

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: June 27-28, 2012

Reference No.: 2.2c.(10)
Action



From: BIMLA G. RHINEHART
Executive Director

Subject: APPROVAL OF PROJECT FOR FUTURE CONSIDERATION OF FUNDING
FINAL ENVIRONMENTAL IMPACT REPORT FOR THE SR-210/GREENSPOT ROAD
IMPROVEMENTS PROJECT (RESOLUTION E-12-43)

ISSUE:

Should the Commission, as a Responsible Agency, accept the Final Environmental Impact Report (FEIR), Addenda 1-3, and Findings of Fact and Statement of Overriding Considerations for the SR-210/Greenspot Road Improvements Project in San Bernardino County and approve the project for future consideration of funding?

RECOMMENDATION:

Staff recommends that the Commission accept the FEIR, Addenda, Findings of Fact and Statement of Overriding Considerations and approve the SR-210/Greenspot Road Improvements Project for future consideration of funding.

BACKGROUND:

The City of Highland (City) is the CEQA lead agency for the project. The project will widen and improve a section of Greenspot Road between State Route 210 (SR 210) and Boulder Avenue, including SR 210 northbound ramps termini and the Boulder Avenue Intersection in San Bernardino County.

The overall project for which the FEIR covers will result in significant unavoidable impacts to air quality, agricultural resources, mineral resources, and noise. Specifically, the project would result in changes in land use resulting from implementation of proposed General Plan Update that would continue to convert important farmlands; construction activity that could generate emissions levels that exceed threshold criteria; and potential for substantial traffic noise increases due to traffic volumes associated with development and construction activities.

The City adopted the FEIR, Addenda, Findings of Fact and a Statement of Overriding Considerations for the project on September 6, 2011. The City found that there were several benefits

that outweighs the unavoidable adverse environmental effects of the project. These benefits include, but are not limited to, creation of new employment centers through expansion of the industrial and office sectors and the revitalization of underperforming commercial corridors; revitalizing the corridor by infill development of vacant properties and redevelopment of underperforming mid-block commercial uses to medium-density residential uses; and reflecting the City's vision through a 20-year build-out and providing goals and policies that will guide future development in the City ensuring the long-term sustainability of community facilities. The City established a Mitigation Monitoring & Reporting Program to ensure that the mitigation measures specified for the project are implemented.

On May 16, 2012, the City provided written confirmation that the preferred alternative set forth in the final environmental document is consistent with the project programmed by the Commission. The City also provided written confirmation of its commitment to all of the mitigation measures stipulated in the FEIR and Mitigation Monitoring Program.

Phase one of the project is estimated to cost \$6,331,000. The project is funded with SLPP (\$1,000,000) funds and Local (\$5,331,000) funds. Construction is estimated to begin in fiscal year 2012/13.

Attachment

- Resolution E-12-43
- Findings of Fact & Statement of Overriding Considerations
- Project Location

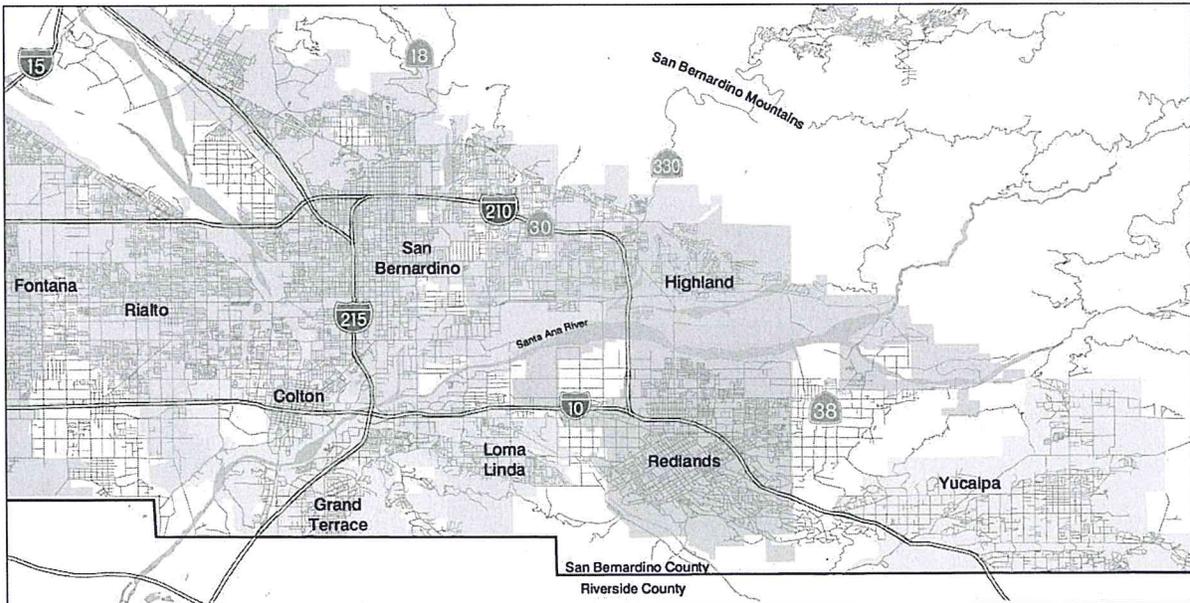
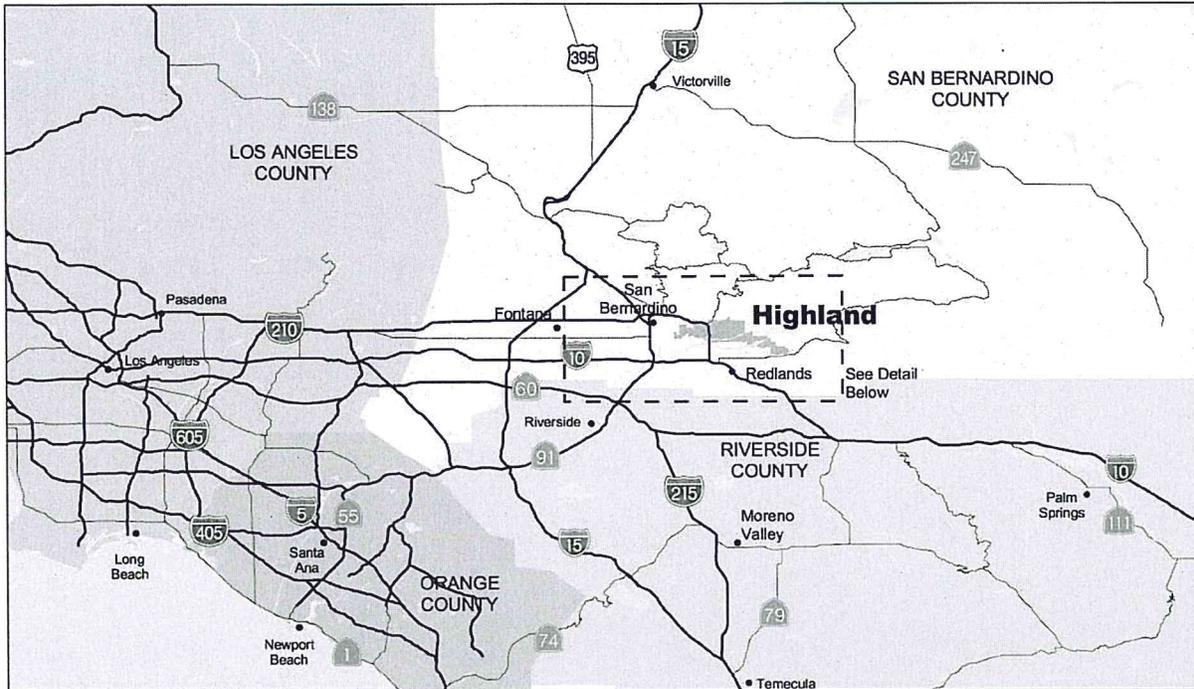
CALIFORNIA TRANSPORTATION COMMISSION

Resolution for Future Consideration of Funding 08 – San Bernardino County Resolution E-12-43

- 1.1.1 **WHEREAS**, the City of Highland (City) has completed a Final Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:
- SR-210/Greenspot Road Improvements Project
- 1.2 **WHEREAS**, the City has certified that the Final Environmental Impact Report has been completed pursuant to CEQA and the State CEQA Guidelines for its implementation; and
- 1.3 **WHEREAS**, the project will widen and improve a section of Greenspot Road between SR 210 and Boulder Avenue, including SR 210 northbound ramps termini and the Boulder Avenue Intersection in San Bernardino County; and
- 1.4 **WHEREAS**, the California Transportation Commission, as a Responsible Agency, has considered the information contained in the Final Environmental Impact Report; and
- 1.5 **WHEREAS**, Findings of Fact made pursuant to CEQA guidelines indicate that specific unavoidable significant impacts related to air quality, agricultural resources, mineral resources, and noise make it infeasible to avoid or fully mitigate to a less than significant level the effects associated with the project; and
- 1.6 **WHEREAS**, the City adopted a Statement of Overriding Considerations for the project; and
- 1.7 **WHEREAS**, the City adopted a Mitigation Monitoring & Reporting Program for the project; and
- 1.8 **WHEREAS**, the above significant effects are acceptable when balanced against the facts as set forth in the Statement of Overriding Considerations.
- 2.1 **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby accept the Final Environmental Impact Report, Addenda 1-3, Findings of Fact, and Statement of Overriding Considerations and approve the above referenced project to allow for future consideration of funding.

3. Project Description

Regional Vicinity Map



NOT TO SCALE



**FINDINGS OF FACT
AND STATEMENT
OF OVERRIDING
CONSIDERATIONS**

CITY OF HIGHLAND

**GENERAL PLAN AND
DEVELOPMENT CODE**

UPDATE

ENVIRONMENTAL

IMPACT REPORT

SCH #2005021046



prepared for:

CITY OF HIGHLAND

Contact:
Lawrence A. Mainez,
City Planner

prepared by:

**THE PLANNING
CENTER**

Contact:
JoAnn Hadfield,
Associate Director of
Environmental Services

JANUARY 2006

**FINDINGS OF FACT
AND STATEMENT
OF OVERRIDING
CONSIDERATIONS**

CITY OF HIGHLAND

**GENERAL PLAN AND
DEVELOPMENT CODE**

UPDATE

ENVIRONMENTAL

IMPACT REPORT

SCH #2005021046



prepared for:

CITY OF HIGHLAND

27215 Base Line
Highland, CA 92346
Tel: 909.864.8732
Website: www.ci.highland.ca.us

Contact:
Lawrence A. Mainez,
City Planner

prepared by:

**THE PLANNING
CENTER**

1580 Metro Drive
Costa Mesa, CA 92626
Tel: 714.966.9220 • Fax: 714.966.9221
E-mail: costamesa@planningcenter.com
Website: www.planningcenter.com

Contact:
JoAnn Hadfield,
Associate Director of
Environmental Services

HIG-01.0E

JANUARY 2006

Table of Contents

Table of Contents

1.	INTRODUCTION AND SUMMARY	1-1
1.1	FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS	1-1
1.2	ENVIRONMENTAL REVIEW PROCESS.....	1-3
1.3	PROJECT SUMMARY	1-3
1.4	DOCUMENT FORMAT	1-5
2.	FINDINGS ON PROJECT ALTERNATIVES CONSIDERED IN THE DRAFT EIR	2-1
2.1	ALTERNATIVES CONSIDERED AND REJECTED DURING THE SCOPING/PROJECT PLANNING PROCESS	2-1
2.2	ALTERNATIVES SELECTED FOR ANALYSIS	2-1
3.	FINDINGS ON POTENTIALLY SIGNIFICANT IMPACTS	3-1
3.1	AGRICULTURE RESOURCES.....	3-1
3.2	AIR QUALITY	3-2
3.3	CULTURAL RESOURCES.....	3-3
3.4	MINERAL RESOURCES.....	3-4
3.5	NOISE	3-5
3.6	UTILITIES AND SERVICE SYSTEMS.....	3-8
4.	STATEMENT OF OVERRIDING CONSIDERATIONS	4-1
4.1	SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS.....	4-1
4.2	CONSIDERATIONS IN SUPPORT OF THE STATEMENT OF OVERRIDING CONSIDERATIONS	4-2
4.3	CONCLUSION.....	4-5
5.	REFERENCES	5-1



Table of Contents

This page intentionally left blank.

1. Introduction and Summary

This document presents findings that must be made by the City of Highland prior to approval of the project pursuant to Sections 15091 and 15093 of the California Environmental Quality Act (CEQA) Guidelines and Section 21081 of the Public Resources Code. Under CEQA, the Lead Agency (City of Highland) is required to make written findings concerning each alternative and each significant environmental impact identified in the Draft Environmental Impact Report (DEIR) and Final Environmental Impact Report (FEIR). The City of Highland may find that:

- changes or alterations have been required in or incorporated into the project to avoid or substantially lessen the significant environmental effects identified in the DEIR/FEIR;
- such changes or alterations are within the purview and jurisdictions of another agency and have been adopted, or can and should be adopted, by that agency; or
- specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the DEIR/FEIR.

Each of these findings must be supported by substantial evidence in the administrative record. Evidence from the DEIR, FEIR, mitigation monitoring program (MMP), is used to meet these criteria.

1.1 FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA (Pub Resc. Code §§21000, et seq.) and the State CEQA Guidelines (Guidelines) (14 Cal. Code Regs §§15000, et seq.) promulgated thereunder, require that the environmental impacts of a project be examined before a project is approved. Specifically, regarding findings, Guidelines Section 15091 provides:

- (a) No public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
1. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects on the environment.
 2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can or should be, adopted by that other agency.
 3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.
- (b) The findings required by subsection (a) shall be supported by substantial evidence in the record.
- (c) The finding in subsection (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives.
- (d) When making the findings required in subsection (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant



1. *Introduction and Summary*

environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

- (e) The public agency shall specify the location and custodian of the documents or other materials which constitute the record of the proceedings upon which its decision is based.

The “changes or alterations” referred to in Section 15091(a)(1) above, that are required in, or incorporated into, the project which mitigate or avoid the significant environmental effects of the project, may include a wide variety of measures or actions as set forth in Guidelines Section 15370, including:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action.
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- (e) Compensating for the impact by replacing or providing substitute resources or environments.

Regarding a Statement of Overriding Considerations, Guidelines Section 15093 provides:

- (a) CEQA requires the decision-maker to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project. If the benefits of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable”.
- (b) Where the decision of the public agency allows the occurrence of significant effects which are identified in the final EIR but are not at least substantially mitigated, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. This statement may be necessary if the agency also makes a finding under Section 15091(a)(2) or (a)(3).
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination.

Having received, reviewed and considered the FEIR for the City of Highland General Plan and Development Code Update, State Clearinghouse No. 2005021046, as well as all other information in the record of proceedings on this matter, the following Findings and Statement of Overriding Considerations (Findings) are hereby adopted by the City of Highland (City) in its capacity as the CEQA Lead Agency. These Findings set forth the environmental basis for current and subsequent discretionary actions to be undertaken by the City and responsible agencies for the implementation of General Plan and Development Code Update (Project).

1. Introduction and Summary

1.2 ENVIRONMENTAL REVIEW PROCESS

In conformance with CEQA, the State CEQA Guidelines, the City of Highland conducted an extensive environmental review of the proposed Project. The environmental review process has included the following:

- Completion of an Initial Study by the City of Highland, which concluded that an EIR should be prepared, and the Notice of Preparation (NOP) which was released for a 30-day public review period from February 10, 2005 through March 11, 2005. Section 2.3 of the EIR describes the issues identified for analysis in the EIR through the Initial Study, Notice of Preparation and public scoping process.
- Completion of a scoping process in which the public and public agencies were invited by the City of Highland to participate. The scoping meeting for the EIR was held on February 23, 2005 at 7:00 p.m. at Council Chambers, City Hall located at 27215 Base Line, Highland, CA
- Preparation of a DEIR by the City of Highland, which was made available for a 45-day public review period (September 16, 2005 through October 31, 2005). The draft EIR consisted of one the text of the DEIR and the Volume II contains the Appendices, including the NOP, responses to the NOP and analysis of the following subjects: aesthetics, agricultural resources, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation and circulation, and utilities and service systems. Notice of the availability of the DEIR was sent to interested persons and organizations: it was also published in two newspapers of general circulation, and was posted at the City Clerk's office and on the City's website.
- Preparation of a FEIR, including the Comments and Responses to Comments on the DEIR. The FEIR/Response to Comments contains the following: comments on the DEIR; responses to those comments; revisions to the Draft EIR; and appended documents. The Final EIR/Response to Comments was released for a 10-day public review period on January 24, 2006.
- Public hearings on the proposed Project including a Planning Commission hearing on February 7, 2006, and a City Council hearing on March 14, 2006.



1.3 PROJECT SUMMARY

Pursuant to Section 15162 of the CEQA Guidelines, the City of Highland proposes preparation of a DEIR to address the environmental impacts of the following actions associated with the General Plan and Development Code Update:

The proposed project consists of a comprehensive update to the City of Highland General Plan and Development Code. This update involves a revision to the land use and zoning maps; a revision to elements required by the State of California; and optional elements. The update includes revisions to the existing Land Use, Circulation, Public Services and Facilities, Conservation and Open Space, Public Health and Safety, and Noise Elements. The project also involves new Economic Development, Community Design, and Airport Elements, and a public outreach program that includes a variety of community-wide and focused public participation components. The Housing Element, which identifies local housing problems and needs and outlines strategies to meet the housing needs of various groups with the City of Highland, was updated separately in 2003 and is not part of the General Plan and Development Code Update project. The 2003 Housing Element is included in the General Plan Update document but is simply reformatted to fit the new document. In addition, the General Plan is guided by a Community Vision Statement and Guidelines, which

1. *Introduction and Summary*

describe the basic direction of the goals, policies, and actions contained in this Plan and represent Highland's view of its future.

The Development Code sets forth the City's standards, guidelines, and procedures concerning the development and maintenance of land use within the City. It implements the goals, objectives, and policies of the General Plan. The General Plan land use designations represent the preferred direction of development, while the Development Code contains detailed regulations, development standards, performance criteria, and zoning designations that serve to enact the intent of the General Plan. The Development Code update will reflect the changes to the General Plan, and revised land use and zoning designations, including a new Mixed-Use designation. The update includes the following:

- Prepares new districts or alternative zoning for: Town Center, Corridor Residential, and Mixed-Use;
- Reviews codes for incorporation of recent legislation related to accessory units, bonus densities, and others;
- Reviews and updates the Nonconforming Use section, especially as it pertains to the Town Center, Corridor Residential, and existing residential uses in areas designated for non-residential development in the 5th Street Corridor;
- Reviews and updates land use lists;
- Reviews and updates development standards for all districts;
- Reviews and updates parking requirements, particularly for new districts;
- Reviews and updates definitions to reflect new concepts and districts, if necessary;
- Addresses East Highland Village historic neighborhood, as necessary; and
- Reviews commercial districts for relevance to the General Plan.

The proposed land use plan for the General Plan Update is the Preferred Land Use Alternative and focuses on several key opportunity areas that present opportunities for the City to respond to economic and demographic trends., including:

- A new Town Center
- Existing commercial uses along the Base Line corridor
- 5th Street industrial corridor
- The Victoria Avenue Corridor
- The Golden Triangle
- Areas in the East Highland Ranch Planned Unit Development (PUD)
- The Seven Oak area in the easternmost portion of the City

Notable issues addressed by the General Plan Update include revitalizing commercial and industrial corridors; preservation of the Historic Village District and archaeologically sensitive areas to the north, northeast, and along the Santa Ana River, City and Plunge Creek corridors; conservation of open space including lands within habitat conservation planning areas; protection and management of existing important mineral resources while maintaining compatibility with surrounding land uses; and developing a new traffic model to reflect future traffic conditions and transportation needs.

Overview of the General Plan Update

The proposed General Plan Update reflects the community's view of its future and can be thought of as the blueprint for the City's growth and development. The General Plan projects conditions and needs into the future as a basis for determining long-term objectives and policies for day-to-day decision-making. While the life of the General Plan is generally considered to be 20 years, the General Plan includes policies and programs that are short term, long term, and ongoing. Some portions of the General Plan, such as the land use plan, are not linked to any timeline. The land use plan reflects build-out, which will occur through

1. Introduction and Summary

voluntary methods or redevelopment efforts throughout the life of the City. The general plan is considered “comprehensive” since it covers the territory within the boundaries of the City and any areas outside of its boundaries that relate to its planning activities (sphere of influence). The General Plan is also comprehensive in that it addresses a wide variety of issues that characterize a city. These issues range from the physical development of the jurisdiction, such as general locations, timing, and extent of land uses and supporting infrastructure, to social concerns such as those identified in the housing element regarding housing affordability.

1.4 DOCUMENT FORMAT

This document summarizes the significant environmental impacts of the project, describes how these impacts are to be mitigated, and discusses various alternatives to the proposed project which were developed in an effort to reduce the remaining significant environmental impacts. All impacts are considered potentially significant prior to mitigation unless otherwise stated in the findings.

This document is divided into the following five sections:

- Section 1.0 – Introduction and Summary
- Section 2.0 – Findings on the Project Alternatives Considered in the Environmental Impact Report
- Section 3.0 – Findings on Potentially Significant Impacts of the Proposed Project Identified in the DEIR/FEIR
- Section 4.0 – Statement of Overriding Considerations
- Section 5.0 – References



Section 2.0, *Findings on the Project Alternatives Considered in the Environmental Impact Report*, presents alternatives to the project and evaluates them in relation to the findings set forth in Section 15091(a)(3) of the State CEQA Guidelines, which allows a public agency to approve a project that would result in one or more significant environmental effects if the project alternatives are found to be infeasible because of the specific economic, social, or other considerations.

Section 3.0, *Findings on Potentially Significant Impacts of the Proposed Project Identified in the DEIR/FEIR*, presents significant impacts of the proposed project that were identified in the FEIR, the mitigation measures identified in the MMP, the findings for the impacts, and the rationales for the findings.

Section 4.0, *Statement of Overriding Considerations*, presents the overriding considerations for significant impacts related to the project that cannot be or have not been mitigated or resolved. These considerations are required under Section 15093 of the State CEQA Guidelines, which require decision makers to balance the benefits of a proposed project against its unavoidable environmental risk in determining whether to approve the project.

Section 5.0, *References*, identifies all references cited in this document.

1. *Introduction and Summary*

This page intentionally left blank.

2. Findings on Project Alternatives

The following discussion is intended to provide a summary of the alternatives considered and rejected during the scoping/project planning process, and those selected for analysis in the City of Highland General Plan and Development Code Update DEIR.

2.1 ALTERNATIVES CONSIDERED AND REJECTED DURING THE SCOPING/PROJECT PLANNING PROCESS

The following is a discussion of the alternatives considered during the scoping and planning process and the reasons why they were not selected for detailed analysis in the DEIR.

2.1.1 Alternative Development Areas

CEQA requires that the discussion of alternatives focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project. The key question and first step in the analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR (Guidelines Sec. 15126(5)(B)(1)). In general, any development of the size and type proposed by the project would have substantially the same impacts on air quality, land use and planning, noise, population and housing, public services, recreation, transportation and traffic, and utilities and service systems. Without a site-specific analysis, impacts on aesthetics, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, and mineral resources cannot be evaluated.

Since the proposed project consists of a General Plan and Development Code Update, an alternative site analysis is not appropriate. However, areas proposed for development were reviewed to determine if development could be redirected to less sensitive areas. Since the City of Highland is predominately built out, there are very few undeveloped areas which remain available for development. The large majority of undeveloped land within the City is located within the Greenspot area of the City to the east. However, much of this land contains environmentally sensitive biological habitat and contains moderate to steep topography. As a result, shifting development intensities to other areas of the City is not feasible and would create greater environmental impacts. As a result, Alternative Development Areas were rejected and are not analyzed in detail in the DEIR.



2.2 ALTERNATIVES SELECTED FOR ANALYSIS

The CEQA Guidelines indicate that an EIR must “describe a range of reasonable alternatives to the project, or to the location of the project, which could 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” (Guidelines Sec. 15126.6(a)). Accordingly, the alternatives selected for review pursuant to this EIR focus on: (a) the specific General Plan policies pertaining to project site; and, (b) alternatives that could eliminate or reduce significant environmental impacts to a level of insignificance, consistent with the project objectives (i.e., the alternatives could impede to some degree the attainment of project objectives, but still would enable the project to obtain its basic objectives). The alternatives analyzed in the following sections include:

1. “No-Project”/Existing General Plan Alternative;
2. Reduced Land Use Plan;
3. Reduced Intensity Alternative.

2. Findings on Project Alternatives

2.2.1 "No-Project"/Existing General Plan Alternative

Section 15126.6(e) of the CEQA Guidelines requires that an EIR evaluate and analyze the impacts of the "No Project" Alternative. When the project is the revision of an existing land use or regulatory plan, policy, or ongoing operation, the No Project alternative will be the continuation of the plan, policy, or operation into the future. Therefore, the No Project/Existing General Plan Alternative, as required by the CEQA Guidelines, analyzes the effects of continued implementation of the City's existing General Plan and Development Code. This alternative assumes the existing General Plan remains as the adopted long-range planning policy document for the City. Development would continue to occur within the City in accordance with the existing General Plan, Zoning Code, and Specific Plans. Build-out pursuant to the existing General Plan would allow current development patterns to remain. The existing General Plan would not allow for mixed-use developments within the Golden Triangle, including residential units, as envisioned in the proposed General Plan and Development Code Update. In addition, current policy would not allow conversion of strip commercial uses along Base Line to residential uses. In addition, the existing General Plan and Development Code would allow nonconforming residential uses within the 5th Street Corridor in the vicinity of the airport to remain. The No Project/Existing General Plan Alternative would provide 3,999 fewer dwelling units, decrease population by 13,246 persons, and provide 5,003 more jobs within the City at build-out, as compared to the proposed General Plan and Development Code Update.

The No Project/Existing General Plan Alternative would be considered environmentally superior to the proposed project with regard to Public Services and Recreation. This alternative would be considered to be the environmentally inferior alternative with regard to Aesthetics, Air Quality, Land Use and Planning, Noise, Population and Housing, Transportation and Traffic, and Utilities and Service Systems. The No Project/Existing General Plan Alternative would be considered environmentally neutral (i.e., impacts would be similar) for Agricultural Resources, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, and Mineral Resources,

Finding: Alternative less than Desirable

The City Council finds that the "No-Project"/Existing General Land Use Plan Alternative is less desirable than the proposed project and rejects this Alternative for the following reasons:

- This alternative would not avoid or substantially lessen the significant effects of the Proposed Project.
- This alternative would not meet many of the economic and land use objectives identified in Section 3.2 of the DEIR. Although it would contribute less housing to the region, the existing nonconforming residential uses adjacent to the airport and underperforming retail along the Base Line Corridor would remain. This alternative would not meet the objective to invigorate key activity centers including a new Town Center, the Golden Triangle area, and the 5th Street Corridor.
- This Alternative would not locate a wider range of housing opportunities in close proximity to regional employment and activity centers, nor would it provide jobs in a housing-rich subregion.
- Unavoidable adverse impacts to air quality and noise would still occur and adoption of a Statement of Overriding Considerations would still be required.
- This alternative may impede the City's ability to achieve its housing goals contained in the adopted Housing Element.

2. Findings on Project Alternatives

2.2.2 Alternative Land Use Plan

The Alternative Land Use Plan responds to the City's desire for a central node with a smaller, more concentrated 29.4-acre Civic Center focus. Public and institutional uses could intermix with retail, commercial, and office uses in a mixed-use context. The City's primary commercial center would reside in the Golden Triangle area. The Base Line Corridor would maintain its commercial land use with key intersections designated for Planned Commercial projects and a less intense residential overlay. The Alternative Land Use Plan would convert less of the existing commercial and nonconforming residential uses to industrial and business park. Instead, this alternative would improve the existing residential uses in the southwest corner of the City through a Planned Development designation. This Alternative would provide 1,280 fewer dwelling units, reduce population by 4,372 persons, and provide 3,840 additional jobs within the City at build-out, as compared to the proposed General Plan and Development Code Update.

The Alternative Land Use Plan Alternative would be considered environmentally superior to the proposed project with regard to Public Services and Recreation. This alternative would be considered to be the environmentally inferior alternative with regard to Aesthetics, Air Quality, Land Use, Noise, Population and Housing, Transportation and Traffic, and Utilities and Service Systems. The Alternative Land Use Plan Alternative would be considered environmentally neutral (i.e., impacts would be similar) for Agricultural Resources, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, and Mineral Resources,

Finding: Alternative less than Desirable

The City Council finds that the Alternative Land Use Plan is less desirable than the proposed project and rejects this Alternative for the following reasons:

- This alternative would not avoid or substantially lessen the significant effects of the Proposed Project.
- This alternative would satisfy most of the project objectives, but not to the extent of which can be achieved by implementing the Proposed Project. Although it would contribute less housing to the region, some of the nonconforming residential uses adjacent to the airport and underperforming retail uses along the Base Line Corridor would remain since less of these uses would be converted to industrial and business park. Instead of a new Town Center, a smaller, concentrated Civic Center would be developed that could intermix with retail, commercial, and office uses, but would not have residential uses or serve as a primary commercial node.
- Unavoidable adverse impacts to air quality and noise would still occur and adoption of a Statement of Overriding Considerations would still be required.
- This alternative may impede the City's ability to achieve its housing goals contained in the adopted Housing Element.

2.2.3 Reduced Intensity Alternative

The Reduced Intensity Alternative would reduce the remaining growth potential associated with the proposed General Plan and Development Code Update by 20 percent. The 20 percent reduction was based on the total build-out of the proposed General Plan and Development Code Update and applied on a City-wide basis. This Alternative would reduce total dwelling units at build-out by 731, decrease population at build-out by 2,769 persons, and provide 2,468 fewer jobs at build-out, as compared to the proposed General Plan and Development Code Update. Land use designations would remain the same, although allowable intensities



2. *Findings on Project Alternatives*

would be reduced. Other components of the project, including the City's commercial center remaining in the Golden Triangle area, maintaining the Base Line Corridor residential uses, and converting nonconforming residential uses within the 5th Street Corridor area to industrial and business park, would remain the same as the proposed General Plan and Development Code Update.

The Reduced Intensity Alternative would be considered environmentally superior to the proposed project with regard to Air Quality, Noise, Public Services and Recreation, Transportation and Traffic, and Utilities and Service Systems. This alternative would be considered to be the environmentally inferior alternative with regard to Population and Housing. The Reduced Intensity Alternative would be considered environmentally neutral (i.e., impacts would be similar) for Aesthetics, Agricultural Resources, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use, and Mineral Resources,

Finding: Alternative less than Desirable

The City Council finds that the Reduced Intensity Alternative is less desirable than the proposed project than the proposed project and rejected this Alternative for the following reasons:

- While this alternative would lessen impacts associated with air quality, noise, public services, recreation, transportation/traffic, and utilities by approximately 20 percent, it would contribute fewer jobs to a housing-rich subregion.
- This alternative would meet most but not all the project objectives although it would contribute less housing and employment to the region.
- This alternative may impede the City's ability to achieve its housing goals contained in the adopted Housing Element.

3. Findings on Potentially Significant Impacts

This section identifies the findings on impact categories analyzed in the DEIR/FEIR including potentially significant impacts of the project.

3.1 AGRICULTURE RESOURCES

Impact 5.1-1 The Proposed Project would convert California Resource Agency designated Prime Farmland, Unique Farmland, and Farmland of Statewide Importance to nonagricultural uses.

Changes in land use resulting from implementation of the proposed General Plan Update would continue to convert the remaining important farmlands throughout the City. The land use changes would further result in the conversion of Farmland of Local Importance and limited amounts of grazing land. Under the Agriculture/Equestrian land use designation, existing, active agricultural production that could retain these important farmlands in the eastern portions of the City would remain an allowed and limited use. Within the easternmost part of the City, the very low intensity of development proposed for this area under the Planned Development designation would allow some opportunities to retain existing agricultural areas and preserve important farmland contained within this area. Areas designated as grazing land would be retained as Open Space throughout the eastern half of the City. Overall, however, implementation of the General Plan Update over the long term would ultimately convert approximately 200+ acres of Prime and Unique Farmland, and Farmland of Statewide Importance remaining within in the City.

Mitigation Measures:

- 5.1-1 Prior to approval of any project on lands designated as prime, unique, or important farmland by the California Resources Agency, the City shall require preparation of a site-specific agricultural resource impact evaluation, such as the U.S. Department of Agriculture Land Evaluation and Site Assessment (LESA) Model. The evaluation shall determine whether or not the property represents important farmland and whether mitigation shall be considered for the loss of potential future agricultural use of the property. Prior to development of property designated as prime, unique, or important farmland and also determined by a site-specific agricultural evaluation to be important farmland, the City shall require consideration of conservation easements as partial compensation for site-specific projects that result in direct loss of agricultural land. Conservation easements may be acquired through purchase or the donation of mitigation fees to a local, regional or statewide organization or agency, including land trusts and conservancies, whose purpose includes the purchase, holding and maintenance of agricultural conservation easements, including areas of regional significance and not limited strictly to lands within the Highland area



Finding: Although a mitigation measure is imposed, project related agricultural resource impacts are considered a significant unavoidable adverse impact and a Statement of Overriding Considerations is required.

3. Findings on Potentially Significant Impacts

3.2 AIR QUALITY

Impact 5.3-1 The City of Highland General Plan is not consistent with the applicable air quality management plan.

CEQA requires that General Plans be evaluated for consistency with the Air Quality Management Plan (AQMP). A consistency determination plays an important role in local agency project review by linking local planning and individual projects to the AQMP. It fulfills the CEQA goal of informing decision-makers of the environmental efforts of the project under consideration at a stage early enough to ensure that air quality concerns are fully addressed. It also provides the local agency with ongoing information as to whether they are contributing to clean air goals contained in the AQMP. Only new or amended General Plan elements, Specific Plans, and major projects need to undergo a consistency review. This is because the AQMP strategy is based on projections from local General Plans. Projects that are consistent with the local General Plan are considered consistent with the air quality-related Regional Plan.

The emissions associated with the currently adopted General Plan would result in higher emissions for all criteria pollutants, with the exception of reactive organic gases (ROGs), as compared to the Preferred General Plan. The difference in emissions between the currently adopted General Plan and the Preferred General Plan is due to the higher Vehicle Miles Traveled (VMT) associated with the adopted General Plan. The higher emissions of ROGs from the Preferred General Plan is due to the greater number of residential uses associated with the Preferred General Plan as opposed to the Currently Adopted General Plan, which results in higher emissions from fireplaces, architectural coatings, and consumer product usage. Though the Preferred General Plan would result in fewer emissions for four of the five analyzed criteria pollutants as compared to the currently adopted General Plan, the South Coast Air Quality Management District (SCAQMD) considers the increased amount of ROGs from the Preferred General Plan to be inconsistent with the AQMP. This is because the Preferred General Plan would result in higher levels of ROG emissions than the adopted General Plan and consequently the quantity of ROG emissions that was accounted for in the AQMP. As a result, the Preferred General Plan would be not consistent with the AQMP and would result in a significant air quality impact. When the AQMP is revised and incorporates the emissions associated with the Preferred General Plan, the Preferred General Plan would be then be consistent with the AQMP.

Mitigation Measures:

No mitigation measures apply to reduce Impact 5.3-1 to a less than significant level.

Finding: Project related air quality impacts are considered a significant unavoidable adverse impact and a Statement of Overriding Considerations is required.

Impact 5.3-3: Implementation of the City of Highland General Plan Update would generate additional vehicle trips and associated long-term emissions in exceedance of SCAQMD's operational threshold criteria.

Long-term air emission impacts are those associated with stationary sources and mobile sources related to any change related to the Proposed Project. The project includes the planned development within developed and undeveloped portions of the City. General Plan build-out would result in 20,910 housing units, approximately 7 million square feet of commercial and office uses, 2 million square feet of industrial uses, and 3.1 million square feet of public facilities. The stationary source emissions from this land use would come from its consumption of natural gas and electricity. Operational impacts could result from local and regional vehicle emissions generated by future traffic growth, as well as direct emissions due to the use of on-site utilities and consumer goods associated with the proposed land uses. The daily number of vehicle

3. Findings on Potentially Significant Impacts

trips associated with build-out of the proposed General Plan Update was based the City of Highland General Plan Traffic Study conducted by Urban Crossroads, August 1, 2005.

As noted in Table 5.3-6 in the DEIR, future growth in accordance with the proposed General Plan Update would exceed the daily SCAQMD thresholds for CO, NO_x, ROG, and PM₁₀ in the South Coast Air Basin (SoCAB), which is classified as a nonattainment area. The exceedance of the SCAQMD emissions thresholds would be expected because these thresholds were designed for individual projects. As such, specific or general plans would substantially exceed the SCAQMD thresholds by orders of magnitude because these plans incorporate the development of multitudes of individual projects. Exceedance of the SCAQMD daily emissions thresholds is considered to result in a significant adverse impact.

Mitigation Measures:

5.3-3 The City shall reduce vehicle emissions caused by traffic congestion by implementing transportation systems management techniques that include synchronized traffic signals and limiting on-street parking.

Finding: Project related air quality impacts are considered a significant unavoidable adverse impact and a Statement of Overriding Considerations is required.

Impact 5.3-4: Implementation of the City of Highland General Plan would result in a cumulatively considerable net increase of criteria pollutants for which the project region is in a state of non-attainment.

The proposed project would result in emissions which exceed the SCAQMD emissions thresholds for both the construction and operational phases. The SCAQMD considers exceedance of their daily significance thresholds to lead to a significant contribution to emission on a cumulative basis. Because the air basin is currently in a state of non-attainment for CO, ozone and particulate matter, the additional air pollution generated by further development of the General Plan would incrementally contribute to the state of non-attainment of the ambient air quality standards.

Mitigation Measures:

5.3-4 Mitigation measure 5.5-3 also applies to mitigate Impact 5.3-4.

Finding: Project related air quality impacts are considered a significant unavoidable adverse impact and a Statement of Overriding Considerations is required.

3.3 CULTURAL RESOURCES

Impact 5.5-2: Build-out of the General Plan could impact sensitive archaeological resources, paleontological resources, or a unique geologic feature.

As discussed in the EIR, archaeologists and ethnologists consider the City of Highland as being archaeologically sensitive. Approximately half of the City, primarily east of I-210/SR-30, is in an area likely to contain cultural resources. Adoption of the General Plan in itself would not directly affect archaeological or paleontological resources. However, long-term implementation of the General Plan land use policy could allow development and redevelopment, including, grading, of sensitive areas. Archival research indicates a prehistoric resource site and numerous refuse sites and water transportation sites lie within or alongside the Santa Ana River and Wash, and City and Plunge Creeks. Thus, the potential to uncover significant



3. Findings on Potentially Significant Impacts

archaeological and paleontological resources within the City or SOI during development activities is considered high.

Mitigation Measures:

- 5.5-2A In areas of documented or inferred archaeological and/or paleontological resource presence, City staff shall require applicants for development permits to provide studies to document the presence/absence of such resources. On properties where resources are identified, such studies shall provide a detailed mitigation plan, including a monitoring program and recovery and/or in situ preservation plan, based on the recommendations of a qualified cultural preservation expert.
- 5.5-2B Upon receipt of an application for a project subject to CEQA and within the City's jurisdiction, the City of City's representative shall consult with the relevant Tribe(s)' tribal representative(s) to determine if the proposed project is within a culturally sensitive area to the tribe. If sufficient evidence is provided to reasonably ascertain that the site is within a [tribal] culturally sensitive area, then a cultural resources assessment prepared by a City-certified archaeologist shall be required. The findings of the cultural resources assessment shall be incorporated into the CEQA documentation. A copy of the report shall be forwarded to the Tribe(s). If mitigation is recommended in the CEQA document, the procedure described in MM 5.5-2C shall be followed.
- 5.5-2C Prior to the issuance of grading permits for which the CEQA document defines cultural resource mitigation for potential tribal resources, the project applicant shall contact the designated tribe(s) to notify them of the grading, excavation and monitoring program. The applicant shall coordinate with the City of Highland and the tribal representative(s) to develop mitigation measures that address the designation, responsibilities, and participation of tribal monitors during grading, excavation, and ground disturbing activities; scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. The City of Highland shall be the final arbiter of the conditions for the projects within the City's jurisdiction.

Finding: The mitigation measures are feasible and avoid or substantially lessen potentially significant cultural resource impacts to a less-than-significant level for the reasons set forth in the Draft EIR.

3.4 MINERAL RESOURCES

Impact 5.10-1: Project implementation may result in the loss of availability of a known mineral resource.

Existing mineral extraction operations are primarily located within areas designated as Open Space, including the area encompassing portions of City Creek, Plunge Creek, and the Santa Ana River. The proposed changes to land use under the Preferred Land Use Alternative would retain the Open Space designation in the majority of these areas. The easternmost portion of the City is largely classified as MRZ-3, where the significance of mineral deposits cannot be determined. Within the areas east of City Creek known as the Golden Triangle, existing use includes poultry operations surrounded by mineral extraction operations, open space (City Creek) and urban vacant land. The existing General Plan land use designation underlying this area is Planned Development. Under the General Plan Update preferred land use plan, this area would remain Planned Development. Mineral extraction, including areas designated as MRZ-2, would not be an allowed use.

3. Findings on Potentially Significant Impacts

Due to the potential loss of known mineral resources (MRZ-2), although of minimal acreage, and future development of substantial properties designated as MRZ-3 (undetermined significance of mineral resources), buildout of the General Plan as proposed could result in a substantial loss of availability of a known regional and/or locally important mineral resource.

Mitigation Measures:

- 5.10-1A Prior to project approval for proposed development of properties classified as either MRZ-2 or MRZ-3, a mineral resource evaluation shall be conducted to determine the significance and economic viability of mining the resource. If development of a property would preclude future extraction of a significant mineral resource, in accordance with CEQA, the City shall make the appropriate findings and adopt a Statement of Overriding Considerations prior to permitting development of the property.
- 5.10-1B Prior to approval of any project on lands classified as either MRZ-2 or MRZ-3, a report shall be prepared analyzing the project's value in relation to the mineral values onsite. The analysis shall consider the importance of construction aggregate mineral resource onsite to the market region as a whole, and not just the importance of the resources found within the San Bernardino County area. The report shall be submitted to the City of Highland, such that the Lead Agency for mineral resources (either the County of San Bernardino or the City of Highland) has adequate information to develop a statement of reasons for permitting the proposed land use to the California Department of Conservation, State Mining and Geology Board, for subsequent review, in accordance with SMARA, Article 2, Section 2762 and 2763 for areas designated of regional significance.

Finding: Although mitigation measures are imposed, project related mineral resource impacts are considered a significant unavoidable adverse impact and a Statement of Overriding Considerations is required.



3.5 NOISE

Impact 5.11-1: Implementation of the City of Highland General Plan would result in long-term operation-related noise that would exceed local standards.

Noise is regulated by numerous codes and ordinance across federal, state, and local agencies. Additionally, the City regulates noise-generating activities through the Municipal Code. The operational phase of individual projects that constitute the entirety of the General Plan Update may generate noise from either stationary or vehicular sources.

Stationary sources of noise may occur from all types of land uses—residential, commercial, and/or industrial. Noise generated by residential or commercial uses are generally short and intermittent, while industrial uses may generate noise on a more continual basis. The General Plan has industrial uses located in the southernmost portions of the City, west of City and at Plunge Creeks. These industrial land uses are located adjacent to land use designated as Business Park, Planned Commercial, and Open Space, which are not considered sensitive land uses. The City, through Municipal Code, Chapter 8.50, *Noise Control*, restricts exterior and interior noise intrusion from stationary noise sources; therefore, compliance with Chapter 8.50 of the municipal code would result in noise levels which are acceptable to the City and would result less than significant noise impacts from stationary sources.

Potential impacts on existing land uses stem mainly from the addition of project-generated vehicles along site access roads. Due to implementation of the General Plan Update, some of the roadways analyzed would

3. Findings on Potentially Significant Impacts

experience noise levels in excess of the 3 dB threshold for noise sensitive uses. These increases in noise levels would occur at existing noise sensitive land uses and would exceed the City's land use compatibility standards for noise. The increase in traffic noise is due to the large increases in traffic volumes projected to occur with the build-out of the General Plan. As such, traffic generated noise attributable to the General Plan Update would result in significant noise impacts to existing noise sensitive uses.

The General Plan presents the anticipated build-out vehicle-generated noise contours and proposed land use designations. There are areas in the City noise levels would potentially exceed the 65 dBA CNEL noise contours for residential areas. Furthermore, other sensitive land uses, such as schools, churches, or recreational uses may be exposed to noise levels which exceed the 65 dBA CNEL contours generated by on-road vehicles. This is especially true in those areas located near the state routes. Any siting of sensitive land uses within these contours then represents a potentially significant impact and would require a separate noise study through the development review process to determine the level of impacts and required mitigation. As such, the General Plan Noise Element contains a number of policies, listed above, to minimize potential impacts on sensitive land uses.

Mitigation Measures:

- 5.11-1 Prior to the issuance of building permits for any project that involves a noise sensitive use within the 65 dBA CNEL contour along major roadways or freeway, or the San Bernardino International Airport or the Redlands Municipal Airport, the project property owner/developers shall submit a final acoustical report prepared to the satisfaction of the City Planner. The report shall show that the development will include mitigation measures to ensure that projects are sound-attenuated against present and projected noise levels, including roadway, aircraft, helicopter, and railroad, to meet City interior and exterior noise standards.

Finding: Although mitigation measures are imposed, project related noise impacts are considered a significant unavoidable adverse impact and a Statement of Overriding Considerations is required. Relative to the SBIA, upon adoption of the Airport Master Plan and EIR, the SBIAA can and should adopt mitigation for impacts that would result within the designated 65 dBA CNEL contour associated with the airport, and a Statement of Overriding Consideration, if needed.

Impact 5.11-2: Build-out in accordance with the City of Highland General Plan may create short-term groundborne vibration and groundborne noise.

Build-out of the Recommended Land Use Alternative could potentially expose people to the impacts of groundborne vibration or noise levels. Increased exposure could occur through increased vibration sensitive uses on lands within proximity to vibration generating activities. Specifically, vibration created through construction and industrial activities or through the operation of motor vehicles and railways could create potentially significant impacts on sensitive receptors in the City of Highland.

Mitigation Measures:

- 5.11-2 Individual projects that involve vibration intensive construction activities such as pile drivers, jack hammers, and vibratory rollers, occurring near sensitive receptors shall be evaluated for potential vibration impacts at sensitive receptors. If construction related significant vibration impacts are found, mitigation measures that may involve less vibration intensive equipment or construction techniques shall be implemented.

3. Findings on Potentially Significant Impacts

Finding: Although mitigation measures are imposed, project related noise impacts are considered a significant unavoidable adverse impact and a Statement of Overriding Considerations is required.

Impact 5.11-3: Construction activities associated with build-out of the City of Highland General Plan would result in temporary noise increases.

Short-term noise impacts are impacts associated with demolition, site preparation, grading and building construction of the proposed land uses. Two types of short-term noise impacts could occur during construction. First, the transport of workers and movement of materials to and from the site could incrementally increase noise levels along local access roads. The second type of short-term noise impact is related to noise generated at the job site during demolition, site preparation, grading, and/or physical construction.

It is probable that development of individual projects that constitute the Preferred General Plan would involve construction activities that occur in close proximity to noise sensitive uses. Therefore, project-related construction noise would exceed the 70 dBA threshold at residential uses and would result in a significant noise impact.

Mitigation Measures:

5.11-3 MM 5.11-1 also applies to mitigate Impact 5.11-3.

Finding: Although mitigation measures are imposed, project related noise impacts are considered a significant unavoidable adverse impact and a Statement of Overriding Considerations is required.

Impact 5.11-4: The San Bernardino International Airport and the Redlands Municipal Airport are located within the vicinity of the City of Highland, resulting in exposure of future residents and workers to airport-related noise with implementation of the general plan.

The San Bernardino International Airport (SBIA) is located adjacent to the southwestern boundary of the City of Highland. Airport noise generated from large aircraft contributes to the noise environment within the southern and western portions of the City. While some older neighborhoods in the southwestern portion of the City adjacent to the SBIA are currently located in areas that are transitioning to potential noise-generating business park and industrial uses, land uses under the flight path for the SBIA include noise-sensitive uses, such as residential units and parks. At the present time, the Inland Valley Development Agency and the San Bernardino International Airport Authority are preparing the Airport Master Plan and the Comprehensive Land Use Plan. Precise noise contours are not available, therefore, noise impacts are considered significant.

Additionally, the Redlands Municipal Airport is located adjacent to the south central boundary of the City of Highland. Airport noise generated from small aircraft contributed to the noise environment within the southern portions of the City, and would result in noise exposure to populations living in close proximity to the airport. The City of Highland regulates noise impacts from aircraft for the Redlands Municipal Airport on land uses within the vicinity of the airport under the City's Municipal Code. A portion of south-central Highland is located in the Redland's Municipal Airport Influence Area and a portion of southeastern Highland is located in the Area of Special Compatibility Concern. The development of project-related noise sensitive uses within these areas may result in substantial noise exposure and would result in a significant noise impact.



3. Findings on Potentially Significant Impacts

Mitigation Measures:

- 5.11-1 The City of Highland shall incorporate into the General Plan and Zoning ordinance the noise contour map developed for the SBIA after completion of the Airport Master Plan.

Finding: Although mitigation measures are imposed, due to the lack of an available noise contour map project related noise impacts are considered a significant unavoidable adverse impact and a Statement of Overriding Considerations is required.

3.6 UTILITIES AND SERVICE SYSTEMS

Impact 5.16-1: Build-out of the City of Highland General Plan would generate additional wastewater which would be adequately treated by the San Bernardino Municipal Water District in accordance with the Regional Water Quality Control Board treatment requirements for residential, commercial, and industrial development within the City.

Future growth within the City of Highland and SOI area would result in increases in wastewater flow. These include increases in residential, commercial, and industrial effluent. Under the City of Highland General Plan Update, there is an anticipated residential build-out of approximately 24,491 dwelling units, 480 acres of commercial/retail/office, and 150 acres of industrial uses. Total commercial, retail, office, and residential uses at build-out would generate approximately 8.3 million gallons per day (mgd) of wastewater, while industrial uses at build-out would generate 0.5 mgd of industrial effluent.

The East Valley Water District (EVWD) in conjunction with the City of San Bernardino Municipal Water Department (SBMWD) provides waste water transmission facilities for the City of Highland. The SBMWD also owns and operates the San Bernardino Water Reclamation Plan which serves several cities and the County within the region, including Highland. Expansion of regional wastewater facilities is currently being planned by the SBMWD, which would provide for additional capacity to meet the needs of the growing population of the San Bernardino Valley. However, since the San Bernardino Waster Treatment Plant serves a much greater population and area than Highland, additional facilities may need to be built or expansion of existing facilities may need to be completed to accommodate the proposed build-out of the entire service area.

Mitigation Measures:

- 5.16-1 The City of Highland shall coordinate with the SBMWD during update of the SBMWD Wastewater Collection System Master Plan to reflect General Plan Update build-out statistics to accommodate construction of new or expanded wastewater treatment and collection facilities.

Finding: Mitigation measures are feasible and avoid or substantially lessen potentially significant utilities and service system impacts to a less-than-significant level for the reasons set forth in the DEIR.

Impact 5.16-2: Increased water demand within the City of Highland as a result of general plan build-out would require expansion and/or construction of new water delivery systems and would result in intensification of groundwater pumping within the Bunker Hill Groundwater Basin.

The San Bernardino Valley Municipal Water District (SBVMWD) is legally responsible to maintain the ground-water level in the Bunker Hill Aquifer at the designated safe yield, and is responsible to obtain water through other means, including State Water Project (SWP) water and local runoff, to support the population within

3. Findings on Potentially Significant Impacts

San Bernardino Valley Basin. The SBVMWD, in the Regional Water Facilities Master Plan, proposes an implementation strategy within the basin to meet future demand requirements of the San Bernardino Valley. The focus of the Plan is to give the highest priority to further development of local supplies, with imported water being used to meet the remaining needs. Other resource management strategies of the Plan include water conservation, groundwater management, surface water management, imported water management, reclaimed water management, and spreading operations management. Furthermore, the SBVMWD has established guidelines for water conservation and an enforcement plan as a part of its resolution adopting the 2000 Urban Water Management Plan Update (UWMPU) for the planning period 2000-2020. The UWMPU is in conjunction with the Drought Contingency Plan, Emergency Water Shortage Plan, SWP, and various water conservation programs. Implementation of the Plan and continued coordination with other member agencies within Santa Ana Water Project Authority (SAWPA) would ensure an adequate water supply for future demand within the San Bernardino Valley and the Santa Ana Watershed. As a result, the SBVMWD would have adequate supply to ensure water for residents and business within the City of Highland.

General Plan build out will result in an increase of new development within the City. With increased demand for water within the City, expansion or construction of new water distribution facilities will be necessary to support new development. In particular, the eastern, undeveloped portions of the City would likely require new distribution systems to transport water. Areas of new development include planned mixed-use areas, the new downtown, additional industrial uses, new medium density residential uses along Base Line, and new planned development to the east. The City's water distribution systems are maintained by the East Valley Water District (EVWD). Before the EVWD provides water service to new developments within the City, it determines the project's fair share costs and connection fees associated with servicing the project. Through the use of connection fees and agreements, the EVWD is able to maintain and expand the City's water distribution system as necessary, and is able to ensure that new developments pay their fair share costs associated with increased demand.

Mitigation Measures:

- 5.16-2 The City shall provide the EVWD updated City population and housing information during the update of the Urban Water Management Plan (Water System Management Plan), prepared in accordance with the State Water Code (Section 10610-10645), which describes and evaluates sources of supply, reasonable and practical efficient uses, reclamation and demand management activities, necessary to adequately serve future growth pursuant to the City's General Plan.

Finding: This mitigation measure is feasible and avoids or substantially lessens potentially significant utilities and service system impacts to a less-than-significant level for the reasons set forth in the DEIR.



3. *Findings on Potentially Significant Impacts*

This page intentionally left blank.

4. *Statement of Overriding Considerations*

CEQA requires the decision-maker to balance the benefits of the proposed project against its unavoidable environmental risks in determining whether to approve the project. If the benefits of the project outweigh the unavoidable adverse effects, those effects may be considered “acceptable” (State CEQA Guidelines Section 15093 (a)). However, in this case CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are infeasible to mitigate. Such reasons must be based on substantial evidence in the FEIR or elsewhere in the administrative record (State CEQA Guidelines Section 15093 (b)). The agency’s statement is referred to as a “Statement of Overriding Considerations.”

The City of Highland is proposing to approve the City of Highland General Plan and Development Code Update and has prepared and certified a FEIR that satisfies the requirements of CEQA. The following adverse impacts of the project are considered significant and unavoidable based on the DEIR, FEIR, MMP, and the findings discussed previously in Section 2.0 and 3.0 of this document.

4.1 SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

The DEIR prepared for the City of Highland General Plan Update identified four significant adverse unavoidable project impacts relating to agricultural resources, air quality, mineral resources, and noise.

Agricultural Resources

The project will result in significant environmental impacts related to agricultural resources. Changes in land use resulting from implementation of the proposed General Plan Update would continue to convert the important farmlands, including Prime and Unique Farmland, and Farmland of Statewide Importance, as designated by the California Resources Agency, remaining within the City. Upon site-specific evaluation of designated farmland properties proposed for development, it may be determined that the properties no longer represent significant resources. Since, however this cannot be determined at this time, impacts of the Proposed Project to agricultural resources are considered significant and unavoidable.



Air Quality

The project will result in significant environmental impacts related to air quality. Construction activities associated with individual development projects, and operational phase emissions from stationary and vehicle sources associated with additional development in accordance with the proposed City of Highland General Plan Update could exceed SCAQMD’s significance thresholds. The Goals and Policies contained in the proposed City of Highland General Plan Update are expected to reduce emissions associated with future development. However, even after the application of these Goals and Policies, the proposed project is expected to generate emissions levels that exceed AQMDs threshold criteria for CO, ROG, NO_x, and PM₁₀ in the SoCAB, which is classified as a non-attainment area. The proposed project is also not consistent with the AQMP due to the increase in residential, commercial, and industrial uses generated by the development envisioned in the General Plan Update which would constitute a significant air quality impact. Inconsistency with the AQMP is considered a temporary impact until the next revision of the AQMP when it will incorporate the build-out assumptions of the General Plan update and provide measures to achieve attainment. However, until revision of the AQMP, impacts to air quality are considered significant and unavoidable.

Mineral Resources

The project will result in significant impacts to mineral resources. Significant mineral resources may potentially be developed under the General Plan Update land use designations, and result in a substantial loss of availability of state-designated, known regional and/or locally important mineral resources. Therefore, impacts to mineral resources are considered significant and unavoidable.

4. *Statement of Overriding Considerations*

Noise

The project will result in significant noise impacts upon build-out. The substantial traffic noise increases due to traffic volumes associated with development, and noise and vibration due to construction of new development in accordance with the General Plan Update; would be significant and unavoidable. In addition, impacts to project-related, noise sensitive uses located within airport influence areas where noise is above 65 dBA CNEL due to aircraft would be significant and unavoidable.

4.2 CONSIDERATIONS IN SUPPORT OF THE STATEMENT OF OVERRIDING CONSIDERATIONS

The City of Highland has balanced the project's specific economic, legal, social, technological, and other benefits of the Proposed Project against the project's significant unavoidable impacts to agricultural resources, air quality, mineral resources, and noise. The City Council finds that the project's benefits outweigh the project's significant unavoidable impacts, and those impacts, therefore, are considered acceptable in light of the project's benefits. The City Council finds that each of the following benefits of the Proposed Project, as stated herein, is determined to be, unto itself and independent of the other project benefits, a basis for overriding all unavoidable adverse environmental impacts identified in these Findings.

A significant benefit of the General Plan Update is that it provides a unifying vision for the next 20 years. The Vision provides unity to the entire General Plan as well as policy guidance for City officials and staff. In the absence of this vision, the General Plan lacks a clear direction for the future. Subsequently, development and changes would occur on an individual basis and potentially limit the ability to maximize the potential of the City. In addition to this fundamental improvement, the General Plan includes the following benefits.

Improvement of the City's Jobs/Housing Balance

The City of Highland is predominantly a residential community, where over 60 percent of land in the City is planned for residential development. Currently the City's jobs to housing ratio is approximately 0.23 job per occupied home in comparison to 1.01 jobs per home in the Inland Empire. To improve upon the existing jobs/housing imbalance, the General Plan Update provides for the creation of new employment centers through expansion of the industrial and office sectors, the revitalization of underperforming commercial corridors, and the creation of additional commercial /retail/office opportunities through implementation of a Mixed-Use and Planned Development designations in the new Town Center and Golden Triangle areas, respectively. The jobs/housing ratio at build-out of the General Plan Update is projected to be 1.91 jobs to households, and would thereby contribute to a more balanced jobs/housing ratio within the City, which is presently identified by SCAG as "housing rich," and the County and Subregion.

Enhancement of Highland's Commercial Corridors

Base Line is characterized by an inefficient pattern of strip commercial and poor visual quality. Due to a combination of varying lot sizes, uncoordinated aesthetics and signage and the ineffective configuration of the properties along the corridor, many of the mid-block commercial properties are vacant, underutilized, and dilapidated and do not support a vibrant commercial operation. The City of Highland General Plan Update provides provisions for revitalizing the corridor by infill development of vacant properties, and redevelopment of underperforming mid-block commercial uses to medium-density residential uses, thus providing new housing opportunities in the western half of Highland and simultaneously providing additional retail support with new residents.

4. *Statement of Overriding Considerations*

Provision of Mixed-Use Communities

With the Southern California region's population likely to grow from 17 million to 23 million by 2030, the SCAG asserts that the best way to absorb that growth without destructive traffic and pollution increases is to concentrate development in urban areas and along transportation corridors through planning for mixed-use, higher-density, pedestrian-friendly, transit-oriented development. The City of Highland General Plan Update would promote and be consistent with SCAG's land use strategies by the development of mixed-use areas within the City, including the Town Center and Golden Triangle.

The General Plan Update goals and policies would create a new Town Center that will serve as one of the City's primary commercial nodes and provide a combination of residential, commercial, business, civic and public uses under new Mixed-Use designation. The General Plan update would also ensure protection of single-family residential neighborhoods from incompatible uses by creating a mixed-use urban environment oriented to transit and pedestrian activity with transition areas/buffers between land uses.

Development of the Golden Triangle, through continuation of its Planned Development designation, would enable the City to take advantage of the area's unique characteristics of size, access, location, and visibility. Goals and policies associated with the General Plan Update would create a mixed-use master planned community that integrates residential and open space/recreational amenities with commercial development that would also serve to meet the City's retail and employment needs. Residential and employment generating land uses would also be oriented to transit, transportation, and pedestrian activities through provision of an interconnected system of trails, pedestrian pathways, and local streets.

Promote Economic Development

Lack of available industrial land west of Interstate 15 (I-15) is forcing industrial development to move to eastern San Bernardino County. Highland's strategic location between the SBIA and the Interstate 210 (I-210) corridor represents excellent opportunities for economic development through the revitalization of the 5th Street and Victoria Avenue Corridors. Both corridors are anticipated to serve as major entryways to the airport. The General Plan Update includes provisions to enhance and transform the 5th Street industrial corridor to meet the region's increasing demand for industrial land and derive economic benefits from its proximity to the expanding SBIA. The Victoria Avenue Corridor is anticipated to be the primary passenger entryway to the SBIA and will need to be expanded to accommodate future traffic volumes. The General Plan update includes provisions to establish new land use patterns along Victoria Avenue, including commercial, residential, and business uses, that would improve traffic flow, take advantage of future commercial opportunities, and create a business park node to maximize employment opportunities adjacent to the airport.

Provision of Community Facilities

The proposed General Plan Update reflects the City's vision through a 20-year build-out, and provides goals and policies that will guide future development in the City ensuring the long-term sustainability of community facilities. In the absence of these goals and policies that guide future growth, development would occur but would lack vision and could potentially threaten the existing character of the City. Thus the General Plan Update provides for future growth in the City in a manner which allows for allocation of resources to improve, maintain, or create additional community facilities within the City that would meet the needs of the future population, including the following.

Parks and Recreation. The General Plan identifies the City's parkland goal of two acres of developed and one-half acre of undeveloped natural parkland per 1,000 residents. Based upon this standard, the General Plan identifies that additional parkland is necessary to meet the projected population needs at build-out. The



4. *Statement of Overriding Considerations*

General Plan Update has identified target areas in the central part of the City east and west of City Creek that are designated as high priorities for neighborhood park development. The Seven Oaks area in the eastern-most portion of the City would also provide opportunities to develop recreational uses and preserve open space through the Planned Development designation. The General Plan would provide the land use opportunities to develop the needed parkland in line with future development through land use designations and policies and programs of the Conservation and Open Space Element.

Transportation Improvements. Although traffic increases are associated with the proposed project, traffic improvements have been identified as part of the City's Circulation Element to mitigate the traffic impacts. The Circulation Element, proposed as part of the General Plan Update, reflects changes needed to accommodate the projected population growth of the City. Intersection improvements at key arterial intersections would allow all intersections to operate at an acceptable level of service.

Public Services. While the General Plan does not directly result in construction of new facilities or the provision of additional equipment and personnel to the City's fire, police, school, and library services, the General Plan Update includes goal and policies in the Public Services and Facilities Element aimed to ensure these community service facilities will keep pace with the growth in the City. Institutional land uses would be maintained through implementation of the General Plan Update to ensure high quality of future services.

Implements the Objectives Established for the Project

The proposed General Plan and Development Code Update implements the various objectives established for the project, including the following:

- Provide a comprehensive update to the City's General Plan and Zoning Code to deal more effectively with contemporary issues facing the City of Highland.
- Invigorate key activity centers including the newly designated Town Center on Base Line; the "Golden Triangle" defined by SR-30, 5th Street, and Boulder Avenue; and the 5th Street Corridor paralleling the SBIA.
- Preserve the City's natural setting within the expansive San Bernardino National Forest and the upper reaches of the Santa Ana River.
- Stimulate jobs and economic health through land use changes which promote development of key activity centers described above and redesignate inefficient commercial development along Base Line for residential uses.
- Revitalize existing residential neighborhoods through goals and policies which promote neighborhood improvement.
- Concentrate and enhance commercial uses in strategic locations, primarily at the City's major intersections.
- Identify potential locations for enhanced entryways into neighborhoods and gateways into the City.
- Revitalize neighborhood edges by converting underutilized mid-block commercial uses to housing opportunities and/or community amenities.
- Expand park, open space, and recreational opportunities within the City.

4. *Statement of Overriding Considerations*

4.3 CONCLUSION

For the foregoing reasons, the City of Highland concludes that General Plan and Development Code Update will result in a beneficial mix of residential, commercial, industrial, institutional, recreation, and open space uses providing significant housing, recreational, and public services benefits of local and regional significance, as well as various public infrastructure improvements, which outweigh the unavoidable environmental impacts. Therefore, the City of Highland has adopted this Statement of Overriding Considerations.



4. *Statement of Overriding Considerations*

This page intentionally left blank.

5. References

The following reference materials were reviewed to obtain information included in or considered during the preparation of the DEIR. To arrange for the review one or more of these references, please contact Lawrence A. Mainez, City Planner, City of Highland Planning Department, at (909) 864-8732.

Bolt, Beranek and Newman, 1987. Noise Control for Buildings and Manufacturing Plants.

California Air Resources Board. 2005. Ambient Air Quality Standards for Criteria Pollutants. May 6, 2005.

California Department of Conservation, Division of Land Resource Protection. 2000. Important Farmland Maps for San Bernardino County (2000)

California Department of Conservation. 1995. Mineral Land Classification of a Part of southwestern San Bernardino County: The San Bernardino Valley Area, California, DMG Open-File Report 94-08. Prepared by Division of Mines and Geology. May 10, 1995.

California Department of Conservation. 1987. Mineral Land Classification of the Greater Los Angeles Area, Special Report 143, Part VII, Classification of Sand and Gravel Resource Areas, San Bernardino Production-Consumption Region. Prepared by Division of Mines and Geology. 1987.

California Department of Conservation, Office of Reclamation. 2005. Surface Mining and Reclamation Act of 1975 and Associated Regulations (As amended). February 2005.

California Department of Finance. 2005. Demographic Research Unit. City of Highland 2004 Estimated Population.

California Department of Health Services, Office of Noise Control. 1976 Community Noise. Prepared by Wyle Laboratories for EPA Office of Noise Abatement Control.

California Department of Transportation. 2002. Transportation Related Earthborne Vibrations, Caltrans Experiences. Technical Advisory, Vibration TAV-02-01-R9601. Prepared by Rudy Hendriks. February 20, 2002.

California Department of Water Resources. 2004. California's Groundwater Bulletin 118, February 27, 2004

California Natural Diversity Database, Dated February 25, 2005. Devore, Harrison Mountain, Redlands, San Bernardino North, San Bernardino South Quadrangles. California Department of Fish and Game, Wildlife and Habitat Data Analysis Branch. Searches conducted March 2005.

Caltrans Division of Aeronautics, California Aviation System Plan, Systems Requirements Element. December 2003.

Center for Demographic Research, California State University, Fullerton, Orange County Employment Estimates-1994, September 1996.

City of Fontana General Plan, Open Space and Conservation Element. City of Fontana. Adopted October 21, 2003.

City of Highland. 2003. Housing Element.

City of Highland, Highland Development Code (Current, 2004)



5. References

City of Highland. 1992. General Plan and Environmental Impact Report, Adopted by City Council, October 27, 1992.

City of Redlands 1995 General Plan, Section 7, Open Space and Conservation Element. City of Redlands. August 1995, As Amended on December 12, 1997.

City of San Bernardino. 1998. City of San Bernardino General Plan Update Technical Background Report, Chapter 5, Hazards, Prepared by: Envicom Corporation, February 1988.

Cotton Beland Associates, Inc 1989. City of Highland General Plan and EIR, August 1989.

Department of Water Resources. 2004. Upper Santa Ana Valley Groundwater Basin, Bunker Hill Subbasin. California Groundwater Bulletin 118. Updated February 7, 2004.

Earth Consultants International. 2004. Technical Background Report to the Safety Element of the General Plan for the City of Rancho Mirage, Riverside County, California, June 2004.

Federal Aviation Administration. 1983. FAA Advisory Circular Number 15-5020-2, 1983

Federal Highway Administration. 1982. Federal Highway Program Manual Vol. 7, Ch. 7, Sec. 3, 1982

Husing, John E. 2003. City of Highland Demographic, Economic, and Quality of Life Data, November 15, 2003.

Planning Network. 1997. City of Highland General Plan and EIR, November 24, 1997.

San Bernardino City Unified School District (SBCUSD). 2005. School Facilities Needs Analysis for San Bernardino City Unified School District. Prepared by David Taussig & Associates. March 1, 2005.

San Bernardino County Library. 2001. Facilities Master Plan. Prepared by Providence Associates Inc. December 2001.

San Bernardino County Museum, Archaeological Information Center. 2004. Records search for cultural resources in the City of Highland and archaeological sensitivity map update. November 2004. Prepared by Robin Laska.

San Bernardino Valley Municipal Water District. 1995. Regional Water Facilities Master Plan Volume 1. Prepared by Camp Dresser & McKee. August 15, 1995.

San Bernardino Valley Water Conservation District (SBWCD). 2000. Engineering Investigation of the Bunker Hill Basin 1999-2000.

Southern California Association of Governments (SCAG). 2005. Comments on the NOP EIR and Public Scoping Meeting for the City of Highland General Plan and Development Code Update – SCAG No. I 20050080. Dated March 11, 2005.

Southern California Association of Governments (SCAG). 2005. 2004 Regional Transportation Plan. City Projections.

The Planning Center. 2003. City of Highland Draft Existing Conditions Report. December 10, 2003.

5. References

United States Geological Survey (USGS). 1989. Appraisal of Ground- Water Quality in the Bunker Hill Basin of San Bernardino Valley, California. Water-Resources Investigations Report 88-4203.

Urban Features. 1995. Amendment No. 1 to the Redevelopment Plan EIR. June 1995.

U.S. Department of Finance. 2005. United States Census 2000 and 1990.

U.S. Department of the Interior, Geological Survey. 1988. Southern California Geology: Slope failure hazards in Southern California.

U.S. Environmental Protection Agency. Benefits and Costs of the Clean Air Act. Final Report to Congress on Benefits and Costs of the Clean Air Act, 1990 to 2010. EPA 410-R-99-001.

U.S. Fish and Wildlife Service. 1998. Endangered and Threatened Wildlife and Plants; Emergency Rule to List the San Bernardino Kangaroo Rat; Final Rule. Fish and Wildlife Service 50 CFR Part 17, RIN 1018-AE59. January 27, 1998.

U.S. Fish and Wildlife Service. 2000. Endangered and Threatened Wildlife and Plants; Final Determination of Critical Habitat for the Coastal California Gnatcatcher; Final Rule. Fish and Wildlife Service 50 CFR, Part 17, RIN 1018-AF32. October 24, 2000.

U.S. Fish and Wildlife Service. 2002. Endangered and Threatened Wildlife and Plants; Final Designation of Critical Habitat for the San Bernardino Kangaroo Rat; Final Rule. Fish and Wildlife Service 50 CFR Part 17, RIN 1018-AH07. April 23, 2002.

U.S. Fish and Wildlife Service. 2005. Endangered and Threatened Wildlife and Plants; Final Designation of Critical Habitat for the Santa Ana Sucker (*Catostomus santaanae*); Final Rule. Fish and Wildlife Service 50 CFR Part 17, RIN 1018-AT57. January 4, 2005.



5. *References*

This page intentionally left blank.