

City of Hesperia

STAFF REPORT



DATE: June 18, 2013

TO: Mayor and Council Members

FROM: Mike Podegracz, City Manager

BY: Scott Priester, Director of Development Services
Tina Souza, Management Analyst

SUBJECT: Environmental Impact Report for the Ranchero Road Corridor Widening Project
(C.O. # 7094)

RECOMMENDED ACTION

It is recommended that the City Council adopt Resolution No. 2013-028, certifying the Final Environmental Impact Report (EIR) as complete and adopting the Mitigation Monitoring Reporting Program (MMRP) and the Findings of Fact and Statement of Overriding Considerations (FFSOC) for the Ranchero Corridor Road Widening Project pursuant to the California Environmental Quality Act (CEQA).

BACKGROUND

The Ranchero Road Corridor Widening project consists of widening approximately five miles of Ranchero Road between the Ranchero Road Underpass and the Ranchero Road/Interstate 15 Interchange. In February of 2008, the City contracted with Parsons to perform the engineering design and necessary environmental studies as well as prepare any necessary environmental documents that evaluate potential effects the project may have in accordance with CEQA requirements.

Approximately 50% of the subject five mile stretch of Ranchero Road is located in the unincorporated area of County of San Bernardino. In June of 2011, the City and County entered into a Memorandum of Understanding (MOU) for the design and environmental work to be performed on the project. City staff and Parsons have been working with the County to complete all the required environmental documentation.

The City, acting as the Lead Agency, prepared the Final EIR in compliance with CEQA and the City's General Plan. The project is subject to review and approval by the California Department of Fish and Wildlife (CDFW) for a 1602 Streambed Alteration Permit, the Regional Water Quality Control Board (RWQCB) – Lahontan Region for 401 Water Quality Certification and National Pollution Discharge Elimination System (NPDES) Construction General Permit (CGP) for non-stormwater discharges associated with construction activities which also includes a Storm Water Pollution Prevention Plan (SWPPP), and the U.S. Army Corps of Engineers (ACOE) for a 404 Permit.

ISSUES/ANALYSIS

An Initial Study/Proposed Mitigated Negative Declaration (MND) was prepared for the project in June 2010. The results of the analysis indicated that potential significant noise impacts existed that could not be fully mitigated. Consequently, in order to carry out the project, CEQA requires

the preparation of an EIR. In compliance with CEQA, the Notice of Preparation, Notice of Availability, Notice of Completion, Draft EIR, Technical Studies, and the Final EIR containing the Mitigation Monitoring and Reporting Program were completed and collectively make up the EIR.

The Draft EIR was circulated to 30 agencies as well as the State Clearinghouse. The public review period for the draft was from December 18, 2012 to February 2, 2013. Comments were received by ACOE, the Native American Heritage Commission (NAHC), Mojave Desert Air Quality Management District (MDAQMD), Department of Water Resources (DWR), RWQCB, and CDFW. Many of the comments did not warrant revisions to the Draft EIR; however, revisions were made to the Draft EIR as a result of comments from three of the agencies.

Additionally, notices were sent to residents in the immediate vicinity of Ranchero Road and the City held a Public Open House on January 10, 2013 for citizens and other agencies to discuss the project. There were 17 persons in attendance at the Open House and four comments were received by the public. In general, comments received from citizens were with regards to issues of noise, traffic, and Right-of-Way (ROW) acquisition.

In accordance with CEQA requirements, the Final EIR must be certified and the MMRP and FFSOC adopted prior to any further action on the project such as ROW acquisition. At this time, there is no funding identified by the City to move forward with ROW acquisition or construction; therefore, a projected schedule has not been determined. Any funding allocation requests will be presented to the Council should said funding become available.

Certification of the Final EIR and adoption of the MMRP and FFSOC by the City Council as Lead Agency allows for the County to subsequently adopt the same and carry out portions of the project within their jurisdiction. Currently, the County has some funding for certain segments of the project. Because funding for remaining segments of the project have not been identified by the County, a completion schedule is undetermined.

Following certification of the Final EIR, Parsons will file a Notice of Determination with the County of San Bernardino Clerk's Office in compliance with CEQA.

FISCAL IMPACT

Certifications associated with this phase of the project were included in the City's 2012-13 Capital Improvement Program under Fund 504 in account number 504-29-700-7094-7500.

ALTERNATIVE(S)

1. Provide alternative direction to staff.

ATTACHMENT(S)

1. Resolution 2013-028
2. Findings of Fact and Statement of Overriding Considerations
3. Mitigation Monitoring Reporting Program