

## **SECTION 1: INTRODUCTION**

### **1.1 - Overview, Purpose, and Authority of the EIR**

This Draft Environmental Impact Report (DEIR) is prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts associated with the implementation of the San Bernardino University Hills Specific Plan (UHSP) Project (State Clearinghouse No. 2007071155). This document is prepared in conformance with CEQA (California Public Resources Code, Section 21000, et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000, et seq.), and the City of San Bernardino “Rules for Implementing CEQA.”

The purpose of an Environmental Impact Report (EIR) is to disclose information to the public and to the decision makers about the potential environmental effects of a proposed project. An EIR does not recommend either approval or denial of a proposed project; rather, it is intended to provide a source of independent and impartial analysis of the foreseeable environmental impacts of a proposed course of action. This DEIR describes the proposed project, analyzes its environmental effects, and discusses reasonable alternatives that would avoid, reduce, or minimize environmental impacts.

The City of San Bernardino is the Lead Agency for the proposed project. The San Bernardino Mayor and Common Council will consider the information presented in this document in making an informed decision regarding the approval, conditions of approval, or denial of the proposed project.

This document is a project-level EIR for the UHSP that has been prepared subsequent to the City of San Bernardino General Plan EIR (SCH# 2004111132) and the Paradise Hills Specific Plan EIR (SCH# 1991012055), certified by the San Bernardino Mayor and Common Council in 2005 and 1993, respectively. The EIR is intended to serve as an informational document for the public agency decision makers and the public regarding the UHSP Project.

#### **1.1.1 - Overview**

The proposed project consists of 404.3 acres with the development of 980 residential and related uses proposed on approximately 169.5 acres (42 percent of the site). Residential densities range from zero to 20 acres with a gross density of 2.4 units per acre and a net density of 5.8 units per acre. Section 3, Project Description, provides a complete description of the proposed project.

#### **1.1.2 - Purpose and Authority**

This DEIR provides a project-level analysis of the environmental effects of the proposed project. The environmental impacts of the proposed project are analyzed in the DEIR to the degree of specificity appropriate, in accordance with CEQA Guidelines Section 15146 and Section 15162. This document addresses the potentially significant adverse environmental impacts that may be associated with the planning, construction, or operation of the project. It also identifies appropriate and feasible

mitigation measures and alternatives that may be adopted to significantly reduce or avoid these impacts.

CEQA requires that an EIR contain, at a minimum, certain specific elements. These elements are contained in this DEIR and include:

- Table of Contents;
- Introduction;
- Executive Summary;
- Project Description;
- Environmental Setting, Significant Environmental Impacts, and Mitigation Measures;
- Cumulative Impacts;
- Significant Unavoidable Adverse Impacts;
- Alternatives to the Proposed Project;
- Growth-Inducing Impacts;
- Effects Found Not To Be Significant; and
- Areas of Known Controversy.

### **1.1.3 - Lead Agency Determination**

The City of San Bernardino is designated as the Lead Agency for the project. CEQA Guidelines Section 15367 defines the lead agency as “. . . the public agency, which has the principal responsibility for carrying out or approving a project.” Other public agencies may use this DEIR in the decision-making or permit process and consider the information in this DEIR along with other information that may be presented during the CEQA process.

This DEIR was prepared by a consultant, Michael Brandman Associates (MBA), whose work was peer reviewed by independent consultants under contract to the City. This DEIR reflects the independent judgment and analysis of the City as required by CEQA. Lists of organizations and persons consulted and the report preparation personnel are provided in Sections 8 and 9 of this DEIR, respectively.

### **1.1.4 - Determining What Type of EIR to Prepare**

The purpose of this DEIR is to provide project-level analysis of environmental impacts from a proposed project in light of current conditions, circumstances, and information. The DEIR contains a description of the project, description of the environmental setting, identification of the project impacts and cumulative impacts, and mitigation measures to reduce project impacts, as well as an analysis of alternatives to the project. This project-level DEIR incorporates by reference information and analysis contained in the City of San Bernardino General Plan EIR and the Paradise Hills Specific Plan EIR, certified by the San Bernardino City Mayor and Common Council in 2005 and 1993, respectively.

The primary focus of the City of San Bernardino General Plan EIR was to evaluate the environmental impacts of development and land use activities contemplated by the Land Use Plan that would buildout by approximately 2030. The General Plan EIR analyzed development and land use at a programmatic level. The General Plan EIR considered the development of the project site according

to the Paradise Hills Specific Plan (PHSP). The PHSP Project consisted of 504 single-family residential units on 228 acres out of a total of 404 acres (56.4 percent of the site) compared to 169.5 acres out of a total of 404 acres (42 percent of the site) for the proposed UHSP.

CEQA Guidelines Section 15162 provides that a supplemental or subsequent EIR is warranted if the Lead Agency determines, among other things, that substantial changes have occurred to a project that will have one or more significant effects not discussed in the previous EIR. If only minor changes have occurred, a supplemental EIR may be more appropriate; if more substantial changes have occurred, then a more extensive “subsequent” EIR is more appropriate. In this instance, the size of the proposed project has increased in terms of number of units beyond what was previously evaluated in the General Plan EIR and the Paradise Hills Specific Plan EIR. Therefore, the City of San Bernardino has determined that a subsequent EIR is warranted for the proposed UHSP project. This DEIR utilizes new technical reports for aesthetics; air quality; biological resources; geology, soils and seismicity; hydrology and water quality; noise; transportation; utilities; and service systems. The new information presented by these new technical reports reflects changes in circumstances or contains information that was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIRs were certified.

Where appropriate, this DEIR incorporates previous analyses conducted as part of the General Plan EIR and Paradise Hills Specific Plan EIR. Under Section 10150 of the State CEQA Guidelines, incorporation by reference is appropriate when the sequence of analysis follows from an EIR prepared for a general plan, policy, or program to an EIR of more specific or project level scope, such as with the UHSP. The General Plan EIR and Paradise Hills Specific Plan EIR, respectively, are policy and general plan level documents for future development on the land contained within the boundaries of the project site. The proposed project is more intense in scope than the project contemplated in the General Plan EIR and the Paradise Hills Specific Plan EIR. Where potential impacts associated with the proposed project were adequately analyzed in either the General Plan EIR or the Paradise Hills Specific Plan EIR, this DEIR will incorporate that analysis by reference and summarize the results of that analysis. However, new analysis will be required for the extent or intensity of the project site that was not evaluated in those two documents.

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## 1.2 - Scope of the EIR

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This DEIR addresses the potential environmental effects of the proposed project. The City issued a Notice of Preparation (NOP) for the proposed project on July 27, 2007, which circulated for the statutory 30-day period (SCH# 2007071155). That NOP identified the EIR to be prepared as a Supplemental EIR to the General Plan EIR and the Paradise Hills EIR, but the City subsequently determined that the EIR should be a “stand alone” document or a Subsequent EIR rather than tier off of or rely directly on the General Plan EIR or the PHSP EIR. The NOP was revised and reissued on April 24, 2008 to reflect this change in the type of document being prepared.

The scope of this DEIR includes the potential environmental impacts identified in both NOPs, comments obtained during two public scoping meetings (held on August 2, 2007 and May 7, 2008) at the San Bernardino Economic Development Agency office, as well as issues raised by agencies and the public in response to the NOPs. Copies of the NOPs are included in Appendix A of this DEIR. Eight (8) comment letters were received in response to the first NOP, and eight (8) letters were received in response to the revised NOP. The NOP comment letters are listed in Table 1-1 and included in Appendix A of this DEIR. One person from the San Bernardino School District attended the first scoping session, while three persons attended the second scoping session – these persons are listed in Table 1-1.

Table 1-1: IS-NOP Comments

Agency	Author	Date
<b>Comment Letters - Public Agencies</b>		
U.S. Department of Agriculture, Forest Service	Gabe Garcia, District Ranger	August 27, 2007
California Native American Heritage Commission	David Singleton, Program Analyst	August 2, 2007
California State University San Bernardino (CSUSB)	Kimberlyn Williams, Associate Professor of Biology	August 27, 2007
South Coast Air Quality Management District (SCAQMD)	Steve Smith, Ph.D., CEQA Section Program Director	August 3, 2007
Southern California Association of Governments (SCAG)	Jacob Lieb, Manager, Environmental Division	August 13, 2007
San Bernardino County Department of Public Works, Environmental Management Division	Frank Molina, Supervising Planner	July 31, 2007
City of Highland	Lawrence Mainez, City Planner	August 17, 2007
<b>Comment Letters – Private Parties and Non-Governmental Organizations (NGOs)</b>		
San Bernardino Valley Audubon Society	David Goodward, Conserv. Chair	August 26, 2007
<b>* Comment Letters - Public Agencies (Revised)</b>		
Office of Planning and Research (OPR)	Scott Morgan	April 25, 2008
Southern California air Quality Management District (SCAQMD)	Steve Smith, Ph.D	May 6, 2008
Southern California Association of Governments (SCAG)	Jacob Lieb	May 22, 2008
California Native American Heritage Commission	Dave Singleton	May 22, 2008
California Department of Water Resources	Paul Farris	May 27, 2008

**Table 1 1: IS-NOP Comments (Cont.)**

Agency	Author	Date
California Department of Public Health	Lance Salisbury	May 12, 2008
<b>**Comment Letters – Private Parties and Non-Governmental Organizations (NGOs) (Revised)</b>		
Crestline Soaring Society, Inc.	Alan Crouse	May 11, 2008
City of Colton Community Development Department	Andres L. Soto	April 29, 2008
<b>Attendees at Scoping Meetings</b>		
San Bernardino City Unified School District	Tim Deland	August 2, 2007
OmniTrans	Brett Clavio	May 7, 2008
Andy Jackson Airpark	Alan Crouse-President	May 7, 2008
Norm Meek (CSUSB professor, private citizen)	CSUSB professor (private citizen)	May 7, 2008
Source: State Clearinghouse and City of San Bernardino, 2007. * Revised Notice of Preparation (NOP) comment letters. ** Revised Private Parties and Non-Governmental Organizations (NGOs), Notice of Preparation (NOP) comment letters.		

### 1.2.1 - Environmental Issues Determined To Be Not Significant

After the submittal of preliminary development application materials, the City determined that a comprehensive EIR would be needed to examine all of the potential environmental impacts of the proposed development. Therefore, an Initial Study was not prepared and circulated with the NOP, as allowed for in CEQA Guidelines Section 15081.

An explanation of why each issue is determined to be not significant is provided in Section 7, *Effects Found Not To Be Significant*.

### 1.2.2 - Potentially Significant Environmental Topics

The following environmental issues required further analysis and are, therefore, addressed in this EIR.

- Aesthetics, Light, and Glare - Section 4.1;
- Air Quality and Greenhouse Gas Emissions - Section 4.2;
- Biological Resources - Section 4.3;
- Cultural Resources - Section 4.4;
- Geology, Soils, and Seismicity - Section 4.5;
- Hydrology and Water Quality - Section 4.7;
- Land Use - Section 4.8;
- Noise - Section 4.9;
- Population, Housing, and SCAG Consistency - Section 4.10;
- Public Services and Recreation - Section 4.11;

- Transportation and Circulation - Section 4.12;
- Agricultural and Mineral Resources - Section 4.13; and
- Utility Systems - Section 4.14.

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### 1.3 - Organization of the EIR

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This DEIR is organized into the following main sections:

- **Section 1: Executive Summary.** This section includes a summary of the proposed University Hills Specific Plan Project and alternatives to be addressed in the DEIR. A brief description of the areas of controversy and issues to be resolved and an overview of the Mitigation Monitoring and Reporting Program—in addition to a table that summarizes the impacts, mitigation measures, and level of significance after mitigation—also are included in this section.
- **Section 2: Introduction.** This section provides an introduction and overview describing the purpose of this Draft EIR, its scope and components, and its review and certification process.
- **Section 3: Project Description.** This section includes a detailed description of the proposed project, including its location, site, and project characteristics. A discussion of the project objectives, intended uses of the DEIR, responsible agencies, and approvals that are needed for the proposed project are provided.
- **Section 4: Environmental Impact Analysis.** This section analyzes the environmental impacts of the proposed project. Impacts are organized into major topic areas. Each topic area includes a description of the environmental setting, methodology, significance criteria, impacts, mitigation measures, and significance after mitigation. The following specific environmental topics are addressed within Section 4.
  - **Section 4.1 - Aesthetics, Light, and Glare:** Addresses the visual impacts of development intensification and the overall increase in illumination produced by the project.
  - **Section 4.2 - Air Quality and Greenhouse Gas Emissions:** Addresses the local and regional air quality impacts associated with project implementation as well as consistency with the SCAQMD rules and regulations.
  - **Section 4.3 - Biological Resources:** Addresses the project's impacts on habitat, vegetation, and wildlife; the potential degradation or elimination of important habitat; and impacts on listed, proposed, and candidate threatened and endangered species.
  - **Section 4.4 - Cultural Resources:** Addresses the impacts of project development on known historical resources and potential archaeological and paleontological resources.

- **Section 4.5 - Geology, Soils, and Seismicity:** Addresses the potential impacts the project may have on soils, and assesses the effects of project development in relation to geologic and seismic conditions.
  - **Section 4.6 - Hazards and Hazardous Materials:** Addresses the likelihood of the presence of hazardous materials or conditions on the project site and in the project area that may have the potential to impact human health.
  - **Section 4.7 - Hydrology and Water Quality:** Addresses the impacts of the project on local hydrological conditions, including drainage areas, and changes in the flow rates.
  - **Section 4.8 - Land Use:** Addresses the related land use impacts associated with implementation of the project, including physical division of an established community, project compatibility with surrounding land uses, and consistency with the City of San Bernardino General Plan and Development Code.
  - **Section 4.9 - Noise:** Addresses the noise impacts during construction and at project buildout from mobile and stationary sources. The section also addresses the impact of noise generation on neighboring uses.
  - **Section 4.10 – Population, Housing, and SCAG Consistency:** Addresses the potential of the proposed project to induce direct or indirect population growth as well as the project’s consistency with applicable SGAG growth policies.
  - **Section 4.11 - Public Services and Recreation:** Addresses the impacts upon public service providers including fire, police, schools, parks, and other recreational facilities.
  - **Section 4.12 – Transportation and Circulation:** Addresses the impacts on the local and regional roadway system, parking, emergency access, public transportation, bicycle, and pedestrian access.
  - **Section 4.13 – Agricultural and Mineral Resources:** Analyzes the impacts of the proposed project on agriculture or mineral resources underlying the project area.
  - **Section 4.14 - Utility Systems:** Addresses the impacts on water supply, wastewater, storm drainage, and solid waste.
- **Section 5: Alternatives to the Proposed Project.** This section compares the impacts of the proposed project against the following four project alternatives:
    - No Project – No Development Alternative;
    - No Project – General Plan Alternative (development under the existing PHSP);
    - Modified Specific Plan; and
    - Technology Park Plan.

- **Section 6: Other CEQA Required Sections.** This section provides a summary of significant environmental impacts, including unavoidable and growth-inducing impacts, and the project's irreversible and irretrievable commitment of resources. This section discusses the cumulative impacts associated with the proposed project, including the impacts of past, present, and probable future projects.
- **Section 7: Effects Found Not to be Significant.** This section contains analysis of the topical issues not addressed in Section 4 because their impacts were found to be not significant.
- **Section 8: Summary of Mitigation Measures.** This section summarizes all of the measures identified in Sections 4.1 through 4.14 to mitigate significant impacts of the project.
- **Section 9: Persons and Organizations Consulted.** This section contains a full list of persons and organizations that were consulted during the preparation of this DEIR.
- **Section 10: References.** This section contains a full list of references that were used in the preparation of this DEIR.
- **Appendices:** This section includes all notices and other procedural documents pertinent to the DEIR, as well as all technical material prepared to support the analysis.

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#### 1.4 - Documents Incorporated by Reference

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As permitted by CEQA Guidelines Section 15150, this DEIR has referenced several technical studies, analyses, and previously certified environmental documentation. Information from the documents, which have been incorporated by reference, has been briefly summarized in the appropriate sections(s). The relationship between the incorporated part of the referenced document and the DEIR has also been described. The documents and other sources that have been used in the preparation of this DEIR include, but are not limited to:

- *City of San Bernardino General Plan;*
- *City of San Bernardino General Plan Environmental Impact Report (SCH No. 2004111132);*
- *Paradise Hills Specific Plan Environmental Impact Report (SCH No. 1991012055); and*
- *City of San Bernardino Municipal Water Department, 2005 Urban Water Management Plan.*

These documents are identified in Section 10, References, of this DEIR. In accordance with Section 15150(b) of the CEQA Guidelines, the referenced documents and other sources used in the preparation of the DEIR are available for review at the address shown below:

City of San Bernardino  
Community Development Department  
300 N. "D" Street, 3<sup>rd</sup> Floor  
San Bernardino, CA 92418-0001  
Hours: 8 a.m. to 5 p.m., Monday through Friday

These documents can also be found online at the following websites:

- **City of San Bernardino 2005 General Plan and EIR:**  
<http://www.ci.san-bernardino.ca.us/dept./deserv/planning>
- **San Bernardino Municipal Water Department 2005 Urban Water Management Plan:**  
[http://www.ci.san-bernardino.ca.us/sbmwd\\_divisions/water\\_utility/engineering/reports.asp](http://www.ci.san-bernardino.ca.us/sbmwd_divisions/water_utility/engineering/reports.asp)

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## 1.5 - Documents Prepared for the Project

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The stand-alone technical studies prepared for the proposed project are listed below, with their corresponding appendices in parentheses.

- *Air Quality Analysis*, prepared by MBA (Appendix B);
- *Biological Resources Assessment*, prepared by Natural Resource Assessment (Appendix C);
- Updated Cultural Resource Assessment letter report, prepared by MBA (Appendix D)
- *Geotechnical Review of the Conceptual Grading Plan*, prepared by GeoMat Testing Laboratories, Inc. (Appendix E);
- *Subsurface Investigation of Faulting, Paradise Hills Project*, by CHJ Inc. (Appendix E);
- *Geotechnical Investigation, Paradise Hills Project*, by CHJ Inc. (Appendix E);
- *Geotechnical Investigation for Offsite Improvements*, CHJ Inc. (Appendix E);
- Hazardous Materials Database Search, December 3, 2007 (Appendix F);
- *Preliminary Hydrology Report*, prepared by PBS&J Engineering (Appendix G);
- *Noise Analysis*, prepared by Michael Brandman Associates (Appendix H);
- *Traffic Impact Assessment*, prepared by Kunzman Associates (Appendix I);
- *Conceptual Water Quality Management Plan*, prepared by PBS&J Engineering (Appendix J);
- *Water Supply Assessment*, prepared by the City Utilities Department (Appendix J);
- *Conceptual Water Facilities Study*, prepared by PBS&J Engineers (Appendix J);
- Technical Memorandum, *Paradise Hills Hydrology and Hydraulic Analysis, Existing Conditions Assuming Post-Burn*, prepared by Exponent (Appendix J); and
- *Dry Utilities Feasibility Study for University Hills*, prepared by Utility Planners, Inc. (Appendix K); and
- *Fuel Modification Study*, prepared by FireSafe Planning Solutions (Appendix L)

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## 1.6 - Lead Agency, Sponsor, and Consultant

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The City of San Bernardino is the Lead Agency in the preparation of the DEIR while Inland Communities Corp. (ICC) is the private sponsor of the proposed project. MBA is the environmental

consultant that prepared the DEIR, while Terra Nova was retained under contract to the City of San Bernardino to review the DEIR on behalf of the City.

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## 1.7 - Review of the Draft EIR

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Upon completion of the DEIR, the City of San Bernardino will file a Notice of Completion (NOC) with the State Office of Planning and Research to begin the public review period (Public Resources Code, Section 21161). Concurrent with the NOC, this DEIR has been distributed to responsible and trustee agencies, other affected agencies, surrounding cities, and interested parties, as well as all parties requesting a copy of the DEIR in accordance with Public Resources Code 21092(b)(3). During the public review period, the DEIR, including the technical appendices, is available for review at the City of San Bernardino Community Development Department, at the San Bernardino Library, or on the City's website. The addresses for each location are provided below:

City of San Bernardino	San Bernardino City Library
Community Development Department	555 W. Sixth Street
300 N. "D" Street, 3 <sup>rd</sup> Floor	San Bernardino, CA 92418
San Bernardino, CA 92418-0001	Hours: 10 a.m. to 8 p.m., Monday - Thursday;
Hours: 8 a.m. to 5 p.m., Monday through Friday	11 a.m. to 5 p.m. Friday- Sunday

Agencies, organizations, and interested parties not previously contacted, or who did not respond to the NOP, currently have the opportunity to comment on the DEIR during the 45-day public review period. Written comments on this DEIR should be addressed to:

Terri Rahhal, City Planner,  
Deputy Director  
City of San Bernardino  
Community Development Department  
300 N. "D" Street, 3<sup>rd</sup> Floor  
San Bernardino, CA 92418-0001  
Phone: 909.383.5057 x3330  
Email: [Rahhal\\_Te@ci.san-bernardino.ca.us](mailto:Rahhal_Te@ci.san-bernardino.ca.us)

Submittal of electronic comments in Microsoft Word format is encouraged. Upon completion of the public review period, written responses to all significant environmental issues raised will be prepared and made available for review by the public agencies that submitted comments at least 10 days prior to the public hearing before the San Bernardino Mayor and Common Council on the project, at which the certification of the Final EIR will be considered. Comments received and the responses to comments will be included as part of the record for consideration by decision makers for the project.