

November 2016 | Final Environmental Impact Report
State Clearinghouse No. 2015081086

WATERMAN + BASELINE NEIGHBORHOOD SPECIFIC PLAN

for City of San Bernardino

Prepared for:

City of San Bernardino

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1. Introduction

1.1 INTRODUCTION

This Final Environmental Impact Report (FEIR) has been prepared in accordance with the California Environmental Quality Act (CEQA) as amended (Public Resources Code §§ 21000 et seq.) and CEQA Guidelines (California Code of Regulations §§ 15000 et seq.).

According to the CEQA Guidelines, Section 15132, the FEIR shall consist of:

- (a) The Draft Environmental Impact Report (DEIR) or a revision of the Draft;
- (b) Comments and recommendations received on the DEIR either verbatim or in summary;
- (c) A list of persons, organizations, and public agencies comments on the DEIR;
- (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process; and
- (e) Any other information added by the Lead Agency.

This document contains responses to comments received on the DEIR for the Waterman + Baseline Neighborhood Specific Plan during the public review period, which began July 29, 2016, and closed September 12, 2016. This document has been prepared in accordance with CEQA and the CEQA Guidelines and represents the independent judgment of the Lead Agency. This document and the circulated DEIR comprise the FEIR, in accordance with CEQA Guidelines, Section 15132.

1.2 FORMAT OF THE FEIR

This document is organized as follows:

Section 1, Introduction. This section describes CEQA requirements and content of this FEIR.

Section 2, Response to Comments. This section provides a list of agencies and interested persons commenting on the DEIR; copies of comment letters received during the public review period, and individual responses to written comments. To facilitate review of the responses, each comment letter has been reproduced and assigned a number: A-1 through A-4 for letters received from agencies and organizations. No letters were received by residents. Individual comments have been numbered for each letter and the letter is followed by responses with references to the corresponding comment number.

1. Introduction

Section 3. Revisions to the Draft EIR. This section contains revisions to the DEIR text and figures as a result of the comments received by agencies and interested persons as described in Section 2, and/or errors and omissions discovered subsequent to release of the DEIR for public review.

The responses to comments contain material and revisions that will be added to the text of the FEIR. City of San Bernardino staff has reviewed this material and determined that none of this material constitutes the type of significant new information that requires recirculation of the DEIR for further public comment under CEQA Guidelines Section 15088.5. None of this new material indicates that the project will result in a significant new environmental impact not previously disclosed in the DEIR. Additionally, none of this material indicates that there would be a substantial increase in the severity of a previously identified environmental impact that will not be mitigated, or that there would be any of the other circumstances requiring recirculation described in Section 15088.5.

1.3 CEQA REQUIREMENTS REGARDING COMMENTS AND RESPONSES

CEQA Guidelines Section 15204 (a) outlines parameters for submitting comments, and reminds persons and public agencies that the focus of review and comment of DEIRs should be “on the sufficiency of the document in identifying and analyzing possible impacts on the environment and ways in which significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible. ...CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.”

CEQA Guidelines Section 15204 (c) further advises, “Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.” Section 15204 (d) also states, “Each responsible agency and trustee agency shall focus its comments on environmental information germane to that agency’s statutory responsibility.” Section 15204 (e) states, “This section shall not be used to restrict the ability of reviewers to comment on the general adequacy of a document or of the lead agency to reject comments not focused as recommended by this section.”

In accordance with CEQA, Public Resources Code Section 21092.5, copies of the written responses to public agencies will be forwarded to those agencies at least 10 days prior to certifying the environmental impact report. The responses will be forwarded with copies of this FEIR, as permitted by CEQA, and will conform to the legal standards established for response to comments on DEIRs.

2. Response to Comments

Section 15088 of the CEQA Guidelines requires the Lead Agency (City of San Bernardino) to evaluate comments on environmental issues received from public agencies and interested parties who reviewed the DEIR and prepare written responses.

This section provides all written responses received on the DEIR and the City of San Bernardino's responses to each comment.

Comment letters and specific comments are given letters and numbers for reference purposes. Where sections of the DEIR are excerpted in this document, the sections are shown indented. Changes to the DEIR text are shown in underlined text for additions and ~~strikeout~~ for deletions.

The following is a list of agencies and persons that submitted comments on the DEIR during the public review period.

Number Reference	Commenting Person/Agency	Date of Comment	Page No.
Agencies & Organizations			
A1	Blum Collins, LLP (on behalf of SoCal Environmental Justice Alliance)	September 12, 2016	2-3
A2	Caltrans District 8	September 6, 2016	2-25
A3	Department of Toxic Substances Control	August 19, 2016	2-33
A4	San Bernardino County Department of Public Works	September 12, 2016	2-39

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2. Response to Comments

LETTER A1 – Blum Collins, LLP on behalf of SoCal Environmental Alliance (7 pages)

BLUM | COLLINS LLP

Act Center
707 Wilshire Boulevard
Suite 4880
Los Angeles, California
90017

213.572.0400 phone
213.572.0401 fax

September 12, 2016

Oliver Mujica, Planning Division Manager
City of San Bernardino, Community Development Department
300 North "D" Street, 3rd Floor
San Bernardino, CA 92413
mujica_ol@sbcity.org
Facsimile (909) 384-5155

Via Email, Facsimile & U.S. Mail

Re: *California Environmental Quality Act Comments on Waterman + Baseline
Specific Plan DEIR (State Clearinghouse No. 2015081086)*

Dear Mr. Mujica, the City of San Bernardino and its Community Development
Department:

On behalf of the SoCal Environmental Justice Alliance, this is to comment under the
California Environmental Quality Act ("CEQA") upon the Draft Environmental Impact
Report ("DEIR") for the Waterman + Baseline Specific Plan Project ("The Project").
Thank you for this opportunity to comment.

As we understand it, the Project is intended to create a Specific Plan for the area bounded
by the Warm Creek channel to the southeast, and then North Tippecanoe Avenue to the
east, then the blocks along both sides of Waterman Avenue to East Highland Ave., with
the west side bounded from Baseline down to E. 3rd Street by North Sierra Way. The
Project Objectives listed at I-4 through I-5 vary wildly from those at 3-1, and are too
general to specifically describe the Project. Generally, the Specific Plan area covers
approximately 711 net acres near the center of San Bernardino around the intersection of
Waterman Avenue and Baseline Street. The Project requires a General Plan Amendment,
a Zone Change, and the adoption of the Specific Plan itself, which includes six planning
districts, accommodating 5 types of uses.

A1-1

Our comments follow the order of the DEIR.

Project Description. You indicate in section 3 you would replace 252 units of public
housing in District 3 with a multifamily, mixed income housing development. This is the
only place in the document of which we know that you concede you plan to demolish the
Waterman Gardens complex. You do not mention it under Cultural Resources though
you concede it is a historical resource eligible for listing on both the National and the

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California Registers. You do not mention it under Population and Housing although its demolition would lead to the displacement of up to 252 families. Also in section 3, regarding District 6, you do not specifically indicate that the Project may include industrial uses or light industrial uses. This is a significant omission.

A1-2
cont'd

Section 5.2 Air Quality. We have difficulty with several assumptions in this section. First, regarding Impact 5.2-1, you assert that daily VMT per service population will go down by 42%. You haven't explained how you reach this conclusion and it sounds untenable to us. Regarding Impact 5.2-3 you concede that the long term emissions from the Proposed Project would generate a substantial increase in criteria pollutant emissions and would cumulatively contribute to the nonattainment designation of the Southern California Air Basin ("SCAB"). You conclude based on Fehr & Peers' analysis that the additional daily vehicle miles traveled at buildout would be 96,298. We strongly question this conclusion for at least three reasons. First, you have used an EPA model rather than the standard Institute of Traffic Engineers' ("ITE") model for trip generation. Second, you do so based on the assumption that the present Project represents "transit oriented development." In the entire Specific Plan area there are only six bus lines and none run more frequently than every 15 minutes at peak times. Of those only two do. The rest run only every half hour, and only hourly during the day on weekends. This isn't transit oriented development, as you can't have it without real transit, and as the Fehr and Peers Report notes, the bus stop amenities in the area are "limited, including but not limited to lacking shelters, lacking shade and containing poor pedestrian connectivity." Third, we ran your increased number of housing units and increased non-residential floorspace through Fehr & Peers' online model, with its basic assumptions but also using assumptions regarding retail pass-by, and got significantly higher numbers for VMT, in the 300,000 and 400,000 range. See Attachments A-1 through A-5. While we concede that the retail pass-by rate may be higher than it is in San Ramon, the bottom line is we disagree with your assumptions at this point and therefore cannot agree that NO_x and CO will only be significant for the combined construction and operation phases.

A1-3

Impact 5.2-4 concludes construction activities related to buildout could expose sensitive receptors to significant pollutant concentrations but you do no health risk assessment. Doing one was both fully possible and appropriate as you now propose to shield projects in the area from future review without having informed the public about the risks the Project will entail. (While we are on the topic we wish to note that the *California Building Industry Association* case does not exempt you from analyzing the impacts of the Project on residents within the Project area who are exposed.)

Going back to page 5.2-15 you identify the health effects of ozone and PM_{2.5} but you neglected to do so for PM₁₀ or diesel particulate matter ("DFM") specifically, contrary to the requirements of the *Bakersfield Citizens for Local Control* case.

Regarding Impact 5.2-5, Buildout of the proposed Project could cause new sources of criteria air pollutant emissions and/or toxic air contaminants near existing or planned sensitive receptors, you state at first that "The Proposed Project . . . would not involve warehousing or similar uses where substantial truck idling could occur onsite," and

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second that the area could accommodate more “warehousing and trucking facilities.” Later on you specifically note the employment area allows for light industrial and warehouse uses. If it will allow for warehouses they should be evaluated. Your statement there will be further SCAQMD permitting would not apply regarding warehousing and such uses pose significant health concerns.

A1-3
cont'd

Section 5.3 Biological Resources. Regarding your mitigations for the burrowing owl, you say you will follow the CDFW 2012 Staff Report’s recommendations, but then you say that direct, permanent impact to nesting occupied burrows will follow Appendix A of the Staff Report. To clarify, there should be no impacts to burrowing owl during the breeding season, and the mitigation measure (“MM”) should clarify this. Regarding Impact 5.3-3 to the streambed, you state that under MM BIO-2 there will be mitigation at a 1:1 ratio if avoidance is not feasible. We wish to make sure there is further CEQA review in connection with any potential damage to the streambed. Leaving it up to permits from the resource agencies is not sufficient and is an improper deferral. Regarding Impact 5.3-4 regarding nesting birds, the nesting season is January 1 through September 15. See Attachments B-1 through B-3. Also regarding that Impact, MM BIO-3 should provide for monitoring of active nests by a qualified biologist and the muffling of noise from construction so the adult birds do not leave the nest before the young have fledged.

A1-4

Section 5.4 Cultural Resources. Under Impact 5.4-1 you acknowledge generally that the Specific Plan buildout may affect historic resources but you do not directly address the impact to Waterman Gardens which you elsewhere state you intend to replace. Regarding Impact 5.4-5 you say there are no impacts to known tribal resources because you wrote to the relevant Native American Tribes and did not hear otherwise. We are somewhat surprised given the presence of artifacts at Old Victory Village. Were they informed of those artifacts? As for your MM’s, you list a number to address Impact 5.4-1, concerning historical resources. However, this list of measures appears specifically targeted to resources identified in Table 5.4-1, yet you acknowledge that the area of the Specific Plan has not been comprehensively surveyed, and has several other unlisted potential historic properties, as you note at pages 5.4-11 through -13. Regarding Waterman Gardens in particular we disagree with the conclusion that documenting the property before destroying it, and offering up its artifacts for salvage, is sufficient mitigation to make this impact less than significant. It is unlikely that it will be relocated or purchased under the circumstances identified in your mitigation measures.

A1-5

Section 5.5 Geology and Soils. Impacts 5.5-2 and 5.5-3 address the risks to the population from strong ground shaking and liquefaction and lateral spreading. The DEIR asserts that compliance with the California Building Code and recommendations in yet-to-be-completed geotechnical reports will reduce these impacts to less than significant. This is not based on substantial evidence.

A1-6

Section 5.6 GHG Emissions. While we commend your prescient acceptance of Executive Order B-30-15, the EIR should be recirculated to address its compliance with the newly enacted SB 32 and AB 197. You state at 5.6-17 that because of the Supreme Court’s

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ruling in *California Building Industry Ass'n*, “CEQA does not require an EIR to analyze the effect of attracting development and people to an area.” We do not read the case this way. The Threshold you quote immediately after this statement concedes that a project would have a significant impact if it would generate “[GHG] emissions, either directly or indirectly, that may have a significant impact on the environment.”

As with Air Quality we dispute the Fehr & Peers modeling of traffic and therefore the magnitude of the significant impact you find for Impact 5.6-1 is understated, significantly. Specifically, you state that emissions from on-road transportation would be reduced from 103,764 to 102,059 with the Project. This is not credible since the development will significantly increase the population living and working in the Specific Plan area.

A1-8

Regarding Impact 5.6-2 you find consistency with SCAG’s 2016 RTP/SCS in part based on the substantial decrease in VMT that you project. Again, we disagree with the assumptions that went into this.

Section 5.7 Hazards and Hazardous Materials. You acknowledge that “Portions of the Specific Plan area are on a list of hazardous materials sites,” and that “[t]his impact would be significant,” but you nowhere identify the sites, referring merely to Table 5.7-1 which has a numerical list other than the Newmark Groundwater Contamination Site and the Norton Air Force Base (now SBIA). There is no indication of the nature of the contamination anywhere else or where that contamination is, or how that would impact development. At 5.2-27 you have mitigation measures and MM HAZ-1 purports to solve the problem but again it is not sufficient to inform the public of what the issues are or where they are present.

A1-9

Section 5.11 Noise. Here regarding Impact 5.11-1, construction noise, you state, “Typical construction noise levels shown in Table 5.11-9 were used as the basis for the estimates presented here and represent a worst-case estimate.” If the noise levels are typical we don’t see why it is a worst-case estimate. Regarding Districts 1, 2, 4, 5 and 6 you acknowledge noise up to 70-95 dBA at a distance of 50 feet, but in District 6 it is at a range of 100 feet. You should have provided the basis for your conclusions on these points, in the DEIR and not the Appendices. Regarding vibration, you state it could annoy sensitive receptors but since it will be limited to the hours of 7 a.m. to 8 p.m. this impact won’t be significant. We disagree. One area in the Specific Plan is an Employment District and people will be present in all Districts.

A1-10

On your mitigation measures, you state that with implementing MM N-1 and City noise regulations, “construction-related noise impacts would be less than significant.” On what basis do you reach this conclusion? The DEIR acknowledges that exposure to 70 dBA over a 24-hour period “will result in some hearing loss,” and you are talking about exposure over more than 12 hours a day for a year or possibly more.

Section 5.12 Population and Housing. This section discusses the City’s RHNA obligations but does not address how the Project will impact those obligations. Since you

A1-11

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apparently plan on demolishing the public housing complex at Waterman Gardens this is a significant omission. The closest you come to referring to the fate of the complex is to state that the Specific Plan “could displace a small number of housing units – especially outside of designated enhancement areas (see Figure 3-4).” Figure 3-4 shows that Waterman Gardens is a “catalytic site” and outside of a “designated enhancement area.” You finish your discussion without addressing the City’s RHNA obligations.

Regarding the jobs-housing balance you refer to an APA region-wide guideline of 1.5 jobs per housing unit and indicate that because the area is over that level that the development will be housing-heavy is not a problem. The APA’s figure applies to regions, not cities, and you have billed this Project as “transit-oriented development,” so the Project should have a much higher jobs/housing unit ratio. See Attachment C at ii (“For successful mixed-use centers at transit stations in the region, the jobs-housing ratio is significantly higher than 1.6:1”), 9 (“Centers with jobs-housing ratios significantly below 3.0:1 are not true mixed-use centers but rather more like urban residential neighborhoods.”)

A1-11
cont’d

Section 5.15 Transportation and Traffic. Here you indicate for the first time what is at least in part the cause of your improperly deflated trip generation rates: you have not used the ITE’s Trip Generation Manual, but instead an EPA model called Mainstreet. You claim that the ITE Trip Generation Manual “exaggerat[e]s the impacts of ‘smart growth’ projects,” and that Mainstreet “reduces the bias and more accurately portrays the traffic impacts of mixed-use, compact, infill and transit-oriented development proposals.” We question your assertion that the present project represents a transit-oriented development proposal. There is no light rail available in the Specific Plan area. Only 6 bus routes touch it, and only two of those have a weekday peak hour frequency of 15 minutes. The remainder are at 30 minute headways – and one hour headways on weekends. You can’t have transit-oriented development without transit, and the Specific Plan does not – according to the EIR anyway – have any plans to improve the little transit available in this 711-acre area.

A1-12

Table 5.15-6 Estimated Project Trip Generation, Net Increase discloses that for a Project with 2395 new housing units and 8359 new residents, and 1,204,053 new square feet of nonresidential use, which you expect will lead to 1671 new jobs, you expect only 12,024 daily new trips with 2314 total in the AM peak and 2048 in the PM peak. Only in Appendix I do we see the numbers would be higher if you had used the ITE model. We believe you have significantly underestimated trips given that most residents are likely to generate at least two trips a day regardless of age group.

A1-13

At 5.15-15 you state there are intersections at which traffic delays will *decrease* with the addition of more traffic – specifically intersections 1, 8, 10 and 20. You contend that improved levels of service are due to reduced turning movements and increased through-movements to freeways though you acknowledge in all cases that the intersection will have increased traffic volumes. We do not follow your rationales. This analysis relates to existing (2015) + Project, which isn’t relevant because the Project won’t be built out

A1-14

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until 2035, but we believe it demonstrates a flaw in your model. Would you have reached the same findings using the ITE Trip Generation Manual?

A1-14
con'd

Regarding construction traffic, you largely ignore the issue, based in part on your "expect[ation]" that "most deliveries of construction equipment and materials, and haul truck trips, would be conducted after the AM peak hour and before the PM peak hour." There is no mitigation measure making this so and we do not understand this to be common practice. Moreover, construction impacts would include road blockages and parking for construction workers and equipment which would impact the area. We do not find your conclusion of no significant impact to be based on substantial evidence.

A1-15

Section 7 Alternatives Analysis. Here you indicate that an Adaptive Reuse Alternative was rejected as infeasible based on cost without your providing any cost figures. This relates to Waterman Gardens again although you do not refer to it. This is not based on substantial evidence.

A1-16

Under your discussion of the No Project Alternative ("NPA"), you assume 80% buildout according to the General Plan by 2035, generating 33,106 trips per day relative to the 12,204 under the proposed Project. Did you use the same assumptions and the same model regarding your trip generation figures? You state it would lead to significant impacts regarding NO_x, CO, PM₁₀ and PM_{2.5}. Under the Supreme Court's case in *Vineyard*, you should have discussed the basis for these findings in the DEIR. Regarding Cultural Resources, you state that the buildout would have significant impacts to historic resources but we do not see why.

Regarding Land Use, you claim the NPA is inferior because "the Proposed Project provides long-term economic opportunities," but the proposed Project supplants nonresidential (job creating) development with residential development. And if you are relying on the creation of bicycle paths and sidewalks as generating economic opportunities, you could just as easily implement them as a stand-alone measure under the existing General Plan.¹

A1-17

Regarding Population and Housing you claim the jobs-housing balance "slightly improves" from 1.67 to 1.64; we disagree with your application of this measure within a City and with your conclusions there is an improvement under the Project and an inferior result under the NPA.

On Transportation and Traffic, you assert that the increased number of trips under the NPA will lead to more traffic but this is not necessarily so based on your analysis in the Transportation and Traffic section of the DEIR.

Finally, you assert that the NPA will not meet "any" of the Project Objectives. We disagree. 1. You could still create a specific plan that favored more office development.

A1-18

¹ Appendix I notes that the implementation of bicycle paths on major streets is going to present a challenge though we do not see a reference to that in the EIR.

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2. You could still put in bicycle paths and sidewalks – and you could develop more transit in the area – to foster more walking and biking and transit use. 3. You could in a different specific plan that favors a variety of housing types in the area. 4. You could still implement several measures identified under Objective 4 to improve neighborhood safety. Lighting, for example, is not tied to this particular Specific Plan. 5. You could still promote neighborhood investment with office development. 6. You could still ensure economic prosperity, and more of it with a heavier jobs-housing balance.

A1-18
cont'd

Under your Increased Residential Use Alternative, you assert the jobs-housing balance would “improve.” We question this assumption. At 7-14 you claim this Alternative “would increase impacts related to public services, recreation, utilities and service systems, air quality, greenhouse gas emissions, noise, population and housing, land use and planning, and transportation and traffic.” We do not believe this conclusion is borne out by the text, at least regarding transportation and traffic, air quality, GHG emissions, or population and housing (under your approach). Regarding meeting Project Objectives, you claim it meets “some,” but you do not analyze them so there is no way of seeing how your conclusion is supported or not.

A1-19

At 7-15 regarding the Reduced Intensity Alternative, you state it would continue to exceed thresholds for VOC, NO_x, CO, PM₁₀ and PM_{2.5}. Since not all of these emissions are considered significant under the Project we do not see how, and this shows you altered your analysis somehow as you were preparing the EIR. Please provide the original analysis.

A1-20

At 7-19 you conclude that the Reduced Intensity Alternative would be the environmentally superior one and that it would achieve “most” of the Project Objectives (again, there should be but is not an explanation) but that it would not achieve those Objectives to the same degree as the Project and would “result in greater development pressure elsewhere in the City and could result in greater environmental impacts.” You have not substantiated this assertion.

A1-21

Thank you again for the opportunity to comment on this DEIR. Please advise us when the City issues a Final EIR and when it will consider this Project, at collins@blumcollins.com and bentley@blumcollins.com. Thank you for your consideration.

Sincerely,

/s/Craig M. Collins

Craig M. Collins
Blum Collins LLP

Attachments: A through C

2. Response to Comments

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2. Response to Comments

A1. **Response to Comments from Blum Collins, LLP on behalf of SoCal Environmental Justice Alliance, dated September 12, 2016.**

A1-1 The project objectives found on page 3-1 of the Draft EIR were also the objectives used to analyze the project alternatives as shown on page 7-2. The alternatives included in the executive summary have been revised to be consistent with Chapter 3 and 7 of the DEIR, as shown in Chapter 3 of this FEIR.

A1-2 The Specific Plan and related Programmatic EIR do not authorize or approve the replacement of 252 units of public housing in District 3 with a multifamily, mixed income housing development. The Specific Plan is a policy and planning document; the Plan does not approve or permit the demolition or construction of any physical structures. While the Specific Plan Project Description includes a description and community-based vision for each of the six planning districts, including District 3 Midtown Core, and describes some of the known development projects underway within the Plan area, the physical demolition and redevelopment of Waterman Gardens required the preparation of a separate, project-level environmental analysis.

In March 2013, prior to the formulation of the Specific Plan, the City of San Bernardino prepared and circulated the Waterman Gardens Master Plan Environmental Assessment per the requirements of the National Environmental Policy Act of 1969 (NEPA). The Environmental Assessment analyzed the demolition of the existing 252-residential unit Waterman Gardens public housing complex and the construction of up to 411 new, mixed income units (including 252 replacement affordable housing units' - a 1 to 1 replacement ratio), a community center and other community service-oriented uses at the same location. The City of San Bernardino determined that the proposed project activities would not result in a significant impact on the quality of the human environment. Therefore, an Environmental Impact Statement under NEPA was not required. The Environmental Review Record (ERR) for the Environmental Assessment was available for public review for a minimum period of 18-days beginning on March 19, 2013. The Environmental Assessment was unanimously recommended for approval by the City of San Bernardino Planning Commission at their regularly scheduled public hearing on December 11, 2013 and approved by the City Council of San Bernardino at a noticed, regularly scheduled public hearing on February 18, 2014. In compliance with Section 21152 of the Public Resources Code, a Notice of Determination was filed on April 14, 2014. The statute of limitations for legal challenge has expired.

In addition, an Initial Study/Mitigated Negative Declaration (IS/MND) was prepared and circulated for the Waterman Gardens Master Plan in accordance with the California Environmental Quality Act (CEQA). The IS/MND analyzed the demolition of the existing 252-residential unit Waterman Gardens public housing complex and the construction of up to 411 new, mixed income units (including 252 replacement affordable housing units' - a 1 to 1 replacement ratio), a community center and other

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community service-oriented uses at the same location. The Draft MND identified potentially significant impacts of the Waterman Gardens redevelopment project, discusses avoidance measures incorporated in the project design, and numerous mitigation measures were proposed to further reduce potential impacts of the project. The Draft IS/MND was circulated for public review from March 21, 2013 to April 19, 2013 (SCH#2013031061). Mitigation measures presented in the MND have been included in the Mitigation Monitoring/Reporting Program (MM/RP), and also incorporated by reference in the Conditions of Approval. The mitigation measures in the MM/RP will reduce all of the impacts of the project to less-than-significant levels. The IS/MND was unanimously recommended for approval by the City of San Bernardino Planning Commission at their regularly scheduled public hearing on December 11, 2013 and approved by the City Council of San Bernardino at a noticed, regularly scheduled public hearing on February 18, 2014. In compliance with Section 21152 of the Public Resources Code, a Notice of Determination was filed on April 14, 2014. Both the EA and IS/MND for the Master Plan can be found on the City's Planning webpage: https://www.ci.san-bernardino.ca.us/cityhall/community_development/planning/planning_documents.asp. The statute of limitations for legal challenge has expired.

Within the IS/MND for the Waterman Gardens Master Plan, Section V, Cultural Resources specifically analyzes the historical significance of the Waterman Gardens public housing complex. As the Waterman Gardens public housing complex was found to be eligible for listing in the National Register of Historic Places (NHRP), the IS/MND determined that activities to remove by demolition the existing buildings would be considered an adverse effect. Consequently, the IS/MND includes two measures to mitigate the potential impact to historical resources. The U.S. Department of Housing and Urban Development (HUD), State Officer of Historic Preservation (SHPO), Housing Authority County of San Bernardino (HACSB), and National CORE, entered into a Programmatic Agreement (PA) regarding mitigation measures for the Waterman Gardens redevelopment project. The first measure in the PA requires HACSB to implement and complete National Parks Service Historic American Buildings Survey (HABS) documentation, pursuant to Section 110(b) of the National Historic Preservation Act.

In 2015, Daly and Associates was selected to assist the HACSB and National Community Renaissance in fulfilling the required mitigation measures for the proposed demolition of the Waterman Gardens Public Housing complex. Daly & Associates prepared the HABS document consistent with the standards of the National Park Service HABS. The HABS document was completed, reviewed, and approved by HUD and SHPO prior to demolition.

The second mitigation measure in the PA requires HACSB and National CORE to develop a museum-quality, interpretive education exhibit on the history of the

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Waterman Gardens Public Housing complex that will be housed and maintained permanently in the new community center. Until the new community center is built and open for use, a temporary mock-up of the exhibit will be prepared and installed in the existing community center. This mitigation measure is underway; the content of the exhibit has been approved and the temporary exhibit is currently under production.

The Waterman Gardens Master Plan IS/MND includes analysis within Section XII, Population and Housing, to address the potential displacement of public housing residents living onsite at Waterman Gardens. Per the IS/MND "A relocation plan, provided in Appendix L, has been prepared to ensure residents are provided with temporary housing during project construction. The Relocation Plan includes the projected dates of displacement, an analysis of the relocation needs and relocation housing resources, a description of the relocation advisory services program, and temporary relocation plans. The Waterman Gardens redevelopment project will replace all existing housing and add up to an additional 159 units. Following construction, there will be no need to construct replacement housing elsewhere." As the Relocation Plan is a highly regulated process required by HUD its implementation is being overseen by the project proponent with oversight from the federal government. The Relocation Plan is provided as Appendix A to this FEIR.

Regarding District 6, the Land Use Plan permits a range of uses intended to promote new employment generating uses while buffering the existing auto-related uses that inhabit the majority of the planning district. Per Chapter 4, Land Use Plan, of the Specific Plan District 6 does not permit "industrial uses" but allows "light industrial uses". Light industrial uses are defined as "uses that are less capital-intensive than heavy industry, and are more consumer-oriented than business-oriented focusing on light manufacturing, warehousing and service uses. Permitted uses may include: indoor agricultural production, assembling/processing facilities, food processing/production, industrial arts, radio/television broadcasting, research and development, and warehouse facilities. Prohibited uses include junk and salvage facilities." The permitted uses allowed within District 6 were developed to encourage the creation of new employment opportunities within the Plan area that are complementary with existing uses and may provide opportunities for residents to earn higher wages and reduce vehicle miles traveled. Regardless, the Project Description and the description of District 6 within Chapter 3, Planning Districts, will be updated to include "light industrial uses" to more clearly communicate the vision for this district.

- A1-3 Transportation modeling conducted by Fehr & Peers was conducted using the MainStreet (MXD+) tool which is based on the EPA and NCHRP research to more accurately portray traffic impacts associated with the mixed-used, infill development (see Appendix I to the DEIR).

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- *VMT per Service Population:* The Proposed Project would result in an increase in population and employment opportunities within the Plan area. As a result, even though the Proposed Project would result in an increase VMT, VMT per service population would decrease. This is because the Proposed Project would increase land use intensity, resulting in higher density development, provide employment opportunities in an area that has a low jobs-housing balance, and would increase services.
- *Total VMT and Online F&P Model:* Fehr & Peers used an EPA approved methodology that calculates internalization that was applied to ITE trip generation based on built environment factors. Please note that the EPA methodology only assists in determining internalization - it begins with the use of ITE trip generation rates. As such, ITE trip generation rates were utilized for this project, but the EPA internalization methodology was applied as it is the most statistically robust methodology to estimate trip internalization.

The population for the Plan area was identified based on existing population data per household in the study area (approximately 3.5 persons per household). However, the Specific Plan proposes to change the housing makeup in the area from 1/3 multi-family to 2/3 multi-family. Although population per household would likely decrease with a more predominant multi-family mix (compared to single-family), the population was not adjusted as it provides a conservative assessment for other environmental impacts (such as water and energy use). This affects the VMT per capita in several ways. First, multi-family housing generate approximately 30% fewer trips than single family households. Thus, when combining 30% fewer trips per household with the same population estimates per household, the VMT per capita reduction may appear aggressive. Given that VMT per capita is not used for impact assessment (but other factors tied to population are used for impact assessment), the built in assumptions provide a worst-case assumption for impact analysis.

Fehr & Peers online VMT tool uses regional trip length averages (from Los Angeles, San Bernardino, and Riverside Counties) to estimate VMT. Given the regional nature of the tool, it is more appropriate to utilize average trip length information from more local data sources if available. For this study, Fehr & Peers estimated average trip length information for the Specific Plan area that is more representative of the study area and includes San Bernardino's lower vehicle ownership, income, affordable housing development underway, higher transit use and higher walking and biking; all aspects of the study area that are not similar to the data used in the VMT estimation tool. As such, the VMT developed for the EIR provides a more accurate estimate of trip length for the study area.

Additionally, although the EPA internalization estimates does account for the proximity of transit, it can also account for the different internalization factors

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associated with Transit Oriented Development (TOD). Please note that, although the EPA tool can account for internalization in TOD areas, this was not applied to the study area as it did not meet the minimum requirements for high quality transit service in TOD areas. This was a conservative assumption for estimating trip generation.

As identified in the Section 5.2, *Air Quality*, under Impact 5.2-3, criteria air pollutant emissions would exceed the SCAQMD threshold for VOC for long-term operation and for CO and NO_x during times when construction activities would overlap with project operations.

Air quality impacts evaluated in the DEIR are based on the level of information available for this program level analysis. For this long-range planning project, information regarding the construction phasing, subphasing, demolition quantities, soil import/export, site-specific building square footage, and construction equipment is not available. Because the localized significance threshold (LST) evaluation of concentration of criteria air pollutants is highly dependent on this site-specific information as well as the distance to the nearest sensitive receptor, for program environmental evaluations SCAQMD does not require LST evaluation (see Impact 5.2-4). Future discretionary projects within the Specific Plan area would be subject to SCAQMD's project-level review and would require a LST analysis based on the site-specific information available at the time of the development application. Mitigation Measures AQ-1 and AQ-2 would also be applicable to future developments within the Specific Plan, which would reduce localized construction-related emissions. However, because sensitive receptors may be close to future construction activities, this was considered a significant unavoidable impact of the project.

The commentator is correct, Page 5.2-15 should list both PM_{2.5} and PM₁₀. The requested changes to the DEIR can be found in Section 3 of this FEIR. Additionally, the health effects of PM₁₀ are also listed on pages 5.2-6 through 5.2-7.

- Linked to increased cancer risk (PM_{2.5}, PM₁₀, TACs)
- Aggravates respiratory disease (O₃, PM_{2.5}, PM₁₀)
- Increases bronchitis (O₃, PM_{2.5}, PM₁₀)
- Causes chest discomfort, throat irritation, and increased effort to take a deep breath (O₃)
- Reduces resistance to infections and increases fatigue (O₃)
- Reduces lung growth in children (PM_{2.5}, PM₁₀)
- Contributes to heart disease and heart attacks (PM_{2.5}, PM₁₀)
- Contributes to premature death (O₃, PM_{2.5}, PM₁₀)
- Linked to lower birth weight in newborns (PM_{2.5}, PM₁₀) (SCAQMD 2015e)

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The intent of the Specific Plan is to transition the Plan Area from industrial to commercial-residential. The Employment District within the Specific Plan conditionally permits new light industrial or warehousing. Therefore, industrial and warehousing is not intended to be the primary land use. The Buildout Statistics (see Chapter 3, *Project Description*) developed for the project reflect the land uses anticipated at project buildout and do not include warehousing or similar uses where substantial truck idling would occur. However, because the Specific Plan conditionally allows these types of land uses, future development applicants that include these types of uses would be required to prepare a Health Risk Assessment pursuant to the requirements of Mitigation Measure AQ-7 to ensure that sensitive land uses would not be exposed to substantial concentrations of air pollutants.

- A1-4 Mitigation Measure BIO-1 on page 5.13-16 of the Draft EIR states that “Direct impacts to occupied burrowing owl burrows shall be avoided during the breeding period from February 1 through August 31 and during the nonbreeding season as described in the CDFW Staff Report.” The measure also allows for mitigation of impacts outside of the breeding period consistent with the CDFW Staff Report. “Mitigation for direct, permanent impacts to nesting, occupied, and satellite burrows and/or burrowing owl habitat shall be required based on the burrowing owl life history information in Appendix A of the CDFW Staff Report, site-specific analysis, and consultation with the CDFW.” The mitigation measure also requires that the Burrowing Owl Mitigation Plan be submitted to the CDFW for approval prior to any disturbance. As written the mitigation measure requires avoidance during the breeding season and approval of CDFW for all other disturbance. No modification of the measure is necessary.

Based on the biological analysis of the Proposed Project, the Draft EIR determined that “There are no wetlands onsite, but there is an ephemeral stream in the southern portion of the Specific Plan area that is non-wetland Waters of the United States and non-wetland Waters of the State.” The streambed occupies about 2.2 acres in the Specific Plan area and there is no riparian area save one western cottonwood tree. The EIR also notes that the flood channels for Warm Creek and East Twin Creek onsite are not anticipated to be regulated by the Corps, but may be regulated by the CDFW, and therefore should be considered sensitive.

As no development is proposed with this project Mitigation Measure BIO-2 is written to ensure that any future projects that may affect the streambed first consider avoidance and only if impacts cannot be avoided obtain a permit from be reviewed by US Army Corps of Engineers and the California Department of Fish and Wildlife if applicable. In order to obtain required permits the environmental process of the US Army Corps and CDFW must be completed per the regulations of the respective agency. As these agencies must follow their own environmental guidelines for the issuance of any permit, and since no impact to the streambed can occur until the permits are demonstrated to the City, there is no need to modify the mitigation measure further.

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A1-5 The Specific Plan and related Programmatic EIR do not authorize or approve the replacement of 252 units of public housing in District 3 with a multifamily, mixed income housing development. The Specific Plan is a policy and planning document and does not have the authority to approve or permit the demolition or construction of any physical structures. While the Specific Plan Project Description includes a description and community-based vision for each of the six planning districts, including District 3, Midtown Core and describes some of the known development projects underway within the Plan area, the physical demolition and redevelopment of Waterman Gardens required the preparation of a separate project-level environmental analysis and project specific entitlements as approved by the City of San Bernardino in 2014.

In 2014, prior to the formulation of the Specific Plan, the City of San Bernardino prepared, circulated and certified the Waterman Gardens Master Plan Environmental Assessment (EA) per the requirements of the National Environmental Policy Act of 1969 (NEPA) as well as an Initial Study/Mitigated Negative Declaration (IS/MND) in accordance with the California Environmental Quality Act (CEQA). In compliance with Section 21152 of the Public Resources Code, a Notice of Determination was filed on April 14, 2014. The statute of limitations for legal challenge has expired.

Within the IS/MND for the Waterman Gardens Master Plan, Section V, Cultural Resources there are no historical resources on the Specific Plan area that have been listed in the State Historical Resources Commission or the National Register of Historic Places (NHRP). However, the Waterman Gardens Public Housing complex was found to be eligible for listing in the NHRP. As such the IS/MND determined that the Proposed Project activities to demolish the existing buildings would be considered an adverse effect. Consequently, the IS/MND and the EA include mitigation measures to address the potential impact to historical resources. The mitigation measures have been reviewed and approved by the City of San Bernardino, HUD and SHPO, and all parties entered into a Programmatic Agreement (PA) with HACSB and National CORE regarding mitigation measures for the Waterman Gardens redevelopment project.

A1-6 The design of buildings is based in part on the soil conditions, type of building, size and construction methods. These conditions can vary for each building site even in a closely associated area such as the Proposed Project. As a result, the City requires submission of a soils report tailored to the specific site and design of the building. As stated on Page 5.5-11 of the Draft EIR, “The CBC contains provisions for earthquake safety based on factors including occupancy type, the types of soil and rock onsite, and the strength of ground motion with a specified probability at the site. The geotechnical investigation for a project under the Specific Plan would calculate seismic design parameters, pursuant to CBC requirements, that must be used in the design of the proposed building.” As every site is unique and no building construction can occur without an approved building permit, and the building plans must be consistent with the California Building Code that is intended to result in safe buildings, reliance on

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compliance with the CBC to address impacts associated with ground shaking is appropriate.

- A1-7 Executive Order B-30-15 established a GHG reduction goal of 40 percent below 1990 levels by 2030. The newly enacted Senate Bill 32 (and companion bill Assembly Bill 197), make the goal for year 2030 a legislative target and goes into effect on January 1, 2017. Because Section 5.6, Greenhouse Gas Emissions, utilizes an efficiency target that is based on the statewide goal of reducing GHG emissions by 40 percent below 1990 levels by 2030, the EIR inherently considers the newly enacted legislative target for 2030. Additionally, SB 32 does not become effective until January 1, 2017.

The statement regarding the *California Building Industry Associated v. the Bay Area Air Quality Management District* lawsuit in Section 5.6 was in regarding to climate adaptation. The GHG emissions analysis evaluates the cumulative environmental impacts caused by the Proposed Project. Since the GHG emissions evaluation considers the magnitude of increase in GHG emissions as a result of both direct and indirect GHG emissions caused by the project it satisfies the intent of CEQA to evaluate the impacts of the project on the environment. The effects of climate change that future project residents and employees may experience based on the location of the project (e.g., environmental hazards) are “reverse CEQA” and are not addressed in the EIR since they are not subject to CEQA based on the Supreme Court’s ruling in *California Building Industry Associated v. the Bay Area Air Quality Management District*.

- A1-8 See response to Comment A1-3. Transportation modeling conducted by Fehr & Peers was conducted using the MainStreet (MXD+) tool which is based on the EPA and NCHRP research to more accurately portray traffic impacts associated with the mixed-used, infill development (see Appendix B to this FEIR). As identified in the EIR, the Proposed Project would result in an increase in population and employment opportunities within the Plan Area. As a result, even though the Project would result in an increase VMT, VMT per service population would decrease. This is because the Proposed Project would increase land use intensity, resulting in higher density development, provide employment opportunities in an area that has a low jobs-housing balance, and would increase services. Fehr & Peers' models consider more than just population and employees when forecasting future VMT, as noted in response to Comment A1-3, above.

- A1-9 An environmental database review for the Proposed Project was conducted by Environmental Data Resources, Inc. (EDR) on March 11, 2016, and is summarized in Section 5.7, Hazards and Hazardous Materials, of the Draft EIR (DEIR). The database search report is included in Appendix F of the Draft EIR. The aforementioned Draft EIR section is also based in part on a Phase I Environmental Site Assessment report for part of the Plan area completed by LSA in 2010; the latter report is also included in Appendix F of the DEIR. Mitigation Measure MM HAZ-1 requires preparation of a

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Phase I, and if necessary a Phase II that would remediate any site-specific contamination that was not identified in the site search included in Appendix F of the Draft EIR. See also response to Letter A-3.

- A1-10 Table 5.11-9 shows the range of noise volumes produced by the equipment shown, i.e., the minimum and the maximum noise volumes, so the commentators statement that it does not represent a worst-case is incorrect.

Noise volumes at 100 feet would be less than the noise volumes shown at 50 feet. Therefore, no changes to the DEIR are necessary.

The appendices are part of the EIR. The DEIR sections summarize the findings and conclusions of the technical studies consistent with relevant case law. No changes to the DEIR are necessary.

Uses within the Employment District, District 6 of the Specific Plan, are not considered noise sensitive land uses. No changes to the DEIR are necessary.

Compliance with Mitigation Measure N-1 would reduce noise impacts related to construction to the extent feasible. It should also be noted that construction noise pursuant to a valid written agreement with the City is exempt for the City's Noise Ordinance.

- A1-11 The Specific Plan and related Programmatic EIR do not authorize or approve the replacement of 252 units of public housing in District 3 with a multifamily, mixed income housing development. The Specific Plan is a policy and planning document; the Plan does not approve or permit the demolition or construction of any physical structures. While, the Specific Plan Project Description includes a description and community-based vision for each of the six planning districts, including District 3, Midtown Core and describes some of the known development projects underway within the Plan area, the physical demolition and redevelopment of Waterman Gardens required the preparation of a project-level environmental analysis and project specific entitlements as approved by the City of San Bernardino in 2014. Furthermore, the project specific entitlements for the redevelopment of Waterman Gardens include not only the demolition of the existing 252-residential units but also the construction of up to 411 new, mixed income units (including 252 replacement affordable housing units' - a 1 to 1 replacement ratio), a community center and other community service-oriented uses at the same location. This would result in the addition of 159 new housing units to the Plan area which would be a net benefit for the City of San Bernardino toward meeting their RHNA obligation.

Regarding displacement, the Waterman Gardens Master Plan IS/MND includes analysis within Section XII, Population and Housing, to address the potential displacement of public housing residents living onsite at Waterman Gardens. Per the IS/MND "A

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Relocation Plan, provided in Appendix L, has been prepared to ensure Waterman Garden residents are provided with temporary housing during project construction. The Relocation Plan includes the projected dates of displacement, an analysis of the relocation needs and relocation housing resources, a description of the relocation advisory services program, and temporary relocation plans. The Waterman Gardens redevelopment project will replace 252 affordable housing units' - a 1 to 1 replacement ratio, and add up to an additional 159 units. Following construction, there will be no need to construct replacement housing elsewhere." As the Relocation Plan is a highly regulated process required by HUD, its implementation is being overseen by the project proponent with oversight from the federal government. The Relocation Plan is provided as Appendix A to this FEIR.

With regards to jobs-housing balance, the Proposed Project improves the jobs-housing balance within the City from 1.67 to 1.64 (see Table 5.12-11). Though it is a small improvement, it is an improvement over existing conditions and population and housing impacts were determined to be less than significant. See *Defend the Bay v. City of Irvine*, 15 Cal.Rptr.3d 176 (2004), 119 Cal.App.4th 1261.

- A1-12 See response to Comment A1-3, above.
- A1-13 The proposed land use changes along with the transportation improvements in the Specific Plan are designed to be complimentary and provide convenience for all modes of travel. Fehr & Peers' model takes the entire proposed land use mix into account and does not isolate just the addition of population and jobs. This approach recognizes the benefits of the higher allowable development densities that will provide more employment options closer to home, limiting commute trips and shifting more trips to walk, bike and transit. See response to comment A1-3, above, regarding ITE rates.
- A1-14 Average delay at intersections can decrease when traffic volumes are added to movements with less delay. For example, if an intersection has an average delay of 30 seconds (for all vehicles that go through the intersection), adding traffic to movements with less delay (say 10 seconds of delay) will decrease the average delay of the intersection since more cars will experience delay that is less than the initial average delay.
- See response to Comment A1-3, above, related to ITE trip generation rates.
- A1-15 Given that this is a specific plan that will be implemented over a 20-year period and not an individual development project, it is speculative to predict what level of construction will occur or when. Construction trips will be addressed via conditions of approval on individual development projects and managed through implementation of a construction management plan for individual projects.

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- A1-16 As noted on page 5.4-15 of the Draft EIR, "...ten historical resources in the Specific Plan area were identified in the cultural resources investigation and are described in Table 5.4-1, above. One of the resources, Waterman Gardens, was evaluated as eligible for listing on both the National Register of Historic Places and the California Register of Historical Resources. Three of the other resources have been designated California Points of Historical Interest: the Home of Eternity Cemetery of Congregation Emanuel, the Martin Adobe, and Baseline Street (now Baseline Street); one of these resources, the Martin Adobe, collapsed, and the debris has been removed from the site." Section 5.4 of the Draft EIR explains that any combination of changes including demolition, rehabilitation and reuse is possible within the Proposed Project. No single action is likely to meet the needs of the property owner or applicant. As such, the Draft EIR includes mitigation measures CUL-1 and CUL-2 beginning on Page 5.4-19 that addresses all possible impacts associated with future development. Because it is generally known that remodeling and renovation of existing structures is more expensive than new construction, and the Project objectives cannot be achieved by solely renovation and reuse of existing structures, the alternatives analysis of the Draft EIR rejects reuse as the singular method of addressing future development requests within the Proposed Project.
- A1-17 The Draft EIR concludes on Page 5.12-10 that the change in jobs housing balance from 1.67 to 1.64 while beneficial, is considered neutral for purposes of analysis. The no project alternative discussed in Section 7.0 would result in fewer homes being constructed and therefore a reduced potential for new residents. This loss in the potential for new residents would therefore not improve the jobs housing balance. Since the no project alternative would result in fewer homes than the Proposed Project, this alternative correctly determines that the alternative's impact on jobs housing would be inferior to that of the Proposed Project.
- As stated on Page 7-7 of the DEIR, the No Project/Existing General Plan Alternative would allow more development within the Specific Plan area than would be allowed by the Specific Plan. Therefore, traffic volumes would be increased under this alternative. No changes to the DEIR are necessary.
- A1-18 There are a variety of land use alternatives that could be developed and the Proposed Project allows for flexibility in design, approach and final land use. None of the alternatives included in this comment address a specific environmental impact and none are precluded by the Proposed Project.
- A1-19 The conclusion on Page 7.0-14 of the Draft EIR is in error and has been corrected in the Errata Section (see Chapter 3) of this Final EIR. The corrections are shown below in ~~strike through~~ for deletion:

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This alternative would increase impacts related to public services, recreation, utilities and service systems ~~air quality, GHG emissions, noise, population and housing, land use and planning, and transportation and traffic~~. Impacts related to aesthetics, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, minerals, noise and transportation and traffic would be similar to the Proposed Project. Only impacts to land use and planning and population and housing would be slightly reduced. This alternative is not considered environmentally superior to the Proposed Project.

A1-20 The commentator is correct. The DEIR has been revised as follows:

7.6.2 Air Quality

The Reduced Intensity Alternative would reduce regional air quality impacts by approximately 30 percent. With approximately 30 percent reduction in building area, this alternative would reduce the projected exceedance of the SCAQMD threshold level for regional construction emissions by approximately 30 percent. However, even with the reductions, the Proposed Project would continue to exceed the SCAQMD thresholds of significance. The maximum daily operational phase regional emissions would also be reduced by 30 percent. However, even with the reduction, the net increase would continue to exceed SCAQMD's threshold levels for VOC, ~~and NO_x, CO, PM₁₀, and PM_{2.5}~~. This alternative would reduce the air quality impacts, and it would be environmentally superior to the Proposed Project. However, significant and unavoidable construction and operational phase air quality impacts would not be eliminated.

A1-21 Chapter 7.0 of the Draft EIR provides the evaluation of each environmental impact area and compares the proposed alternative to the impacts anticipated from the Proposed Project. The analysis provides less detail than the Proposed Project consistent with the provisions of §15126.6(d) of the CEQA Guidelines. The following tables summarize the information provided in Chapter 7 of the Draft EIR and will be added to Chapter 7:

Table 7-2 Comparison of Alternatives to the Proposed Project Related to Impacts

Environmental Resource Area	Proposed Project Impact	No Project/Existing General Plan Alternative	Increased Residential Use Alternative	Reduced Intensity Alternative
Aesthetics	LTS	+	0	-
Air Quality	S/U	+	0	-*
Biological Resources	LTSM	0	0	0
Cultural Resources	LTSM	0	0	0
Geology and Soils	LTS	0	0	0
Greenhouse Gas Emissions	S/U	+	0	-*
Hazards and Hazardous Materials	LTSM	+	0	0
Hydrology and Water Quality	LTS	0	0	0

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Table 7-2 Comparison of Alternatives to the Proposed Project Related to Impacts

Environmental Resource Area	Proposed Project Impact	No Project/Existing General Plan Alternative	Increased Residential Use Alternative	Reduced Intensity Alternative
Land Use and Planning	LTS	+	-	0
Mineral Resources	LTS	0	0	0
Noise	S/U	+	0	-*
Population and Housing	LTS	+	-	0
Public Services	LTS	-	+	0
Recreation	LTS	0	+	0
Transportation and Traffic	S/U	+	0	-*
Utilities and Service Systems	LTS	0	+	-

LTS – Less Than Significant

LTSM – Less Than Significant with Mitigation

S/U – Significant and Unavoidable

(+) = Impact considered greater when compared with the Proposed Project.

(0) = Impact considered neutral when compared with the Proposed Project.

(-) = Impact considered less when compared with the Proposed Project.

* Although reduced compared to the Proposed Project, impacts would remain significant and unavoidable.

Table 7-3 Comparison of Alternatives to the Proposed Project Related to Project Objectives

No.	Project Objective	No Project/Existing General Plan Alternative	Increased Residential Use Alternative	Reduced Intensity Alternative
1	Facilitate development and redevelopment of the Project Area consistent with City's General Plan through preparation of a Specific Plan	No	Yes, to a lesser degree	Yes, to a lesser degree
2	Foster development that serves to reduce vehicle miles traveled by promoting alternatives to driving, such as walking, biking, and use of mass transit.	No	Yes, to a lesser degree	Yes, to a lesser degree
3	Provide for a wide-range of housing types consistent with the City's adopted housing element	No	Yes	Yes, to a lesser degree
4	Improve neighborhood safety	No	Yes	Yes
5	Promote neighborhood investment	No	Yes, to a lesser degree	Yes, to a lesser degree
6	Ensure economic prosperity	No	Yes, to a lesser degree	Yes, to a lesser degree

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LETTER A2 – Caltrans District 8 (5 pages)

<p>STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY</p> <p>DEPARTMENT OF TRANSPORTATION DISTRICT 8 PLANNING (MS 725) 464 WEST 4th STREET, 6th FLOOR SAN BERNARDINO, CA 92401-1400 PHONE (909) 388-7017 FAX (909) 383-5936 TTY 711 www.dot.ca.gov/dist8</p>	<p>EDMUND G. BROWN Jr., Governor</p>  <p><i>Serious Drought. Help save water!</i></p>
<p>September 6, 2015</p>	<p>File: 08-SBd-18-PM 6.15 08-SBd-66-PM 23.15 08-SBd-210-PM 24.6 08-SBd-215-PM 7.688</p>
<p>Oliver Mujica City of San Bernardino 300 North D Street, 3rd Floor San Bernardino, CA 92418</p>	
<p>Waterman + Baseline Neighborhood Specific Plan – Traffic Impact Analysis and Final Environmental Impact Report</p>	
<p>Dear Mr. Mujica:</p>	
<p>Thank you for providing the California Department of Transportation (Caltrans) the opportunity to review and comment on the Traffic Impact Analysis (TIA) and Final Environmental Impact Report (FEIR) for the Waterman + Baseline Neighborhood Specific Plan (Project). The proposed project area includes approximately 710 acres located near the center of the City of San Bernardino around the intersection on Waterman Avenue and Baseline Avenue. The Project proposes a maximum build out of up to 4,340 residential units, 3,570,448 square feet of non-residential uses, and associated transportation/mobility and infrastructure improvements.</p>	
<p>In General, Caltrans supports efforts to increase density of infill development and/or redevelopment. This will help meet our Goal of Sustainability, Livability and Economy, where long lasting, smart mobility decisions are made that improve the environment, support a vibrant economy, and build communities not sprawl.</p>	
<p>As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act, it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the City of San Bernardino, due to the project's potential impact to the State facilities, State Route 18 (SR-18), State Route 66, State Route 210 (SR-210), State Route 259, Interstate Route 10 (I-10), and Interstate Route 215 (I-215), it is also subject to the policies and regulations that govern the SHS. We offer the following comments:</p>	
<p><small>"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"</small></p>	

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Mr. Mujica
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Page 2

- 1) Table 4-1, Pages I-25 and I-26: Revise the Existing (2015) Conditions PM Peak Delay and Level of Service (LOS) for the following intersections: a) Waterman Avenue and SR-210 Eastbound Ramps, b) I-215 Southbound Ramps and Baseline Street, c) I-215 Northbound Ramps and Baseline Street, d) I-215 Southbound Ramps and 5th Street, e) I-215 Northbound Ramps and 5th Street, f) SR-210 Southbound Ramps and 5th Street, g) SR-210 Northbound Ramps and 5th Street, h) SR-210 Southbound Off-ramp and 3rd Street, i) I-215 Northbound On-ramp and 3rd Street, j) I-215 Southbound On-ramp and 2nd Street, k) I-215 Northbound Off-ramp and 2nd Street, and l) Waterman Avenue and I-10 Westbound On-ramp, since the inputted traffic volumes on their respective Synchro and Highway Capacity Manual 2010 analyses do not match the traffic counts shown on Figure 4-2. A2-1
- 2) Table 5-2, Page I-37: Check and revise the Existing (2015) Plus Project Conditions PM Peak Delay and LOS for the following intersections: a) I-215 Southbound Ramps and Baseline Street, b) I-215 Southbound Off-ramp and 3rd Street, and c) I-215 Southbound On-ramp and 2nd Street since they are lower than the Existing (2015) Project Conditions. A2-2
- 3) Table 5-3, Page I-39 and Table 7-2, Page I-50: Check and revise the V/C ratios, whether the Maximum V/C Ratio is the highest individual movement or the lane group V/C ratio. A2-3
- 4) Table 6-1, Page I-42: Check and revise the Build-out (2035) No Project Conditions AM Peak Delay and LOS for the following intersections: a) I-215 Northbound Ramps and Baseline Street, b) I-215 Southbound On-ramp and 2nd Street, and c) I-215 Northbound Off-ramp and 2nd Street, since they are lower than both the Existing (2015) and the Existing (2015) Plus Project Conditions. A2-4
- 5) Table 6-1, Page I-42: Check and revise the Build-out (2035) No Project Conditions PM Peak Delay and LOS for the following intersections: a) I-215 Southbound Ramps and Baseline Street, b) I-215 Southbound On-ramp and 5th Street, and c) I-215 Southbound Off-ramp and 3rd Street, since they are lower than both the Existing (2015) and the Existing (2015) Plus Project Conditions. A2-5
- 6) Table 6-1, Page I-42: Check and revise the Build-out (2035) No Project Conditions AM Peak Delay and LOS for Waterman Avenue and I-10 Westbound On-ramp intersection, as it is the same as the Existing (2015) Plus Project Condition. A2-6
- 7) Table 7-1, Page I-48: Check and revise the Build-out (2035) Plus Project Conditions AM Peak Delay and LOS for the following intersections: a) I-215 Northbound Ramps and Baseline Street, b) I-215 Southbound On-ramp and 2nd Street, and c) I-215 Northbound Off-ramp and 2nd Street, as they are lower than the Existing (2015) Plus Project Condition. A2-7

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- | | |
|--|-------|
| 8) Table 7-1, Page I-48: Check and revise the Build-out (2035) Plus Project Conditions PM Peak Delay and LOS for the following intersections: a) I-215 Southbound Ramps and Baseline Street and b) I-215 Southbound Off-ramp and 3 rd Street, since they are lower than the Existing (2015) Plus Project Condition. | A2-8 |
| 9) Table 7-1, Page I-48: Revise the PM Peak Delay to ">50" for Waterman Avenue and I-10 Westbound On-ramp intersection. | A2-9 |
| 10) Page I-54: Check the proposed lane configurations for the AM and PM Synchro Analyses for Waterman Avenue and SR-210 Eastbound Ramps intersection, since the proposed lane configurations in the AM and PM Peak Period do not match. | A2-10 |
| 11) Pages I-54 and I-57: Check and verify existing lane configuration (i.e., SR-210 NB 5 th Street Off-ramp) for SR-210 Northbound Ramps and 5 th Street intersection. | A2-11 |
| 12) Pages I-54 and I-57: Check and verify existing lane configuration (i.e., SB Lanes extending from I-215 2 nd Street Off-ramp) for I-215 Southbound Ramps and 2 nd Street intersection. | A2-12 |
| 13) Pages I-54 and I-57: Check and verify LOS for I-215 Northbound Ramps and 2 nd Street intersection. Signal timing optimization seems insufficient, check and verify if additional improvements (i.e., lane addition) may be required. | A2-13 |
| 14) Provide annual growth rate for the horizon year traffic data in Section 6.0. | A2-14 |
| 15) Explanation how MXD+ variables/percentages were incorporated to generate trip generation rates. It is unclear how MXD model lowered trips as depicted in Table 5-1: Waterman Garden Project Trips, page 28. Provide MXD+ analysis worksheets or tables for review. | A2-15 |
| 16) Provide maps that illustrate the project directional trip distribution at minor and major arterials to clarify traffic flow distribution of SBTAM TAZ. | A2-16 |

Caltrans is committed to providing a safe transportation system for all users. We encourage the City to embark a safe, sustainable, integrated and efficient transportation system and complete street to enhance California's economy and livability. A pedestrian/bike-friendly environment served by multimodal transportation would reduce traffic congestion prevalent in the surrounding areas. (See *Complete Street Implementation Action Plan 2.0* at http://www.dot.ca.gov/hq/tpp/offices/ocp/docs/CSIAP2_rpt.pdf).

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17) We recommend that the City take advantage of currently available incentive programs, technical, and financial assistance from South Coast Air Quality Management District to implement efficiency measures and other low emission technology. Consider using energy efficient products, new lighting technology, "super-compliant" coatings, tree planting and the use of lighter colored roofing and paving materials which reduce energy usage by lowering the ambient temperature in the design of the new developments. A2-17

18) Require future employers to comply with the City's Transportation Demand Management (TDM) Ordinance to reduce the demand for roadway travel, particularly in single occupancy vehicles. The TDM strategies may consist of parking pricing, ridesharing, car sharing, and transit use. Provide preferential parking for vanpools and carpools, price the parking and/or reduce free parking for employees, as well as secure and convenient bicycle parking within the project area. Encourage the employees to switch from driving to transit by incentivizing the transit use. The TDM may also include bike-share stations in Transit hubs within all Districts. A2-18

19) Currently, the proposed Waterman + Baseline neighborhood is served by several transit routes. However, only Route 1 along Waterman Avenue partially serves and connects the proposed neighborhood to the San Bernardino Metrolink Transit Station. We recommend that the City in coordination with the Omnitrans reconfigure the transit routes, stops, and schedules, provide inexpensive, convenient, and accessible shuttles within the project area to provide an efficient transportation network. A coordinated transit services may lead to growth in transit ridership and reduction of Vehicle Miles Traveled and Greenhouse Gases which is one of the primary goals of the 2040 California Transportation Plan. A2-19

20) Promote the use of alternative transportation systems by upgrading and implementing the proposed Class II Bikeways to Class IV Protected Bikeways, particularly on the truck routes, and along 5th Street, Highland Avenue, Waterman Avenue, and Baseline Road. Consider using the roadway configurations and design standards found in the National Association of City Transportation Officials' Urban Street Design Guide and the Urban Bikeway Design Guide. Provide bike parking in compliance with the City's established standards. These standards can establish the required number and types of long-term and short term bicycle parking spaces in the commercial and residential visitor-attracting land uses. For the commercial, industrial, office, and mixed use development, consider requiring shower facilities and bicycle storage. Within the commercial, retail, and services zones and transportation hubs, design the facilities to easy bicycle access through the sites. A2-20

21) Design the local streets within the project site to serve vehicular and pedestrian circulation equally for the safe pedestrian friendly environment. Consider both Americans with Disability Act and California Highway Design Manual standards and requirements to provide transportation routes for all users and modes, including pedestrian and bicyclists. A2-21

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"A Policy on Geometric Design of Highways and Streets", issued by AASHTO, and the "Highway Capacity Manual", published by the Transportation Research Board contain pedestrian LOS criteria. These are means of measuring the ability of the existing pedestrian facilities to provide pedestrian mobility and to determine the need for improvements expansions.

A2-21
cont'd

22) Provide a continuous multi-modal circulation system throughout the project area specifically for pedestrians allowing current/future residents, employees, and guests to access the attraction places. A pedestrian friendly environment might have urban street frontages, shaded pedestrian links, and open spaces/pocket parks with the high visibility crosswalks. Consider installing traffic calming devices, such as signage, road bulbs, chicanes, raised crosswalks, and speed humps and reducing curb-to-curb road widths and employing roadway design features such as islands, pedestrian refuges, and pedestrian count-down signal as needed and appropriate to improve safety and to enhance walkability within the community.

A2-22

23) Relegate the parking spaces to the back of the buildings and locate preferential parking for vanpools and carpools, along with, secure, visible, and convenient bicycle parking/racks accessible to retail and office locations within the project area. Prior to the issuance of each commercial building permit, request the developer/owner to consider the installation of electric vehicle charging stations, and locate parking space for low-emitting, fuel-efficient, alternative-fueled vehicle visitor parking. Additionally, utilize solar parking canopies in the parking lot to improve on-site shading and reduce urban heat island effects.

A2-23

These recommendations are preliminary and summarize our review of materials provided for our evaluation. Office of Traffic Operations will further review and check proposed mitigation measures for each impacted intersection after above recommended revisions have been addressed. If this project is later modified in any way, please forward copies of revised plans as necessary so that we may evaluate all proposed changes for potential impacts to the SHS. If you have any questions regarding this letter, please contact Adrinch Melkonian (909) 806-3928 or myself at (909) 383-4557.

Sincerely,



MARK ROBERTS
Office Chief
Intergovernmental Review, Community and Regional Planning

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2. Response to Comments

A2. Response to Comments from Caltrans District 8, dated September 6, 2016.

- A2-1 This is an error. PM volumes in the Synchro analysis and figure do not match the traffic counts. However, this is an error in PM LOS only. The updated traffic analysis (see Appendix B to this FEIR) shows volumes, delays, and LOS lower in PM and no new significant impacts would result. Section 5.15, *Transportation and Traffic*, of the DEIR has also been revised based on the updated traffic analysis and is included as Appendix C to this FEIR.
- A2-2 The relevant analysis was updated as requested. Existing PM analysis results in lower delay for Existing PM than what was previously shown and no new significant impacts would result. Please refer to Appendix B of this FEIR for the updated traffic analysis. Section 5.15, *Transportation and Traffic*, of the DEIR has also been revised based on the updated traffic analysis and is included as Appendix C to this FEIR.
- A2-3 This text was removed from the updated traffic analysis since the V/C criteria is no longer relevant (see Appendix B to this FEIR).
- A2-4 See response to Comment A2-2.
- A2-5 See response to Comment A2-2.
- A2-6 See response to Comment A2-2.
- A2-7 See response to Comment A2-2.
- A2-8 See response to Comment A2-2.
- A2-9 This has been revised as requested. Waterman Avenue & Baseline Street was changed to show >80 as well. Please refer to Appendix B of this FEIR for the updated traffic analysis. Section 5.15, *Transportation and Traffic*, of the DEIR has also been revised based on the updated traffic analysis and is included as Appendix C to this FEIR.
- A2-10 The referenced analysis was checked and confirmed to be accurate.
- A2-11 The analysis has been updated to include the correct lane configurations. There is no longer an impact at this location. Please refer to Appendix B of this FEIR for the updated traffic analysis. Section 5.15, *Transportation and Traffic*, of the DEIR has also been revised based on the updated traffic analysis and is included as Appendix C to this FEIR.
- A2-12 The relevant analysis was updated to include the correct lane configurations. Please refer to Appendix B of this FEIR for the updated traffic analysis. Section 5.15, *Transportation and Traffic*, of the DEIR has also been revised based on the updated traffic analysis and is included as Appendix C to this FEIR.

2. Response to Comments

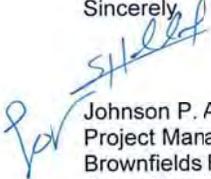
- A2-13 The referenced analysis was checked and confirmed to be accurate.
- A2-14 The Furness method was used to forecast future traffic volumes and worksheets are provided in the appendix to the updated traffic study (see Appendix B to this FEIR). Since model volumes were used to forecast, there is not a single annual growth rate applied consistently to each intersection, rather, each intersection turning movement volume was grown independently based on the specific model growth in the intersection vicinity.
- A2-15 An updated and more comprehensive explanation was provided in the text of the updated traffic study (see Appendix B to this FEIR).
- A2-16 The updated traffic analysis (see Appendix B to this FEIR) provides peak period model select zone bandwidth plots in an appendix to the traffic study.
- A2-17 Comment noted. Section 5.5 of the Specific Plan contains Sustainability Guidelines, which will be incorporated into future development within the Specific Plan area.
- A2-18 Comment noted. The City of San Bernardino has adopted a TDM ordinance which will apply to future development within the Specific Plan area.
- A2-19 Comment noted. Chapter 5 of the Specific Plan includes Design Guidelines intended to improve access to transit and alternative modes of transportation within the Specific Plan area. Also see Chapter 6, *Mobility Plan*, of the Specific Plan which also improves transit opportunities within the Specific Plan area.
- A2-20 Comment noted. Chapter 6, *Mobility Plan*, of the Specific Plan includes improved bicycle routes throughout the Specific Plan area.
- A2-21 Comment noted. Chapter 6, *Mobility Plan*, of the Specific Plan includes improved pedestrian access throughout the Specific Plan area.
- A2-22 Comment noted. Chapter 6, *Mobility Plan*, of the Specific Plan includes improved pedestrian access throughout the Specific Plan area.
- A2-23 Comment noted. The Specific Plan incorporates these measures to the extent feasible.

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LETTER A3– Department of Toxic Substances Control (3 pages)

		
Department of Toxic Substances Control	Department of Toxic Substances Control	
Matthew Rodriguez Secretary for Environmental Protection	Barbara A. Lee, Director 5796 Corporate Avenue Cypress, California 90630	Edmund G. Brown Jr. Governor
August 19, 2016		
<p>Mr. Oliver Mujica Planning Division Manager Community Development Department City of San Bernardino 300 North "D" Street San Bernardino, California 92418</p>		
<p>DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) FOR WATERMAN + BASELINE NEIGHBORHOOD SPECIFIC PLAN PROJECT (SCH# 2015081086)</p>		
<p>Dear Mr. Mujica:</p>		
<p>The California Department of Toxic Substances Control (DTSC) has reviewed the subject document. The following project description is stated in your document: "The proposed Specific Plan would establish a land use and development framework, identify needed transportation and infrastructure improvements, and serve as a marketing tool for attracting developers to key sites and for boosting economic development. The preferred land use plan for the Proposed Project accommodates an increase in existing residential uses from an estimated 1,946 units to approximately 4,341 units and an increase in non-residential uses from roughly 2,366,385 square feet to approximately 3,570,448 square feet."</p>		
<p>Based on the review of the submitted document DTSC has the following comments:</p>		
<p>1. The Environmental Impact Report (EIR) should identify the current or historic uses at the project site that may have resulted in a release of hazardous wastes/substances.</p>	A3-1	
<p>2. If there are any recognized environmental conditions that exist on the project area, then proper investigation, sampling and remedial actions overseen by the appropriate regulatory agencies should be conducted prior to the new development or any construction.</p>	A3-2	
<p>3. If buildings or other structures are present onsite, then lead-based paints or products, mercury, and asbestos containing materials (ACMs) should be addressed in accordance with all applicable and relevant laws and regulations.</p>	A3-3	
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2. Response to Comments

<p>Mr. Oliver Mujica August 19, 2016 Page 2</p>	
<p>4. If during construction/demolition of the project, soil and/or groundwater contamination is suspected, construction/demolition in the area would cease and appropriate health and safety procedures should be implemented.</p>	A3-4
<p>5. Chapter 5 of the EIR states, "Portions of the northern and northwestern parts of the Specific Plan area are above the Newmark Groundwater Contamination Superfund site, which underlies eight square miles of the City of San Bernardino. The major contaminants are two solvents, trichloroethylene (TCE) and perchloroethylene (PCE)." Potential human health risk from contaminated soil/groundwater should be evaluated and included in the EIR. If any risk is identified, proper investigation and remedial actions should be implemented prior to the construction activities at the Site.</p>	A3-5
<p>6. Chapter 5 of the EIR further states, "A plume of contaminants consisting mainly of TCE and PCE was identified in groundwater in and southwest of the former Norton Air Force Base (now San Bernardino International Airport). SBIA is listed by the Department of Defense and CERCLIS (Superfund sites); the nearest extent of the Superfund site to the Specific Plan area is about 0.5 mile to the southeast. Past hazardous material management practices at Norton Air Force Base included burial of drums and other unspecified materials; disposal of waste oils, solvents, and paint residues into landfills, unlined pits, ponds, and drying beds; storage of contaminants in leaking underground tanks and; spills of gas, oils, solvents, polychlorinated biphenyls (PCBs), and acids (USEPA 2016). The US Air Force began cleanup work on the plume in 1994; the case was closed by the Santa Ana Regional Water Quality Control Board in 2011 (Kennedy-Jenks 2012)." Potential human health risk from contaminated soil/groundwater should be evaluated and included in the EIR. For identified risks, appropriate mitigation measures should be included in the EIR.</p>	A3-6
<p>If you have any questions regarding this letter, please contact me at (714) 484-5476 or email at Johnson.Abraham@dtsc.ca.gov.</p>	
<p>Sincerely,</p> 	
<p>Johnson P. Abraham Project Manager Brownfields Restoration and School Evaluation Branch Brownfields and Environmental Restoration Program – Cypress</p>	
<p>kl/sh/ja</p>	
<p>cc: See next page</p>	

2. Response to Comments

Mr. Oliver Mujica
August 19, 2016
Page 3

cc: Governor's Office of Planning and Research (via e-mail)
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
Stateclearinghouse@opr.ca.gov

Mr. Guenther W. Moskat, Chief (via e-mail)
Planning and Environmental Analysis Section
CEQA Tracking Center
Department of Toxic Substances Control
Guenther.Moskat@ctsc.ca.gov

Mr. Dave Kereazis (via e-mail)
Office of Planning & Environmental Analysis
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

Mr. Shahir Haddad, Chief (via e-mail)
Schools Evaluation and Brownfields Cleanup
Brownfields and Environmental Restoration Program - Cypress
Shahir.Haddad@dtsc.ca.gov

CEQA# 2015081086

2. Response to Comments

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2. Response to Comments

A3. Response to Comments from Department of Toxic Substances Control, dated August 19, 2016.

- A3-1 An environmental database review for the Specific Plan area was conducted by Environmental Data Resources, Inc. (EDR) on March 11, 2016, and is summarized in Section 5.7, Hazards and Hazardous Materials, of the Draft EIR (DEIR). The database search report is included in Appendix F of the Draft EIR. The aforementioned Draft EIR section is also based in part on a Phase I Environmental Site Assessment report for part of the Specific Plan area completed by LSA in 2010; the latter report is also included in Appendix F of the DEIR.
- A3-2 Mitigation Measure HAZ-1 set forth in Section 5.7 of the DEIR requires:
- A Phase I Environmental Site Assessment (ESA) shall be conducted before issuance of grading permits or building permits for projects developed pursuant to the Specific Plan.
 - Where such Phase I Assessments identified recognized environmental conditions affecting the relevant project sites, Phase II Environmental Site Assessments (sampling, testing, and a human health hazard assessment).
 - Where a Phase II Assessment identified contaminant concentrations that could pose substantial human health hazards, remediation of such contamination to below regulatory action thresholds.
- A3-3 Regulations governing abatement, containment, and disposal of lead-based paint and asbestos-containing material are summarized in DEIR Section 5.7, Hazards and Hazardous Materials. Demolition of structures pursuant to the Specific Plan would comply with such regulations.
- A3-4 Environmental site assessments (Phase Is; and Phase IIs and remediation, as required) of sites of projects developed pursuant to the Specific Plan.
- A3-5 The Newmark Operable Unit (OU) underlies approximately the portion of the Specific Plan area from 9th Street to the north site boundary (USEPA 2014). The depth to groundwater below ground surface in 2015 ranged between 200 to 250 feet under the southern part of the Specific Plan area, and between 250 to 300 feet under the northern part of the Specific Plan area (SBWCD) – that is, most of the part of the site under the OU. Specific Plan buildout would not involve drilling groundwater wells; any grading or excavation pursuant to the Specific Plan would be far shallower than the depth to groundwater. The OU is known to regulatory agencies, and remediation efforts are underway. The OU would be known to environmental professionals conducting environmental site assessments for projects developed pursuant to the Specific Plan. The portion of the Specific Plan area over the OU is in the service area of the San

2. Response to Comments

Bernardino Municipal Water Department (SBMWD), part of whose water supplies consist of groundwater from the project region. Water quality respecting SBMWD water supplies is discussed in Section 5.16, Utilities and Service Systems, of the DEIR. Development projects pursuant to the Specific Plan would not pose substantial human health risks.

- A3-6 The Norton Air Force Base Groundwater Contamination case was closed by the Santa Ana Regional Water Quality Control Board in 2011. Two military cleanup sites consisting of contamination affecting soil are open cases: A small arms range where soil is contaminated with lead and was also contaminated with arsenic; and a fire protection training area where soil was contaminated with unspecified pollutants (SWRCB 2016).¹ The nearer of those sites to the Specific Plan area is about 2.3 miles away. Remedial work has been done at the small arms range, and site investigation has been conducted at the fire protection training area. Both of the cases are known to regulatory agencies. Considering the distance of the two sites to the Specific Plan area and the media affected (soil), neither of the sites poses substantial human health risks to people in the Specific Plan area. No human health risk assessment is required for projects developed pursuant to the Specific Plan.

¹ Two other military cleanup sites within the former Norton Air Force Base are listed as open cases by the State Water Resources Control Board: Drum Storage Area 1, and Landfill IRP-2. However, the Drum Storage Area 1 site was closed in 2005 with land use controls. A Closure Plan/Post Closure Maintenance Plan for the landfill was approved in 2008 (SWRCB 2016). Thus, those two cases are functionally closed cases.

2. Response to Comments

LETTER A4 – San Bernardino County Department of Public Works (4 page)



825 East Third Street, San Bernardino, CA 92415-0835 | Phone: 909.387.8109 Fax: 909.387.7876
www.SBCounty.gov

Gerry Newcombe
Director

Department of Public Works
 Environmental & Construction • Flood Control
 Operations • Solid Waste Management
 Surveyor • Transportation

File: 10(ENV)-4.01

September 12, 2016

City of San Bernardino
 Oliver Mujica, Planning Division Manager
 Planning Department
 300 North "D" Street
 San Bernardino, CA. 92418
Mujica_ol@sbcity.org

RE: NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE WATERMAN/BASELINE SPECIFIC PLAN FOR THE CITY OF SAN BERNARDINO

Dear Mr. Mujica:

Thank you for giving the San Bernardino County Department of Public Works the opportunity to comment on the above-referenced project. **We received this request on August 1, 2016** and pursuant to our review, the following comments are provided:

Flood Control Planning Division (David Lovell, PWE III, 909-387-7964):

1. It appears from the information that was provided that several proposed infrastructure improvements (waterlines, sewer-lines, storm drains, and a basin) impacts a San Bernardino County Flood Control District (District) facility (Twin Creek Channel, C/E). Any encroachments on District right-of-way will require a permit from the District. Also, District facilities built by the Army Corps of Engineers (ACOE) will require the District to obtain approval from the ACOE. A4-1

Environmental Management Division (Merrill Padabaugh, Stormwater Program Manager, 909-387-8112): A4-1

1. Concerning the DEIR Hydrology Section: in general, the section needs to be revised to clarify what Federal, State, and Local regulations (and Permits) apply and how the City and Proposed Project Proponent(s) will implement these regulations. The most specific changes needed are below:
 - a. Page 5.8-2, National Pollutant Discharge Section: The City is not an MS4 Phase II area, it is a Phase I. The City Public Works Department is not the local enforcing agency of the MS4 Permit (there is no *local* enforcing agency), the Santa Ana Regional Water Quality Control Board is. In all, this section needs significant revision to accurately reflect the NPDES regulatory environment and applicable regulations as they apply to the City and this specific plan. A4-2
 - b. Page 5.8-3, MS4 Permit: WQMPs are required for development and redevelopment projects of 10,000 sq. ft. and 5,000 sq. ft. (not a one-acre threshold). Again, this A4-3

BOARD OF SUPERVISORS

ROBERT A. LOVINGOOD Vice Chairman, First District	JANICE RUTHERFORD Second District	AMES RAMOS Chairman, Third District	CURT HAGMAN Fourth District	JOSIE GONZALES Fifth District
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GREGORY C. DEVEREAUX
Chief Executive Officer

2. Response to Comments

O. Mujica, City of San Bernardino
NOA DEIR Waterman/Baseline Specific Plan
September 12, 2016
Page 2 of 2

section needs to be revised to accurately reflect the NPDES regulatory environment and applicable regulations as they apply to the City and this specific plan | A4-3
cont'd

c. Page 5.8-3, Storm Water Pollution Prevention Plans: Need to revise the language to reflect the most recent Construction General Permit (2010-0014-DWQ) requirements. | A4-4

d. Page 5.8-16, Impact 5.8-1: WQMPs are subject to approval only by the City of San Bernardino, not the County of San Bernardino (County) Stormwater Program. | A4-5

e. Page 5.8-16, Impact 5.8-2: WQMPs are not required by the County Stormwater Program, they are a requirement of the NPDES MS4 Phase 1 permit issued by the SARWQCB. | A4-6

f. Page 5.8-19, Table 5.8-1: Are these the only BMPs that will be utilized during construction? There are many more BMPs available to use, but not all are applicable to all projects. Please clarify. | A4-7

Water Resources Division (Mary Lou Mermillod, PWE III, 909-387-8213):

1. We recommend that the project include, and the City enforce, their most recent regulations for development within a floodplain. | A4-8

Transportation Planning Division (Jinghui Bradley, PWE III, 909-387-8173):

1. The specific plan includes an area that is under County jurisdiction (see attached). Identify the area and discuss how the project impacts County roads. Please clarify if the intention is to annex this particular area. | A4-9

2. Please be mindful of County's road designation for the following roads within the above mentioned area: Major Highway (104' ROW, 40' curb separation) for 3rd Street and 5th Street; Secondary Highway (88' ROW, 64' curb separation) for 4th Street and 6th Street. | A4-10

If you have any questions, please contact the individuals who provided the specific comment, as listed above.

Sincerely,



NIDHAM ARAM ALRAYES, NSCE, PE, QSD/P
Public Works Engineer III
Environmental Management

NAA:PE:sr

2. Response to Comments

A4. Response to Comments from County of San Bernardino Department of Public Works, dated September 12, 2016.

A4-1 The City acknowledges that any encroachments on San Bernardino County Flood Control District (“District”) right-of-way, such as at the Twin Creeks Channel, will require a permit from the District. The City also acknowledges that encroachments on any facilities built by the US Army Corps of Engineers (Corps) would require a permit from the Corps.

A4-2 The comment requests that the following two corrections be made to DEIR Page 5.8-2:

- EPA’s Storm Water Phase *II* Final Rule be revised to Phase *I* Final Rule
- The enforcing agency of the MS4 NPDES permit be revised to Santa Ana Regional Water Quality Control Board.

Section 5.8, *Hydrology and Water Quality*, Page 5.8-2, of the DEIR is revised as follows: added text is shown underlined and deleted text is shown in ~~strikethrough~~.

The NPDES has a variety of measures designed to minimize and reduce discharges. All counties with storm drain systems that serve a population of 50,000 or more, as well as construction sites one acre or more in size, must file for and obtain an NPDES permit. Another measure for minimizing and reducing pollutant discharges to a publicly owned conveyance or system of conveyances (including roadways, catch basins, curbs, gutters, ditches, man-made channels and storm drains, designed or used for collecting and conveying stormwater) is the EPA’s Storm Water Phase ~~II~~ I Final Rule. The Phase ~~II~~ I Final Rule requires an operator (such as a City) of a regulated small municipal separate storm sewer system (MS4) to develop, implement, and enforce a program (e.g., best management practices [BMPs], ordinances, or other regulatory mechanisms) to reduce pollutants in post-construction runoff to the City’s storm drain system from new development and redevelopment projects that result in the land disturbance of greater than or equal to one acre. The Santa Ana Regional Water Quality Control Board ~~City of San Bernardino Public Works Department~~ is the ~~local~~ enforcing agency of the MS4 NPDES permit.

A4-3 The comment requests that the threshold for applicability of water quality management plans be revised. Section 5.8, *Hydrology and Water Quality*, Page 5.8-3, of the DEIR is revised as follows: added text is shown underlined and deleted text is shown in ~~strikethrough~~.

2. Response to Comments

MS4 Permit

Waste discharge requirements for discharges to municipal storm drainage systems in the part of San Bernardino County within the Santa Ana Watershed are set forth in Order No. R8-2010-0036 (“MS4 Permit”) issued by the Santa Ana Regional Water Quality Control Board in 2010. The City of San Bernardino is a co-permittee on the MS4 Permit. Several categories of development projects including development projects creating 10,000 square feet or more of impervious surfaces, and redevelopment projects adding or creating 5,000 square feet or more of impervious surfaces within the area subject to the aforementioned MS4 Permit ~~disturbing one acre or more area~~ must prepare and implement Water Quality Management Plans specifying BMPs for minimizing water pollution. Requirements for Water Quality Management Plans are set forth by the San Bernardino County Stormwater Program.

- A4-4 The comment requests that requirements under the Statewide General Construction Activity permit be revised to reflect requirements of permit no. 2010-0014-DWQ.

Section 5.8, *Hydrology and Water Quality*, Page 5.8-3, of the DEIR is revised as follows: added text is shown underlined and deleted text is shown in ~~striketrough~~.

Storm Water Pollution Prevention Plans

Pursuant to the CWA, in 200410, the SWRCB issued a statewide general NPDES Permit for storm water discharges from construction sites (NPDES No. CAS000002). Under this Statewide General Construction Activity permit, discharges of storm water from construction sites with a disturbed area of one or more acres are required to either obtain individual NPDES permits for storm water discharges or to be covered by the General Permit. Coverage by the General Permit is accomplished by ~~completing and filing a Notice of Intent Permit Registration Documents~~ with the SWRCB and developing and implementing a Storm Water Pollution Prevention Plan (SWPPP). Each applicant under the General Construction Activity Permit must ensure that a SWPPP is prepared prior to grading and is implemented during construction. The SWPPP must estimate sediment risk from construction activities to receiving waters; list BMPs implemented on the construction site to protect storm water runoff, and must contain a visual monitoring program; a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs; and a monitoring plan if the site discharges directly to a water body listed on the state’s 303(d) list of impaired waters.

- A4-5 Section 5.8, *Hydrology and Water Quality*, Page 16, of the DEIR is revised as follows: added text is shown underlined and deleted text is shown in ~~striketrough~~.

2. Response to Comments

Impact Analysis: Developments conforming with the Proposed Project would increase the total amount of impervious surfaces in the Specific Plan area. Projects would be required to prepare and implement water quality management plans (WQMPs) subject to approval and enforcement by the City of San Bernardino County Stormwater Program.

- A4-6 The comment requests that the agency requiring compliance with the MS4 permit be revised to the Santa Ana Regional Water Quality Control Board.

Section 5.8, *Hydrology and Water Quality*, Page 16, of the DEIR is revised as follows: added text is shown underlined and deleted text is shown in ~~striketrough~~.

Impact Analysis: Developments pursuant to the Specific Plan would increase the total amount of impervious areas in the Specific Plan area, as explained above under Impact 5.8-1. ~~The San Bernardino County Stormwater Program requires that~~ Priority projects would be required to infiltrate stormwater to the maximum extent practicable and use biotreatment and harvest-and-use BMPs for the remainder of the design capture volume—that is, approximately the stormwater volume from a two-year storm – in compliance with the MS4 Permit (Order No. R8-2010-0036) issued by the Santa Ana Regional Water Quality Control Board.

- A4-7 The comment asks whether the BMPs listed in Table 5.8-1 on page 5.8-19 are the only BMPs that would be used during construction. No. At this programmatic level of analysis individual BMPs that would be required for specific future development projects are unknown. DEIR Section 5.8, *Hydrology and Water Quality*, Page 5.8-18, is revised as follows: added text is shown underlined and deleted text is shown in ~~striketrough~~.

Stormwater Pollution Prevention Plans

Each project involving construction of one acre or more in area would prepare and implement a SWPPP estimating sediment risk from construction activities to receiving waters, and specifying construction BMPs to be implemented to minimize stormwater pollution. Categories of ~~Construction BMPs are described summarized~~ in Table 5.8-1 below.

- A4-8 The comment asks that the latest regulations of the City of San Bernardino for development within a floodplain be included in the Hydrology and Water Quality Section. No revision is required.

The City of San Bernardino’s regulations for developments within a floodplain are set forth in Chapter 19.16, *FP (Flood Plain Overlay) Zone* of the City’s Municipal Code. Municipal Code Section 19.16.030 states that Chapter 19.16 applies to “all areas of special flood hazards, areas of flood-related erosion hazards and areas of mud slide (i.e. mud flow) hazards within the jurisdiction of the City.”

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Section 19.16.020 defines Special flood hazard area as an area having special flood or flood-related erosion hazards, and shown on an FHBM [Flood Hazard Boundary Map] or FIRM as Zone A, AO, A1-30, AE, A99, AH, CO, C1-V30, VE, or V. All of those flood zones are 100-year flood zones. As stated on DEIR pages 5.8-9 and -10, the only parts of the Specific Plan area mapped as 100-year flood zones by FEMA are the East Twin Creek and Warm Creek channels. The two channels are owned by the San Bernardino County Flood Control District and are required for public safety. The Proposed Project does not propose any developments or other land use changes in the channels.

A4-9 The land uses proposed for the Specific Plan area are consistent with the City's existing pre-zoning for the relevant parcels and the area is shown in the Specific Plan for conceptual purposes only. The City has no intention or plan to annex the area.

A4-10 The comment asks that roadway descriptions in DEIR Section 5.15.1.1 be revised to reflect County roadway designations on certain roadways within the part of the Specific Plan area in unincorporated San Bernardino County. DEIR Section 5.15, *Transportation and Traffic*, Page 5.15-2, is revised as follows: added text is shown underlined and deleted text is shown in ~~strike through~~.

3rd Street: 3rd Street, extending east-west along the south Specific Plan area boundary, is classified as a major highway by the County of San Bernardino between the eastern Specific Plan boundary at the City Creek and Waterman Avenue. A Major Highway is a four-lane highway with roadway width of 80 feet and right-of-way width of 104 feet.

Between Waterman Avenue and Sierra Way, 3rd Street is classified by the City of San Bernardino as a local street. 3rd Street is 54 feet wide and allows for two lanes of traffic in both the east- and westbound directions with no median in the Specific Plan area. East of Waterman Avenue, 3rd Street has a two-way left turn lane and an additional right turn lane for traffic in the westbound direction. This segment of 3rd Street includes signalized intersections, stop-controlled intersections, and uncontrolled access. The posted speed limit is 40 miles per hour.

5th Street: 5th Street is classified as a major arterial oriented east-west from Sierra Way to Waterman Avenue ~~the City Creek crossing on the east Specific Plan boundary~~. This segment of 5th Street is 64 feet wide, consists of two lanes of traffic in each direction, and has a two-way left turn lane. On-street parking is allowed on both sides of 5th Street between Waterman Avenue and Sierra Way. Access to 5th Street is controlled by signalized intersections, stop-controlled intersections, and uncontrolled access points. The posted speed limit is 40 miles per hour. From Waterman Avenue to City Creek 5th Street is classified as a Major

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Highway by the County of San Bernardino, with a four-lane roadway 80 feet wide and a right-of-way 104 feet wide.

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3. Revisions to the Draft EIR

3.1 INTRODUCTION

This section contains revisions to the DEIR based upon (1) additional or revised information required to prepare a response to a specific comment; (2) applicable updated information that was not available at the time of DEIR publication; and/or (3) typographical errors. This section also includes additional mitigation measures to fully respond to commenter concerns as well as provide additional clarification to mitigation requirements included in the DEIR. The provision of these additional mitigation measures does not alter any impact significance conclusions as disclosed in the DEIR. Changes made to the DEIR are identified here in ~~strikeout text~~ to indicate deletions and in underlined text to signify additions.

3.2 DEIR REVISIONS IN RESPONSE TO WRITTEN COMMENTS

The following text has been revised in response to comments received on the DEIR. In addition, an updated traffic study is included in Appendix B to this FEIR and an updated Section 5.15, *Transportation and Traffic*, is included in Appendix C to this FEIR.

Page 5.2-15 of Chapter 5.2, *Air Quality*, in the DEIR is hereby modified as follows in response to Comment A1-3 from Blum Collins, LLP.

- Linked to increased cancer risk (PM_{2.5}, PM₁₀, TACs)
- Aggravates respiratory disease (O₃, PM_{2.5}, PM₁₀)
- Increases bronchitis (O₃, PM_{2.5}, PM₁₀)
- Causes chest discomfort, throat irritation, and increased effort to take a deep breath (O₃)
- Reduces resistance to infections and increases fatigue (O₃)
- Reduces lung growth in children (PM_{2.5}, PM₁₀)
- Contributes to heart disease and heart attacks (PM_{2.5}, PM₁₀)
- Contributes to premature death (O₃, PM_{2.5}, PM₁₀)
- Linked to lower birth weight in newborns (PM_{2.5}, PM₁₀) (SCAQMD 2015e)

Page 5.8-2 of Chapter 5.8, *Hydrology and Water Quality*, in the DEIR is hereby modified as follows in response to Comment A4-2 from County of San Bernardino Public Works.

The NPDES has a variety of measures designed to minimize and reduce discharges. All counties with storm drain systems that serve a population of 50,000 or more, as well as construction sites one acre or more in size, must file for and obtain an NPDES permit. Another measure for minimizing and reducing pollutant

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discharges to a publicly owned conveyance or system of conveyances (including roadways, catch basins, curbs, gutters, ditches, man-made channels and storm drains, designed or used for collecting and conveying stormwater) is the EPA's Storm Water Phase II I Final Rule. The Phase II I Final Rule requires an operator (such as a City) of a regulated small municipal separate storm sewer system (MS4) to develop, implement, and enforce a program (e.g., best management practices [BMPs], ordinances, or other regulatory mechanisms) to reduce pollutants in post-construction runoff to the City's storm drain system from new development and redevelopment projects that result in the land disturbance of greater than or equal to one acre. The Santa Ana Regional Water Quality Control Board ~~City of San Bernardino Public Works Department~~ is the local enforcing agency of the MS4 NPDES permit.

Page 5.8-3 of Chapter 5.8, *Hydrology and Water Quality*, in the DEIR is hereby modified as follows in response to Comment A4-3 from County of San Bernardino Public Works.

MS4 Permit

Waste discharge requirements for discharges to municipal storm drainage systems in the part of San Bernardino County within the Santa Ana Watershed are set forth in Order No. R8-2010-0036 ("MS4 Permit") issued by the Santa Ana Regional Water Quality Control Board in 2010. The City of San Bernardino is a permittee on the MS4 Permit. ~~Several categories of development projects including development projects creating 10,000 square feet or more of impervious surfaces, and redevelopment projects adding or creating 5,000 square feet or more of impervious surfaces within the area subject to the aforementioned MS4 Permit disturbing one acre or more area~~ must prepare and implement Water Quality Management Plans specifying BMPs for minimizing water pollution. Requirements for Water Quality Management Plans are set forth by the San Bernardino County Stormwater Program.

Page 5.8-3 of Chapter 5.8, *Hydrology and Water Quality*, in the DEIR is hereby modified as follows in response to Comment A4-4 from County of San Bernardino Public Works.

Storm Water Pollution Prevention Plans

Pursuant to the CWA, in 2004~~10~~, the SWRCB issued a statewide general NPDES Permit for storm water discharges from construction sites (NPDES No. CAS000002). Under this Statewide General Construction Activity permit, discharges of storm water from construction sites with a disturbed area of one or more acres are required to either obtain individual NPDES permits for storm water discharges or to be covered by the General Permit. Coverage by the General Permit is accomplished by ~~completing and filing a Notice of Intent~~ Permit Registration Documents with the SWRCB and developing and implementing a Storm Water Pollution Prevention Plan (SWPPP). Each applicant under the General Construction Activity Permit must ensure that a SWPPP is prepared prior to grading and is implemented during construction. The SWPPP must estimate sediment risk from construction activities to receiving waters; list BMPs implemented on the construction site to protect storm water runoff, and must contain a visual monitoring program; a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs; and a monitoring plan if the site discharges directly to a water body listed on the state's 303(d) list of impaired waters.

3. Revisions to the Draft EIR

Page 5.8-16 of Chapter 5.8, *Hydrology and Water Quality*, in the DEIR is hereby modified as follows in response to Comment A4-5 from County of San Bernardino Public Works.

Impact Analysis: Developments conforming with the Proposed Project would increase the total amount of impervious surfaces in the Specific Plan area. Projects would be required to prepare and implement water quality management plans (WQMPs) subject to approval and enforcement by the City of San Bernardino County Stormwater Program.

Page 5.8-16 of Chapter 5.8, *Hydrology and Water Quality*, in the DEIR is hereby modified as follows in response to Comment A4-6 from County of San Bernardino Public Works.

Impact Analysis: Developments pursuant to the Specific Plan would increase the total amount of impervious areas in the Specific Plan area, as explained above under Impact 5.8-1. ~~The San Bernardino County Stormwater Program requires that p~~Priority projects would be required to infiltrate stormwater to the maximum extent practicable and use biotreatment and harvest-and-use BMPs for the remainder of the design capture volume—that is, approximately the stormwater volume from a two-year storm — in compliance with the MS4 Permit (Order No. R8-2010-0036) issued by the Santa Ana Regional Water Quality Control Board. Therefore, Specific Plan buildout would not substantially reduce groundwater recharge into the Bunker Hill Groundwater Basin, and impacts would be less than significant.

Page 5.8-18 of Chapter 5.8, *Hydrology and Water Quality*, in the DEIR is hereby modified as follows in response to Comment A4-7 from County of San Bernardino Public Works.

Stormwater Pollution Prevention Plans

Each project involving construction of one acre or more in area would prepare and implement a SWPPP estimating sediment risk from construction activities to receiving waters, and specifying construction BMPs to be implemented to minimize stormwater pollution. Categories of Construction BMPs are described summarized in Table 5.8-1 below.

Page 5.15-2 of Chapter 5.15, *Transportation and Traffic*, in the DEIR is hereby modified as follows in response to Comment A4-10 from County of San Bernardino Public Works.

3rd Street: 3rd Street, extending east-west along the south Specific Plan area boundary, is classified as a major highway by the County of San Bernardino between the eastern Specific Plan boundary at the City Creek and Waterman Avenue. A Major Highway is a four-lane highway with roadway width of 80 feet and right-of-way width of 104 feet. Between Waterman Avenue and Sierra Way, 3rd Street is classified by the City of San Bernardino as a local street. 3rd Street is 54 feet wide and allows for two lanes of traffic in both the east- and westbound directions with no median in the Specific Plan area. East of Waterman Avenue, 3rd Street has a two-way left turn lane and an additional right turn lane for traffic in the westbound direction. This segment of 3rd Street includes signalized intersections, stop-controlled intersections, and uncontrolled access. The posted speed limit is 40 miles per hour.

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5th Street: 5th Street is classified as a major arterial oriented east–west from Sierra Way to Waterman Avenue ~~the City Creek crossing on the east Specific Plan boundary~~. This segment of 5th Street is 64 feet wide, consists of two lanes of traffic in each direction, and has a two-way left turn lane. On-street parking is allowed on both sides of 5th Street between Waterman Avenue and Sierra Way. Access to 5th Street is controlled by signalized intersections, stop-controlled intersections, and uncontrolled access points. The posted speed limit is 40 miles per hour. From Waterman Avenue to City Creek 5th Street is classified as a Major Highway by the County of San Bernardino, with a four-lane roadway 80 feet wide and a right-of-way 104 feet wide.

Page 7-14 of Chapter 7, *Alternatives*, in the DEIR is hereby modified as follows in response to Comment A1-19 from Blum Collins, LLP.

This alternative would increase impacts related to public services, recreation, utilities and service systems ~~air quality, GHG emissions, noise, population and housing, land use and planning, and transportation and traffic~~. Impacts related to aesthetics, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, minerals, noise and transportation and traffic would be similar to the Proposed Project. Only impacts to land use and planning and population and housing would be slightly reduced. This alternative is not considered environmentally superior to the Proposed Project

Page 7-15 of Chapter 7, *Alternatives*, in the DEIR is hereby modified as follows in response to Comment A1-20 from Blum Collins, LLP.

7.6.2 Air Quality

The Reduced Intensity Alternative would reduce regional air quality impacts by approximately 30 percent. With approximately 30 percent reduction in building area, this alternative would reduce the projected exceedance of the SCAQMD threshold level for regional construction emissions by approximately 30 percent. However, even with the reductions, the Proposed Project would continue to exceed the SCAQMD thresholds of significance. The maximum daily operational phase regional emissions would also be reduced by 30 percent. However, even with the reduction, the net increase would continue to exceed SCAQMD's threshold levels for VOC, ~~and NO_x, CO, PM₁₀, and PM_{2.5}~~. This alternative would reduce the air quality impacts, and it would be environmentally superior to the Proposed Project. However, significant and unavoidable construction and operational phase air quality impacts would not be eliminated.

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Page 7-19 of Chapter 7, *Alternatives*, in the DEIR is hereby modified to include the following two tables in response to Comment A1-21 from Blum Collins, LLP.

Table 7-2 Comparison of Alternatives to the Proposed Project Related to Impacts

<u>Environmental Resource Area</u>	<u>Proposed Project Impact</u>	<u>No Project/Existing General Plan Alternative</u>	<u>Increased Residential Use Alternative</u>	<u>Reduced Intensity Alternative</u>
<u>Aesthetics</u>	<u>LTS</u>	<u>±</u>	<u>0</u>	<u>-</u>
<u>Air Quality</u>	<u>S/U</u>	<u>±</u>	<u>0</u>	<u>-*</u>
<u>Biological Resources</u>	<u>LTSM</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>Cultural Resources</u>	<u>LTSM</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>Geology and Soils</u>	<u>LTS</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>Greenhouse Gas Emissions</u>	<u>S/U</u>	<u>±</u>	<u>0</u>	<u>-*</u>
<u>Hazards and Hazardous Materials</u>	<u>LTSM</u>	<u>±</u>	<u>0</u>	<u>0</u>
<u>Hydrology and Water Quality</u>	<u>LTS</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>Land Use and Planning</u>	<u>LTS</u>	<u>±</u>	<u>-</u>	<u>0</u>
<u>Mineral Resources</u>	<u>LTS</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>Noise</u>	<u>S/U</u>	<u>±</u>	<u>0</u>	<u>-*</u>
<u>Population and Housing</u>	<u>LTS</u>	<u>±</u>	<u>-</u>	<u>0</u>
<u>Public Services</u>	<u>LTS</u>	<u>-</u>	<u>±</u>	<u>0</u>
<u>Recreation</u>	<u>LTS</u>	<u>0</u>	<u>±</u>	<u>0</u>
<u>Transportation and Traffic</u>	<u>S/U</u>	<u>±</u>	<u>0</u>	<u>-*</u>
<u>Utilities and Service Systems</u>	<u>LTS</u>	<u>0</u>	<u>±</u>	<u>-</u>

LTS – Less Than Significant

LTSM – Less Than Significant with Mitigation

S/U – Significant and Unavoidable

(+) = Impact considered greater when compared with the Proposed Project.

(0) = Impact considered neutral when compared with the Proposed Project.

(-) = Impact considered less when compared with the Proposed Project.

* Although reduced compared to the Proposed Project, impacts would remain significant and unavoidable.

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Table 7-3 Comparison of Alternatives to the Proposed Project Related to Project Objectives

No.	Project Objective	<u>No Project/Existing General Plan Alternative</u>	<u>Increased Residential Use Alternative</u>	<u>Reduced Intensity Alternative</u>
1	<u>Facilitate development and redevelopment of the Project Area consistent with City's General Plan through preparation of a Specific Plan</u>	<u>No</u>	<u>Yes, to a lesser degree</u>	<u>Yes, to a lesser degree</u>
2	<u>Foster development that serves to reduce vehicle miles traveled by promoting alternatives to driving, such as walking, biking, and use of mass transit.</u>	<u>No</u>	<u>Yes, to a lesser degree</u>	<u>Yes, to a lesser degree</u>
3	<u>Provide for a wide-range of housing types consistent with the City's adopted housing element</u>	<u>No</u>	<u>Yes</u>	<u>Yes, to a lesser degree</u>
4	<u>Improve neighborhood safety</u>	<u>No</u>	<u>Yes</u>	<u>Yes</u>
5	<u>Promote neighborhood investment</u>	<u>No</u>	<u>Yes, to a lesser degree</u>	<u>Yes, to a lesser degree</u>
6	<u>Ensure economic prosperity</u>	<u>No</u>	<u>Yes, to a lesser degree</u>	<u>Yes, to a lesser degree</u>