

SECTION 4: ERRATA AND REFINEMENTS TO THE DRAFT EIR

4.1 - Introduction

This section typically explains revisions to the text of the Draft EIR document. Additions are usually shown in underline (i.e., addition), while deletions are shown in strikethrough text (i.e., ~~deletion~~). New and/or revised tables, exhibits, and/or appendices are also included in this section when needed.

4.2 - Revisions or Additions to the Text of the Draft EIR

4.2.1 - Global Clarifications

The following clarifications are intended to apply to the entire EIR document, including the Introduction, Project Description, Project Impacts, etc.

4.2.2 - Specific Revisions and Clarifications

Section 3.0 (Project Description)

Page 3-7

- **Offsite Improvements.** Development of the project will require a number of connections to existing utility systems adjacent to or offsite of the Project site, including roads, water and other utility lines, reservoirs, etc. In addition, the University Hills Specific Plan (UHSP) provides two onsite reservoirs (in Planning Areas 22 and 23) and will help fund a pipeline, pump station and road access to a new offsite reservoir to be constructed by the City south of the UHSP site. There will be offsite improvements, and the developer will expand the sycamore booster station and provide a 1720 reservoir site and improvements while the San Bernardino Municipal Water District (SBMWD) constructs the reservoir only.

Section 4.3 (Biological Resources)

Page 4.3-10: The portions of Unit 2 designated as critical habitat for the San Bernardino Kangaroo Rat (SBKR) that are partially on and immediately adjacent to the west of the University Hills Property have been removed from the critical habitat designation, according to the US Fish and Wildlife Services. Final rule dated October 17, 2008. Please refer to Appendix E for the removed locations.

Section 4.6 (Hazards and Hazardous Material)

Page 4.6-16 through 4.6-17: The Proposed Project site is not within two miles of a public airport and is not within the land use plan of any public airports. The closest public airport is the San Bernardino International Airport (SBIA), which is over 7 miles southeast of the Project site and will have **no impact**. However, the western boundary of the Proposed Project site abuts the Andy Jackson Airpark, which is a facility used for hang gliding. Exhibit 4.6-1 shows the Andy Jackson Airpark hang gliding final approach line in comparison to the UHSP. Although the proposed UHSP is adjacent to the Andy Jackson Airpark, the final approach line will be over 200 feet of open space (from the project

boundary line to proposed residential units) and will therefore not affect residences of the UHSP or users of the airpark. Therefore, impacts will be **less than significant** in this regard.

Furthermore, according to City Ordinance 12.88.010, “it is unlawful for any person to engage in the activity of hang gliding in or over any place within the City limits except in those places recommended by the Director of Parks, Recreation and Community Services and approved Mayor and Common Council. As used in this Chapter, hang gliding means any activity whereby any person or persons glide, float or sail through the air in or on a hang glider. A hang glider means a glider, kite, or a hot air balloon, device of contrivance so constructed that it will carry a person on wind, air or human power. (Ord. MC-460, 5-13-85; Ord. 3704 § 1.2-8-78.)” The Andy Jackson Airpark and flight paths are located within the City limits and are subject to compliance with City Ordinance 12.88.010. Violators of Ordinance 12.88.010 are guilty of an infraction and upon conviction are subject to punishment. As long as the Airpark operations comply with City Code 12.88.010, the Proposed Project will not create a significant impact in this regard.

Page 4.6-17 (Creates Fire Hazards)

Post Fire/Flood Recovery Plan

Hillsides that have burned because of wildfires may be subject to debris flows, which can fill downstream drainage corridors, debris basins, and flood control channels beyond their capacity. The drainage protection and planned improvements of the project do not rely on any USFS facilities or improvements to protect the site. In addition, a post-disaster recovery plan will be incorporated into the Specific Plan. Accordingly, the following mitigation shall be required:

HAZ-1 Prior to issuance of occupancy permits, the developer shall prepare a Post-Fire/Flood Recovery Plan for review and approval by the City. As appropriate, this plan shall incorporate planning guidelines from the Alluvial Fan Task Force (AFTF) established by the California Department of Water Resources (DWR). The plan will identify the potential risks to project residents from various natural hazards from being located in the fire-prone foothills and adjacent to a large natural waterway (Badger Creek). The plan will outline measures to be implemented after major fires or floods that will help protect future project residents to the degree practical. When approved, this plan shall be incorporated into the Specific Plan.

Section 4.7 (Hydrology and Water Quality)

Page 4.7-1

This section describes the existing setting regarding hydrology and water quality and potential effects from project implementation on the site and its surrounding area. Descriptions and analysis in this section are based, in part, on information contained in the Preliminary Hydrology Report, prepared in May 2007 by PBS&J Engineers, and the offsite hydrology study prepared by Exponent in 2007, and the Alluvial Fan Task Force’s (AFTF) Draft AFTF Local Planning Tool Kit, prepared in September

17, 2008 by the California Department of Water Resources, ~~both~~ all of which are included in Appendix G of this EIR.

Section 4.8 (Land Use and Planning)

Page 4.8-19

Planning Area 24, which is the only planning area adjacent to US Forest Service (USFS) land, is proposed as permanent open space that will be a “land laboratory” for the California State University San Bernardino (CSUSB) campus. In response to this request, the FEIR will indicate that the project developer will work with City and USFS staffs to install signage at appropriate locations clearly identifying the USFS boundary adjacent to the Proposed Project site, especially where any fire road or trails enter USFS property from the University Hills site. The following will be added to the Mitigation Monitoring and Reporting Plan (FEIR Section 5, Table 5-1) under Land Use and Planning to address this issue:

MM LU-1 Prior to issuance of any occupancy permits, the developer shall coordinate with City, CSUSB, and USFS staffs to identify necessary access points and appropriate locations for such signage to clearly identify the USFS boundary along the perimeter of the University Hills property (i.e., Planning Area 24). Such signage will be placed at strategic locations, including any road or trail access points, to the satisfaction of the City in consultation with CSUSB and USFS staffs.

4-14 (Utility Systems)

Page 4.14-1

The San Bernardino Valley Municipal Water Department (SBYMWD) provides domestic water for the City, including the project site and unincorporated areas of San Bernardino County.

Section 6 (Other CEQA Considerations)

Page 6-28

6.5 - Irreversible Impacts

6.5-1 Description

Section 15126.2(c) of the CEQA Guidelines requires a discussion of the extent to which a Proposed Project will commit nonrenewable resources to uses those future generations will probably be unable to reverse so that such current consumption may be justified.

6.5-2 Finding

The CEQA Guidelines describe three distinct categories of significant irreversible changes; they are defined as “changes in land use that would commit future generations”, “irreversible changes from environmental actions”, “and consumption of non-renewable resources”. The Draft EIR has evaluated the project’s commitment to these irreversible changes in the implementation of the project and has found that the use of such resources is justified by the long-term benefits of the project.

However, the Proposed Project would not be consistent with Air Quality, Population/Housing/SCAG Consistency, and Freeway Transformational uses.

6.5-3 Facts in Support of Finding

The Project site will be in long-term used as a residential development. In addition, the new uses will be utilized as a resource for the City over the long-term. Long-term development of the project will be similar to other residential development projects in the City of San Bernardino. Analyses of all three distinct categories of significant irreversible changes are defined as:

Changes in Land Use That Would Commit Future Generations

The project proposes to construct 980 residential units. The Proposed Project will consists of 404.3 total acres, with 169.5 acres or 42 percent of the site proposed for residential and related uses, including 10.2 acres of parks and recreational uses. The project proposes a gross density of 2.4 dwelling units per acre (980 units divided by 404.3 total acres) and a net density of 5.8 units per acre, excluding natural open space (980 units divided by 169.5 acres). Residential densities range from 0.0 to 20 dwelling units per acre. This change in land use is more compatible with the surrounding area; therefore, the change in land use would not commit future generations to a significant change in land use.

Irreversible Changes from Environmental Actions

Irreversible changes to the environment could occur if hazardous substances are released associated with development of the project. Compliance with the requirements and mitigation measures would reduce impact to less than significant. No other sources of irreversible changes from environmental actions are forecast to occur.

Consumption of Non-Renewable Resources

Consumption of non-renewable resources would be the conversion of agricultural land to urban uses, consumption of energy resources such as electricity and natural gas, and the loss of potential mining resources.

The Draft EIR determined that development of the Project site would not result in a significant impact on land that is considered suitable for agricultural use. In addition, the site is not identified as a mineral resource site and more suitable locations in the surrounding regions are currently being used as mineral resource sites. Given the proximity to CSUSB, the site would not be a suitable for mining of mineral resources in the future.

The project will consume non-renewable energy resources during construction and operation such as petroleum products, construction materials, electricity and natural gas. Construction impacts to non-renewable energy resources would be short-term. Operation of the project is required to comply with mandatory requirements of Title 24 about energy efficient building design and is required to utilize energy conservation measures during operations of the facilities within the project.

Section 9.0 (Persons and Organizations Consulted)

Page 9-1

San Bernardino Municipal Water District.....Michael Nevarez