habitat and movement. The proposed project is expected to have typical temporary construction impacts to vegetation and water in the project area. The proposed project also has the potential to affect urban/wildlands interface and wildlife movement in the area. These are considered potentially significant impacts.

The proposed project has the potential to affect land within the jurisdictional areas of USACE, California Department of Fish and Wildlife (CDFW) (formerly known as Fish and Game), the RWQCB, and the U.S. Fish and Wildlife Service (USFWS); to affect protected species as a result of

night lighting installed; and to affect wildlife species as a result of chemical applications for maintenance activities after the project is built. These are considered potentially significant impacts.

3-3.3 Proposed Mitigation

BIO-C1 Pre-construction surveys will be undertaken for the following species:

- Coastal California gnatcatcher - Potential gnatcatcher habitat (between Station Numbers 55.5 and 67 and 81.5 and 127 in the City of Wildomar) will not be cleared between March 1st and June 30th unless a qualified biological monitor deems that no nesting gnatcatchers are present.
- Burrowing owl - Preconstruction presence/absence surveys for burrowing owl within the survey area where suitable habitat is present will be conducted before any grading or demolition activities onsite within 30 days before disturbance. Take of active nests will be avoided. Passive relocation (i.e., use of one-way doors and collapse of burrows) will occur when owls are present outside the nesting season.
- Migratory birds - To ensure that the proposed project will not adversely affect nesting migratory birds, if vegetation is to be removed during the nesting season (March 1 through August 15th) a qualified biologist will conduct a nesting bird survey no more than twenty-one days before vegetation removal. If active nests are identified, then the nesting vegetation will be avoided until the nesting event has completed and the juveniles can survive independently from the nest. The biologist will flag the nesting vegetation and will establish an adequate buffer around the nesting vegetation. Clearing/grading shall not occur within the buffer until the nesting event has completed.

BIO-C2 Plant communities including Riversidean sage scrub, southern coast live oak riparian forest, southern willow scrub, and freshwater marsh that are temporarily disturbed during construction activities will be revegetated with native species similar in composition to the existing habitat. Non-native plant species listed in Table 6-2 of the MSHCP shall not be included in the revegetation program.

In addition, cut and fill slopes that occur within or adjacent to native habitat within Proposed Linkage 8 (Sedco Hills/Wildomar) of the MSHCP and contained approximately within Station Numbers 56+50 through 126+00 in the City of Wildomar will be revegetated with native species similar in composition to the existing habitat. Non-native plant species listed in Table 6-2 of the MSHCP shall not be included in the revegetation program.

Construction activities will be limited to the project footprint and designated staging area and routes of travel. The construction footprint and sensitive environmental

areas will be delineated with orange exclusion fencing and will be shown on the construction plans.

Prior to construction, a Stormwater Pollution Prevention Plan (SWPPP) will be prepared for the disturbance areas to avoid discharge of untreated surface runoff from developed and paved areas into MSHCP Conservation Areas.

Construction activities that utilize chemicals that are potentially toxic or may adversely affect wildlife species, habitat, or water quality shall not result in discharge to the MSHCP Conservation Area.

BIO-C3 The following wildlife crossings will be constructed as feasible and appropriate at the following roadway station locations:

- Station Number 88+30 in the City of Wildomar – 48-inch culvert
- Station Number 93+80 in the City of Wildomar – 60-inch culvert
- Station Number 115+20 in the City of Wildomar – 36-inch culvert

Such crossings may include wildlife diversions such as: native landscaping, rocks/boulders, fencing, walls, and/or other appropriate mechanisms.

BIO-1 Necessary permits from USACE, CDFG, and RWQCB will be obtained before causing any impacts within jurisdictional areas. Potential impacts to listed species will be mitigated through conservation of core populations in MSHCP conservation areas.

BIO-2 Roadway night lighting shall be focused and directed away from the MSHCP Conservation Area to protect species from direct night lighting and shall not result in increased ambient lighting conditions.

BIO-3 Maintenance activities that utilize chemicals that are potentially toxic or may adversely affect wildlife species, habitat, or water quality shall not result in discharge to the MSHCP Conservation Area.

3-3.4 Finding

(X) Changes or alterations have been required in, or incorporated into, the project which avoid the significant environmental effect as identified in the final EIR.

() Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

() Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible mitigation measures or project alternatives identified in the final EIR.

3-3.5 Rationale for Finding

By following mitigation measures and conservation resulting from the MSHCP, impacts to all animal species would be less than significant. With mitigation, impacts to wetlands and riparian habitat will be less than significant. Potential impacts to nesting birds and burrowing owl will be avoided with preconstruction surveys, and the inclusion of design features will avoid impacts to Proposed Linkage 8. After the application of the above mitigation measures, the effects would not be considered significant.

3-3.6 Reference

For a full discussion of biological resources, see Section 2.4 of the Bundy Canyon Road/Scott Road Improvement Project Final EIR.

3-4 Cultural Resources

3-4.1 Significance Criteria

Would the project:

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

3-4.2 Description of Effects

The proposed project has the potential to affect two archaeological sites; however, no significant built environment resources have been identified in the project Area of Potential Effects (APE). If buried cultural resources are encountered during construction, a potential impact may occur, and it may or may not be significant, depending upon the nature of the resource encountered. The proposed project has the potential to result in significant impacts to paleontological resources where deeper excavations occur. These are considered potentially significant impacts.

3-4.3 Proposed Mitigation

- CUL-C1** Before starting construction, a qualified archaeologist will be retained as project archaeologist to oversee archaeological monitoring during construction activities near CA RIV-8163H.
- CUL-C2** If an unexpected archaeological discovery occurs during ground disturbances, immediately halt work in the area(s). The project archaeologist is to be contacted immediately to evaluate the nature and significance of the find and implement appropriate mitigation measures. Archaeological materials are to be left undisturbed and in place in accordance with state law.
- CUL-C3** If human remains are discovered, they are to be left undisturbed and in place. The Riverside County Coroner's office must be notified immediately (California Health and Safety Code § 7050.5) and all activities in the immediate area of the find must cease until appropriate and lawful measures have been implemented. If the Coroner determines that the remains are Native American, then the Native American Heritage Commission (NAHC) must be contacted (PRC § 5097.98). The NAHC will designate a Most Likely Descendent (MLD) who will make recommendations concerning the disposition of the remains in consultation with the property owner, lead agency, and project archaeologist.
- CUL-C4** Before starting construction, a tribal Monitoring Agreement will be in place for monitoring of Native American artifacts during construction activities involving excavation in areas considered to have a higher sensitivity for buried archaeological resources.
- CUL-C5** Before starting construction, a qualified paleontologist will be retained as project paleontologist to oversee paleontological monitoring during construction activities in areas identified as likely to contain paleontologic resources.
- CUL-C6** A report of findings with an appended itemized inventory of specimens will be prepared. The report and inventory, when submitted to the City, along with confirmation of the curation of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontologic resources.

3-4.4 Finding

- (X) Changes or alterations have been required in, or incorporated into, the project which avoid the significant environmental effect as identified in the final EIR.**
- ()** Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

- () Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible mitigation measures or project alternatives identified in the final EIR.

3-4.5 Rationale for Finding

The measures listed above will ensure that impacts to archaeological and paleontological resources that may be encountered during construction would be reduced to a level of insignificance.

3-4.6 Reference

For a full discussion of cultural resources, see Section 2.5 of the Bundy Canyon Road/Scott Road Improvement Project Final EIR.

3-5 Geology and Soils

3-5.1 Significance Criteria

Would the project:

- a) *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:*
- *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.*
 - *Strong seismic ground shaking?*
 - *Seismic-related ground failure, including liquefaction?*
 - *Landslides?*
- b) *Result in substantial soil erosion or the loss of topsoil?*
- 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?*
- 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?*

- e) *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

3-5.2 Description of Effects

The project corridor is in a seismically active region of southern California near the active Elsinore Fault, which is a major earthquake source. Liquefaction, settlement and lateral spreading (or expansion), and slope stability are identified as secondary seismic hazards in the seismically active project area; however, significant impacts resulting from liquefaction, settlement, and expansion are not expected to result from project construction because the proposed project involves widening and realignment of an existing roadway and does not include construction of any structures or substantial excavation and trenching. Implementation of construction Best Management Practices (BMP)s overseen by a State-licensed professional, in compliance with City standards and the Preliminary Geotechnical Study, would reduce impacts to a less than significant level and is not expected to increase risk or result in hazards associated with slope instability. Although significant impacts are not expected from construction of the proposed project, the following measures will be implemented as necessary, in an effort to further reduce the effects.

3-5.3 Proposed Mitigation

- GEO-C1** Avoid excessive blasting disturbance and scale cut slopes, to avoid disturbance below finished slope faces. Loose or broken rock materials disturbed by blasting to be carefully scaled or removed from the slope following excavation.
- GEO-C2** Rock catchment area. Provide a 3- to 5-ft-wide level area between the toe of cut and curb or sidewalk to serve as a catchment area. Inclusion of a small rock fence as necessary.
- GEO-C3** Control top-of-slope-drainage. Earth berms or concrete v-ditches to be installed along the tops of cut slopes to minimize erosion potential and potential for slope instability.
- GEO-C4** All cut slopes and foundation subgrade would be observed by a registered geologist during construction.
- GEO-C5** To minimize impacts from the loss of topsoil, topsoil removed during project construction would be stockpiled and replaced on the site at the same location to the maximum extent possible.

3-5.4 Finding

- (X) Changes or alterations have been required in, or incorporated into, the project which avoid the significant environmental effect as identified in the final EIR.**
- () Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.**

- () Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible mitigation measures or project alternatives identified in the final EIR.

3-5.5 Rationale for Finding

Implementation of the proposed mitigation measures would reduce geological impacts during construction to a less than significant level.

3-5.6 Reference

For a full discussion of geology and soils, see Section 2.6 of the Bundy Canyon Road/Scott Road Improvement Project Final EIR.

3-6 Hazardous Waste and Materials

3-6.1 Significance Criteria

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 wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?*

3-6.2 Description of Effects

Construction activities may involve the use of hazardous materials, and trace concentrations of pesticide and herbicide may be encountered during construction activities. Hazardous materials may be also used in structural building components. These are considered potentially significant impacts.

Trucks hauling hazardous materials or wastes along the alignment could result in incident or spill; such activity would be expected to be no different than as currently accommodated. These are considered potentially significant impacts.

3-6.3 Proposed Mitigation

- HAZ-C1** The use, storage, and transport of hazardous materials would be controlled through standard construction practices.
- HAZ-C2** Before starting demolition activities, structural building components of structures to be demolished within the proposed project limits shall be tested for asbestos-containing materials (ACM), lead based paint (LBP), and mercury according to applicable standard hazardous material testing guidelines. Manage all remediated materials in accordance with all pertinent laws and regulations. A Remedial Actions Options Report may be completed to address the proper handling, cleanup, and disposal of the hazardous material.
- HAZ-C3** If the proposed project involves any subsurface disturbance at the sites listed below, soil sampling and analysis should be conducted prior to the start of construction to determine proper handling and disposal methods.
- 26035 Scott Road, Menifee (APN 384-010-006 – scheduled to be a partial acquisition; Figure ID #70 on Table 2.13-1);
 - The former landfill is (APN 366-320-079 in Wildomar) scheduled for partial acquisition; Figure ID #9 on Table 2.13-1 and APN 366-320-048 (Wildomar) – scheduled for partial acquisition; Figure ID #11 on Table 2.13-1); and
 - 23263 Bundy Canyon Road, Wildomar (APN 367-250-007 – scheduled for partial acquisition; Figure ID #13 on Table 2.13-1).
- HAZ-C4** If any buried trash is discovered during construction activities near the location of the closed landfill, the Riverside County Waste Management Department shall be consulted before excavation and removal of the trash.

- HAZ-C5** If potentially contaminated soil or groundwater is discovered during construction, work shall stop in the affected area and sampling and analysis of the soil or groundwater shall be conducted to determine proper handling and disposal methods.
- HAZ-C6** Waste removal will be handled according to Section 7-1.13, “Disposal of Material Outside of Highway Right of Way” of the Caltrans Standard Specifications (2002 edition). A professional waste hauler will be utilized to remove waste (from construction activities) from the site. The hauler will comply with all local, State, and federal requirements for waste diversion, including the provisions of AB 939. Some diversion methods would include composting and recycling.

3-6.4 Finding

- (X) Changes or alterations have been required in, or incorporated into, the project which avoid the significant environmental effect as identified in the final EIR.**
- () Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- () Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible mitigation measures or project alternatives identified in the final EIR.

3-6.5 Rationale for Finding

Implementation of the proposed mitigation measures would reduce hazardous waste and material impacts to a less than significant level.

3-6.6 Reference

For a full discussion of hazardous waste and materials, see Section 2.7 of the Bundy Canyon Road/Scott Road Improvement Project Final EIR.

3-7 Hydrology and Water Quality

3-7.1 Significance Criteria

Would the project:

- a) Violate any water quality standards or waste discharge requirements?*
- b) Substantially deplete groundwater supplies or interfere 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 that 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 that 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?*

3-7.2 Description of Effects

During construction, grading and vegetation removal may increase erosion and siltation. Sediments from typical construction activities may enter Lake Elsinore/San Jacinto River and Santa Margarita watersheds. Dewatering discharge could adversely affect surface water quality if effluent is rich in sediment or contaminated with chemicals. These are considered potentially significant impacts.

The project's proposed widening of the existing roadway has the potential to affect erosion and absorption rates and runoff volume. The proposed project also may result in increased motor-vehicle-related pollutants and have the potential to affect surface water quality. These are considered potentially significant impacts.

3-7.3 Proposed Mitigation

Grading and vegetation removal may increase erosion and siltation during construction. Sediments from typical construction activities may enter Lake Elsinore/San Jacinto River and Santa Margarita watersheds. Dewatering discharge could adversely affect surface water quality if effluent is rich in sediment or contaminated with chemicals. These impacts are considered potentially significant.

- WQ-C1** The requirements of the General National Pollutant Discharge Elimination System (NPDES) Permit for Construction Activities, Order No. 99-08-DWQ, NPDES No. CAS000002, and any subsequent General Permit in effect at the time of project construction will be adhered to.
- WQ-C2** A SWPPP will be prepared before commencement of any soil-disturbing activities. The SWPPP will address all local, state, and federal stormwater control requirements and regulations and all construction-related activities, equipment, and materials that have the potential to impact water quality. The SWPPP will include BMPs to control pollutants, sediment from erosion, stormwater runoff, and other construction-related impacts; and the provisions of State Water Resources Control Board (SWRCB) Resolution No. 2001-046, which requires implementation of specific Sampling Analysis Procedures (SAP) to ensure that the implemented BMPs are effective in preventing exceedance of any water quality standards.
- WQ-C3** A Notice of Intent (NOI) will be filed with the SWRCB at least 30 days before any soil-disturbing activities. Ensure that a Waste Discharge Identification (WDID) number is received from the SWRCB pending receipt of the NOI.
- WQ-C4** Construction activities will give special attention to stormwater pollution control during the "Rainy Season" (October 1 through May 1). No work will be conducted whenever rain is predicted. Water Pollution Control BMPs will be used to minimize impacts to receiving waters. Measures will be incorporated to contain all vehicle loads and avoid any tracking of materials that may fall or blow onto Bundy Canyon Road/Scott Road.
- WQ-C5** All projects requiring dewatering discharges to surface waters or storm drains must comply with the applicable Regional Water Quality Control Board regulations. For the proposed project, areas that require groundwater dewatering that are within the jurisdiction of the San Diego Regional Water Quality Control Board must comply with Order No. R9-2008-0002, NPDES No. CAG919002, and any subsequent Permit in effect at the time of project construction will be adhered to. Areas that require groundwater dewatering that are within the jurisdiction of the Santa Ana Regional Water Quality Control Boards must comply with Order No. R8-2009-0003, NPDES No.

CAG998001, and any subsequent Permit in effect at the time of project construction will be adhered to.

- WQ-C6** The discharge of waste material shall be prohibited from entering any drainage areas, channels, streambeds, streams, lakes, wetlands, or rivers. Spoil sites will be prohibited within any streams or adjacent areas where spoil material could be washed into a water body.
- WQ-C7** Water Quality Management Plans (WQMP) will be prepared before commencement of any soil-disturbing activities. These plans will be written in accordance with the requirements of the San Diego and Santa Ana Regional Water Quality Control Boards, respectively.
- WQ-1** Design Pollution Prevention BMPs – Permanent soil stabilization BMPs will be incorporated into project design, such as preservation of existing vegetation, concentrated flow conveyance systems (e.g., drainage ditches, dikes, berms, swales) and slope/surface protection systems that use either vegetated or hard surfaces. Appropriate BMPs will be selected during final design.
- WQ-2** Maintenance BMPs - Routine maintenance work, such as litter pickup, toxics control, street sweeping, drainage, and channel cleaning shall be performed.
- WQ-3** Treatment BMPs – Shall be designed and constructed as part of the project. A total of 61 BMP locations have been sited along the alignment which will treat 100 percent of the pavement area. These include 59 biofiltration swales and 2 biofiltration strips.

3-7.4 Finding

- (X) Changes or alterations have been required in, or incorporated into, the project which avoid the significant environmental effect as identified in the final EIR.**
- () Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- () Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible mitigation measures or project alternatives identified in the final EIR.

3-7.5 Rationale for Finding

Implementation of the proposed mitigation measures, including WQMPs, and BMPs, would reduce potential impacts to surface waters and groundwater to a less than significant level.

3-7.6 Reference

For a full discussion of hydrology and water quality, see Section 2.8 of the Bundy Canyon Road/Scott Road Improvement Project Final EIR.

3-8 Noise

3-8.1 Significance Criteria

Would the project:

- 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?*
- f) 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?*

3-8.2 Description of Effects

The proposed project will have typical construction noise impacts to sensitive receptors along the project alignment. Also, the proposed project will increase noise levels for sensitive receptors over time. These impacts are considered potentially significant.

3-8.3 Proposed Mitigation

- N-C1** During all project site excavation and grading on site, all construction equipment, whether fixed or mobile, shall be outfitted with properly operating and maintained mufflers, consistent with manufacturers' standards. All stationary construction equipment shall be placed so that emitted noise is directed away from sensitive receptors nearest the project site.

- N-C2** As practicable, locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during project construction.
- N-C3** Construction-related activities that would result in high noise levels will be limited to the hours of 7:00 a.m. and 7:00 p.m. Monday through Saturday. No construction shall be allowed on Sundays and public holidays.
- N-1** The roadway will be designed and constructed with rubberized asphalt.
- N-2** Construct noise abatement walls as discussed on Table 2.11-7, and as shown in Figures 2.11-7, 2.11-8 and 2.11-9. Table 2.11-7 and Figures 2.11-7 and 2.11-8 show soundwalls proposed for the four-lane project, in year 2015.

3-8.4 Finding

- (X) Changes or alterations have been required in, or incorporated into, the project which avoid the significant environmental effect as identified in the final EIR.**
- () Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- () Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible mitigation measures or project alternatives identified in the final EIR.

3-8.5 Rationale for Finding

With the implementation of the above mitigation measures, noise impacts would be reduced to a less than significant level.

3-8.6 Reference

For a full discussion of noise, see Section 2.11 of the Bundy Canyon Road/Scott Road Improvement Project Final EIR.

3-9 Population and Housing/Acquisitions

3-9.1 Significance Criteria

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)?*
- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*
- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*
- d) Displace substantial numbers of existing businesses, necessitating the construction of replacement facilities elsewhere?*

3-9.2 Description of Effects

The proposed project would not create demand for new housing and a sufficient number of local workers are expected to be available to support construction of the proposed project. However, four full home acquisitions, one acquisition of a vacant parcel, and 92 partial acquisitions are required for the proposed project. These are considered potentially significant impacts.

3-9.3 Proposed Mitigation

ACQ-1 Persons subject to displacement will receive relocation assistance in accordance with the Uniform Relocation Assistance & Real Property Act. Provisions of the Uniform Act will also be followed to provide compensation for partial acquisitions.

3-9.4 Finding

- (X) Changes or alterations have been required in, or incorporated into, the project which avoid the significant environmental effect as identified in the final EIR.**
- () Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.**
- () Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible mitigation measures or project alternatives identified in the final EIR.**

3-9.5 Rationale for Finding

With the implementation of the above mitigation measure, impacts from acquisitions would be reduced to less than significant.

3-9.6 Reference

For a full discussion of population and housing and acquisitions, see Sections 2.12 and 2.13 of the Bundy Canyon Road/Scott Road Improvement Project Final EIR.

3-10 Recreation

3-10.1 Significance Criteria

Would the project:

- e) 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?*
- f) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?*
- g) Would the project affect existing recreational opportunities?*

3-10.2 Description of Effects

No existing parks are near the project area. As a result, no absorption of dedicated parklands and no construction or expansion of recreational facilities is expected with the proposed project. During construction, access to existing trails would be restricted when construction activities are in the vicinity, and trail crossings would be reopened once construction has ended. These are considered potentially significant impacts.

3-10.3 Proposed Mitigation

- R-C1** Public notices will be posted at temporarily closed trail crossings during construction activities, and plans will be prepared for the realignment of parallel trails to construct them in conjunction with site restoration activities.

3-10.4 Finding

- (X) Changes or alterations have been required in, or incorporated into, the project which avoid the significant environmental effect as identified in the final EIR.**

- () Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- () Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible mitigation measures or project alternatives identified in the final EIR.

3-10.5 Rationale for Finding

Once construction is complete, the trails will be open for normal use. By providing notices, as described in the above mitigation measure, impacts would be reduced to less than significant.

3-10.6 Reference

For a full discussion of recreation, see Section 2.14 of the Bundy Canyon Road/Scott Road Improvement Project Final EIR.

3-11 Transportation and Traffic

3-11.1 Significance Criteria

Would the project:

- h) Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?*
- i) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?*
- j) 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?*
- k) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*
- l) Result in inadequate emergency access?*
- m) Result in inadequate parking capacity?*
- n) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?*

3-11.2 Description of Effects

Construction would require the closure of some lanes of traffic and may affect traffic operation and emergency vehicles. Short-term inconveniences would be experienced by roadway users at different stages of construction and locations along the project alignment. These are considered potentially significant impacts.

3-11.3 Proposed Mitigation

T-C1 The City of Wildomar will prepare and implement a Traffic Management Plan (TMP) to minimize the inconveniences during construction. Included among the provisions, the City and contractor will coordinate with local police, fire, and emergency medical service providers regarding construction scheduling and any other practical measures to maintain adequate access to properties and response times.

3-11.4 Finding

- (X) Changes or alterations have been required in, or incorporated into, the project which avoid the significant environmental effect as identified in the final EIR.**
- () Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- () Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible mitigation measures or project alternatives identified in the final EIR.

3-11.5 Rationale for Finding

The proposed project would not result in significant impacts to emergency services; and further, the proposed mitigation would ensure adequate emergency service during the construction period. By implementing the above mitigation measure, traffic impacts would be reduced to less than significant.

3-11.6 Reference

For a full discussion of transportation and traffic, see Section 2.15 of the Bundy Canyon Road/Scott Road Improvement Project Final EIR.

3-12 Utilities and Service Systems

3-12.1 Significance Criteria

Would the project:

- o) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?*
- p) 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?*
- q) 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?*
- r) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?*
- s) 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?*
- t) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?*
- u) Comply with federal, state, and local statutes and regulations related to solid waste?*

3-12.2 Description of Effects

Proposed project construction would result in temporary impacts to utilities, involving the relocation of some utilities to accommodate post-project conditions. Also, construction activities would generate a large amount of solid waste. These are considered potentially significant impacts.

3-12.3 Proposed Mitigation

- U-C1** The City of Wildomar will coordinate with utility providers before and during construction. Interruptions of service, if any, would be done in consultation with individual providers, and follow guidelines and schedules set in place by the City, including notification to affected residences and businesses.
- U-C2** Waste removal will be handled according to Section 7 1.13, "Disposal of Material Outside of Highway Right of Way" of the Caltrans Standard Specifications (2002 edition). A professional waste hauler will be utilized to remove waste (from construction activities) from the site. The hauler will comply with all local, State, and federal requirements for waste diversion, including the provisions of AB 939.

3-12.4 Finding

- (X) Changes or alterations have been required in, or incorporated into, the project which avoid the significant environmental effect as identified in the final EIR.**
- () Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- () Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible mitigation measures or project alternatives identified in the final EIR.

3-12.5 Rationale for Finding

With the implementation of the above mitigation measures, impacts on utilities and services would be reduced to less than significant.

3-12.6 Reference

For a full discussion of utilities and service systems, see Section 2.16 of the Bundy Canyon Road/Scott Road Improvement Project Final EIR.

4 ALTERNATIVES TO THE PROPOSED PROJECT

4-1 Alternative 1: No Build Alternative

The No Build Alternative would continue existing conditions into the future, relying on periodic development projects to dedicate and improve portions of the required roadway over time. The private development projects would make the local improvements required as conditions of development. While ultimately (if the entire area is developed) the necessary improvements would be constructed, the random nature of private development projects could lead to areas of conflict and congestion between improved and unimproved roadway segments. The No Build Alternative would not achieve the project objectives and would deliver roadway improvements only on a piece-meal basis. Current levels of service are unsatisfactory and would remain so with implementation of only the currently committed improvements (Bundy Canyon Commercial Center and the Future Development Project). Potentially unsafe driving conditions would not be improved and roadway capacity would not be uniformly increased in accordance with expected demand. This alternative would result in inferior transportation infrastructure in this growing portion of the Cities of Wildomar and Menifee. Existing levels of congestion would grow as development progressed, resulting in deteriorating levels of service over time. The No Build Alternative would not adequately support existing and planned levels of development in the project area. Thus, while the No Build Alternative would result in fewer environmental impacts than the Project, the City finds this alternative infeasible and less desirable than the Project and rejects this alternative based on the specific economic, social, technological and other considerations discussed herein.

4-1.1 Aesthetics

The No Build Alternative would have no adverse effects on aesthetics.

4-1.2 Air Quality

Under the No Build Alternative, no construction air quality impacts would occur.

4-1.3 Biology

The No Build Alternative would have no adverse effects on biological resources.

4-1.4 Cultural Resources

The No Build Alternative would have no adverse effects on cultural resources.

4-1.5 Geology and Soils

Under the No Build Alternative, no adverse effects on geology or soils would occur.

4-1.6 Hazardous Waste and Materials

The No Build Alternative would not disturb soils or groundwater that might contain hazardous materials nor would it result in the transport or release of hazardous materials used for construction.

4-1.7 Hydrology and Water Quality

The No Build Alternative would not create pollutants that could adversely affect water quality, nor would it increase the amount of runoff from the site.

4-1.8 Noise

Under the No Build Alternative, no noise associated with construction activities would occur.

4-1.9 Population and Housing and Acquisitions

Under the No Build Alternative, properties would not be acquired.

4-1.10 Recreation

Under the No Build Alternative, no impacts to recreational facilities would occur.

4-1.11 Transportation and Traffic

Under the No Build Alternative, unsafe sight distances and roadway grades would continue to exist. The traffic congestion would continue to worsen. While necessary improvements would be constructed, the random nature of private development projects could lead to areas of conflict and congestion between improved and unimproved roadway segments.

4-1.12 Utilities and Service Systems

The No Build Alternative would not result in the consumption of water or electricity, generate solid waste, require relocation of existing utilities or affect drainage patterns. It would not disrupt emergency or public services.

4-2 Alternatives Considered and Withdrawn

Section 15126.6(a) of the State CEQA Guidelines requires that an EIR “describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.” The significant impacts, under CEQA, after implementation of proposed mitigation measures include construction air quality impacts. The word “feasible” is defined by the State CEQA Guidelines as “...

capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors” (Section 15364).

4-2.1 Design Variation – Straight Alignment from Debon Street to Murrieta Road

This variation would have the same alignment as the proposed project except it would straighten the curve along Bundy Canyon Road between Debon Street (Station 199) and Murrieta Road (Station 239). This alternative would remove the existing “camelback” on Scott Road in favor of a straighter roadway. This variation would result in a fewer number of partial acquisitions and fewer slope and construction easements in the affected segment; however, at the same time it would require seven full property acquisitions in this area, whereas the proposed project would not require full property acquisition in this same area. It was determined that the lesser intrusion caused by fewer full and some partial property acquisitions would be less disruptive to the community, while the roadway would still provide acceptable geometry; therefore, the City finds this alternative infeasible and less desirable than the Project and rejects this design variation for the economic, legal and social reasons associated with the unacceptable adverse property acquisitions.

4-2.2 Design Variation – Reduced Curvature from Tulip Lane to Raciti Road

Two variations of the proposed roadway alignment were considered between Tulip Lane (Station 68) and Raciti Road (Station 96). The proposed alignments considered two different radii for the horizontal curve at this location. The alternatives considered included using the County standard radius of 1,900 feet and using a reduced radius of 1,600 feet. The intent of considering the reduced radius of 1,600 ft was to determine if this radius would result in a reduction to the number of “full-take” property acquisitions on the north side of the roadway. Using the County standard of 1,900 feet would extend the grading limits, which would directly affect the existing buildings on the north side of the roadway. The grading limits of the alignment of the reduced radius of 1,600 feet would directly affect one building on three affected properties, and it would cut off or “remove” driveway access from Bundy Canyon Road to the remaining buildings along the north side of the curve. Driveway access could no longer be accommodated from Bundy Canyon Road due to the significant elevation difference between the roadway and the building elevations, and there would be insufficient room to replace the existing driveways. Due to this loss of feasible access to the affected properties, all three affected properties would be “full-takes” for the 1,600-foot radius design option. Since “full-take” property acquisitions would not be eliminated using the reduced radius design, there would be no benefit associated with the reduced standard radius; therefore, this design variation was rejected from further consideration. The City finds this alternative infeasible and less desirable than the Project and rejects this design variation alternative for the above-referenced economic, legal, social and technological considerations.

4-2.3 Reduced Four-Lane Alternative

A Reduced Four-Lane Alternative was considered in the reach between approximately Oak Canyon Drive (Station 46) and just east of Raciti Road (at Station 102) for the proposed alignment to examine the potential for reducing impact in an area of biological sensitivity and aesthetic value.

This alternative would provide grading for 4 lanes compared to the Preferred Alternative (grading for 6 lanes and construction of 4 lanes between Station 41 and 102, with the remainder of the project graded and constructed for 4 lanes). This reach of the project contains resources of biological and aesthetic value such as rolling hills, oak woodlands and lands under consideration for conservation under the Western Riverside County MSHCP. Three wildlife crossings are planned as a part of either alternative between Oak Circle Drive and The Farm Road.

The Reduced Four-Lane Alternative would:

- reduce the impact area by 465 square feet (0.01 acres) of southern coast live oak woodland through smaller slope easements
- reduce 31,518 sq. ft. (0.72-acre) of required slope easement area
- reduce 6,411 sq. ft. (0.15-acre) of private property acquisition

Assessor's Parcel Number (APN) 366-320-013 would require 41 square feet less property to be acquired and APN 366-320-012 would require 6,370 square feet (0.14 acres) less property to be acquired. The Reduced Four-Lane Alternative would have a smaller impact in a sensitive habitat and would require slightly less property acquisitions, although acquisitions would still be necessary on properties 15 and 16.

Planned wildlife crossings constructed for the four-lane project would have to be extended to accommodate a 6 lane width. Based on MSCHP criteria cells, it is possible that lands adjacent to the road needed for acquisition may be designated for conservation purposes in the future.

Bundy Canyon Road/Scott Road is planned by the Cities' circulation element to be a 6 lane facility. Providing grading and acquisition for a 6 lane project within an environmentally sensitive area is a reasonable option in order to limit the number of times the sensitive area is disturbed. Both the Reduced Four-Lane Alternative and the Preferred Alternative require impact to the oak woodland habitat and property acquisitions, although overall the project has been designed to minimize the amount of the impact. Based on this analysis, the City finds the Reduced Four-Lane Alternative is infeasible and less desirable than the Project and rejects it based on the aforementioned considerations.

5 STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15093, the City has balanced the economic, legal, social, technological, and other benefits of the proposed Bundy Canyon/Scott Road Improvement Project against the significant and unavoidable aesthetic and air quality impacts associated with the proposed Project, and has adopted all feasible mitigation measures. The City has also examined potentially feasible alternatives to the Project, none of which are feasible. The City hereby adopts and makes the following Statement of Overriding Considerations regarding the significant and unavoidable impacts of the Project and the anticipated economic, legal, social, technological, and other benefits of the Project.

The proposed Bundy Canyon Road/Scott Road Improvement Project could result in potentially unavoidable and significant air quality and aesthetic impacts. Construction air quality impacts would be substantially lessened with implementation of proposed mitigation measures and would be temporary; however, PM10 and PM2.5 emissions would still exceed recommended South Coast Air Quality Management District (SCAQMD) significance thresholds after mitigation, for the peak construction day. Several mature oak trees along the alignment would be removed as part of the project. The proposed project was designed to minimize this impact, however, aesthetically, the removal of trees would be potentially significant.

The Final EIR has identified these unavoidable significant impacts. Section 15093(b) of the *CEQA Guidelines* provides that when the decision of the public agency allows the occurrence of significant impacts that are identified in the EIR but are not at least substantially mitigated, the agency must state in writing the reasons to support its actions based on the completed EIR and/or other information in the record.

Accordingly, the City of Wildomar (City) adopts the following Statement of Overriding Considerations:

The City recognizes that significant and/or potentially significant and unavoidable impacts would result from the implementation of the proposed Bundy Canyon Road/Scott Road Improvement Project. Having (i) adopted all feasible mitigation measures, (ii) rejected the alternatives to the project as infeasible and less desirable than the proposed Bundy Canyon Road/Scott Road Improvement Project as discussed above, (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the proposed project against the significant and unavoidable effects, the City finds that the benefits outweigh and override the significant unavoidable effects for the reasons stated below.

The reasons discussed below are offered as justification for approval of the proposed project. These reasons summarize the benefits of the proposed project. The substantial evidence supporting the various benefits can be found in the preceding findings and elsewhere in the Record of Proceedings. These overriding considerations of economic, social, environmental, and other benefits outweigh its environmental costs and justify the approval of the Bundy Canyon Road/Scott Road Improvement Project and certification of the EIR:

- (1) Implementation of the proposed Bundy Canyon Road/Scott Road Improvement Project would improve safety and access through Bundy Canyon and along the project alignment by reconstructing the roadway to current geometric standards and eliminating nonstandard sight distances and grades.
- (2) Implementation of the proposed Bundy Canyon Road/Scott Road Improvement Project would improve the traffic handling capacity of the existing roadway, which is currently heavily congested and has less than desirable roadway geometry.
- (3) Implementation of the proposed Bundy Canyon Road/Scott Road Improvement Project would provide a transportation facility that will allow for planned build-out of the area as designated by the Cities of Wildomar and Menifee.
- (4) The proposed project would provide a consistent approach to respond to growth in travel demand across the entire stretch of roadway, thereby providing both near-term benefits and a sound geometric basis upon which future modifications can be made.
- (5) The proposed project, while resulting in some impacts on certain resources in the near term, would avoid potentially more significant impacts in the longer term, such as potential impacts arising out of maturation of resources over time.
- (6) The proposed project is planned and designed and will be constructed consistent with the requirements of the Western Riverside County Multiple Species Habitat Conservation Plan. The MSHCP provisions incorporated into the project include three wildlife crossings along with directive fencing and landscaping to encourage use of the crossings by wildlife.
- (7) The proposed project, as a General Plan and Transportation Uniform Mitigation Fee project, provides for regional roadway mitigation funding contributions to the Regional Conservation Authority for habitat acquisition, management and monitoring.

The City specifically adopts and makes this Statement of Overriding Considerations that this Project has eliminated or substantially lessened all significant effects on the environment where feasible (including the incorporation of feasible mitigation measures), and finds that the remaining significant unavoidable impacts of the Project, which are described above in Sections 3-1 and 3-2, are acceptable because the benefits of the Project set forth above in this Section 5 outweigh them. The City finds that each of the overriding considerations expressed as benefits and set forth above in this Section 5 constitutes a separate and independent ground for such a finding. Any one of the reasons for approval cited herein is sufficient to justify approval of the Project.

NOTICE OF DETERMINATION

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: California Transportation Commission
Attn: Cherry Zamora
1120 N Street, MS 52
Sacramento, CA 95814
(916) 654-4245

Subject: Filing of Notice of Determination in compliance with Section 21108 of the Public Resources Code.

Project Title: Bundy Canyon Active Transportation Corridor Project (a component of the Scott Road/Bundy Canyon Road Improvement Project)

2007051156	Jason Farag	(951) 677-7751
State Clearinghouse Number	Lead Agency Contact Person	Area Code/Telephone

Project Location (include county): The Bundy Canyon Active Transportation Corridor Project is located along Bundy Canyon Road, east of Interstate 15 from Monte Vista Drive to Harvest Way (600 feet east of "The Farm Road" near the Menifee border and Interstate 215), in the City of Wildomar in Riverside County.

Project Description: The Bundy Canyon Active Transportation Corridor Project will construct a 2.2-mile ADA-compliant 15-foot-wide Class I shared bike/pedestrian path along Bundy Canyon Road. The project includes lighting, a wood/rope barrier, and California Manual on Uniform Traffic Control Devices signage.

This is to advise that the California Transportation Commission has approved the above-described
(☐ Lead Agency/ ☒ Responsible Agency)

project on January 25-26, 2024, and has made the following determinations regarding the above-described project:

1. The project (☒ will/ ☐ will not) have a significant effect on the environment.
2. ☒ A Final Environmental Impact Report and Addendum were prepared for this project pursuant to the provisions of CEQA.
☐ A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures (☒ were/ ☐ were not) made a condition of the approval of the project.
4. Mitigation reporting or monitoring plan (☒ was / ☐ was not) adopted for this project.
5. A Statement of Overriding Considerations (☒ was / ☐ was not) adopted for this project.
6. Findings (☒ were/ ☐ were not) made pursuant to the provisions of CEQA.

The above identified documents with comments and responses and record of project approval are available to the General Public at: City of Wildomar, 23873 Clinton Keith Road, Suite 110, Wildomar, CA 92595

TANISHA TAYLOR	Executive Director
<i>Signature (Public Agency)</i>	<i>Title</i>
	California Transportation Commission

Date received for filing at OPR:

Project Location Map

Bundy Canyon Active Transportation Corridor Project

