

**APPENDIX A:
NOTICE OF PREPARATION, NOP RESPONSE LETTERS, AND NOP
DISTRIBUTION LIST**

NOTICE OF PREPARATION



CITY OF YUCAIPA
NOTICE OF PREPARATION
DRAFT ENVIRONMENTAL IMPACT REPORT

Date: April 17, 2009
To: Responsible and Trustee Agencies/Interested Organizations and Individuals
Project: City of Yucaipa Housing Element Implementation Project

Lead Agency

City of Yucaipa
Community Development Department
34272 Yucaipa Boulevard
Yucaipa, California 92339-9950
(909) 797-2489
Contact: John McMains
Director of Community Development
E-mail: jmc mains@yucaipa.org

Consulting Firm Preparing the Draft EIR

LSA Associates, Inc.
1500 Iowa Avenue, Suite 200
Riverside, California 92507
(951) 781-9310
Contact: Lynn Calvert-Hayes, AICP

This Notice of Preparation (NOP) includes a project description and a list of the environmental issues to be examined in the Environmental Impact Report (EIR).

The environmental determination in this Notice of Preparation is subject to a 30-day public review period per Public Resources §21080.4 and California Environmental Quality Act (CEQA) Guidelines §15082. Public agencies, interested organizations, and individuals have the opportunity to comment on the proposed project and identify those environmental issues that have the potential to be affected by the project and should be addressed further by the City of Yucaipa in the EIR.

The public review period for this NOP is **April 20, 2009, to May 20, 2009**. Due to the time limits mandated by State law, your response must be sent as soon as possible, but no later than 30 days after receipt of this notice. Note that there will be further opportunities to comment on the project once the Draft EIR is released to the public.

Please send your response for this NOP to **Mr. John McMains**, at the City of Yucaipa address shown above. Please include the name, phone number, and address of a contact person in your response.

Project Sponsor: City of Yucaipa

Project Location(s): The EIR will analyze environmental impacts of the potential rezoning and development of three alternative sites (see **Figure 1**):

- Site 1: Oak Glen Road/Colorado Street. This 57-acre site, located at the northeast corner of the intersection, is currently designated RL-2.5-AP (Rural Living, 2.5-acre minimum lot size, Agricultural Preserve Overlay District) in the General Plan Official Land Use District Map . A General Plan Land Use District Change is proposed to remove the AP overlay and establish a 40-acre mixed-use district that includes a maximum of 660 multiple-family dwelling units, 4 acres of commercial land uses, 4.5 acres of institutional land uses, and 11.2 acres of open space land uses.

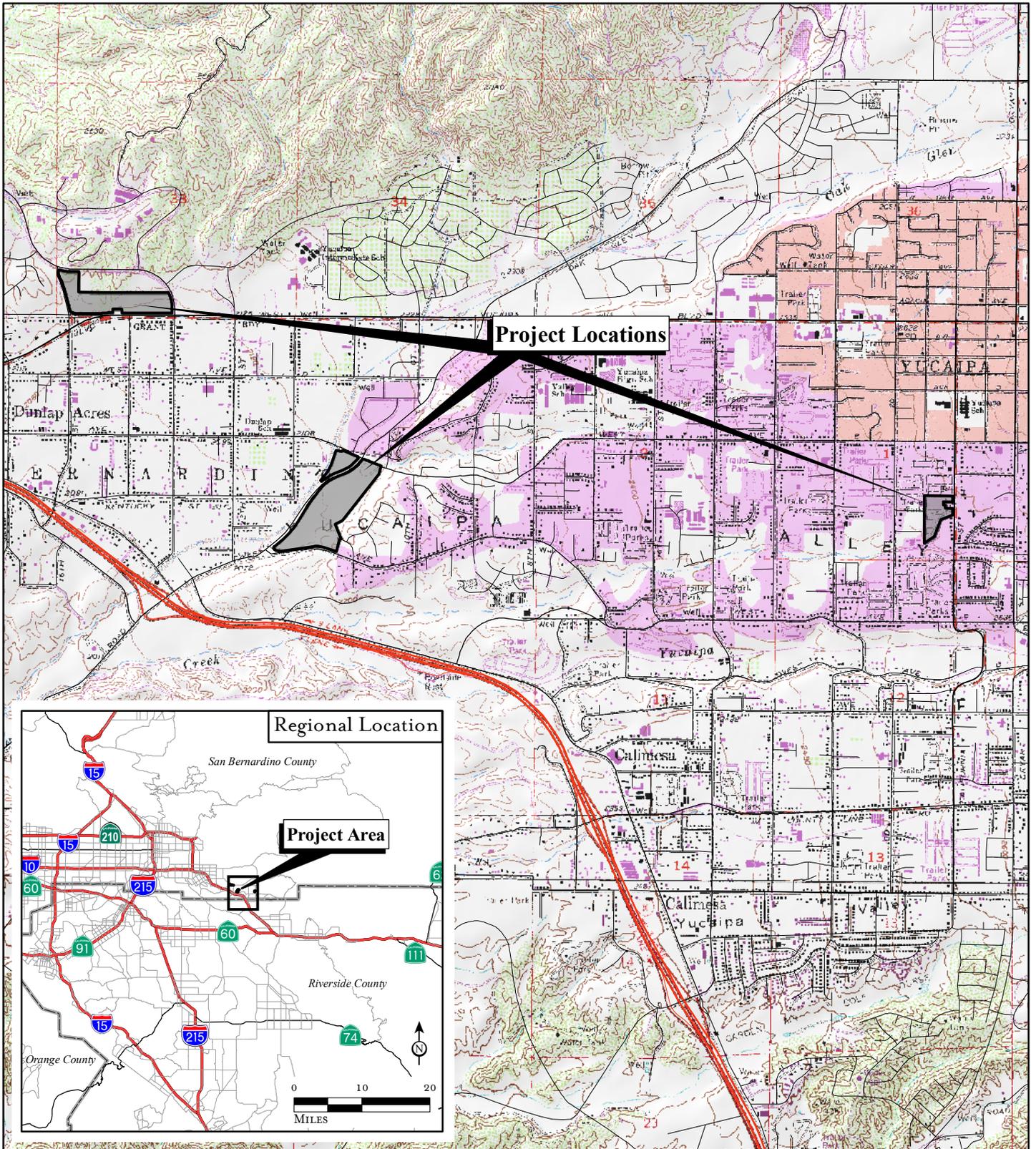
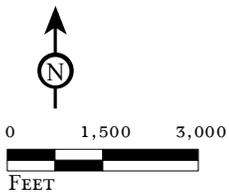


FIGURE 1

LSA



Yucaipa Housing Element Implementation

Regional and Project Location

SOURCE: USGS 7.5' Quads: Yucaipa (1988), El Casco (1979), CA; Thomas Bros., 2007

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- Site 2: Yucaipa Boulevard/Sand Canyon Road. This 27-acre site, located at the northwest corner of the intersection, is currently designated CG (General Commercial) in the General Plan Official Land Use Districts Map. A General Plan Land Use District Change is proposed to establish a 27-acre mixed-use district that includes a maximum of 608 multiple-family dwelling units and 8 acres of general commercial uses.
- Site 3: California Street/Avenue E. This 10-acre site, located on the west side of California Street approximately 660 feet south of Avenue E, is currently designated RM-72C (Multiple Residential, 7,200-square foot minimum lot size) in the General Plan Official Land Use Districts Map. A General Plan Land Use District Change is proposed to establish a 10-acre multiple-family land use district that includes a maximum of 320 multiple-family dwelling units.

It is anticipated that the selected site(s) will also incorporate commercial and/or institutional land uses in order to facilitate mixed-use sustainable development and the reduction of greenhouse gas emissions. The objective is to rezone one or more sites totaling at least 19 acres of multiple-family zoning along with the adoption of multifamily design standards for the rezoned sites.

Project Description: California Government Code Section 65302(c) mandates that each city shall include a Housing Element in its General Plan. The Housing Element is required to identify and analyze existing and projected housing needs, and include statements of the City’s goals, policies, quantified objectives, and scheduled programs for the preservation, improvement, and development of housing. The City, in preparing its Housing Element, must consider economic, environmental, and fiscal factors, as well as community goals as set forth in the General Plan. The Housing Element must comply with Section 65580 et seq. of the California Government Code.

In December 2008, the City of Yucaipa submitted its Draft 2008 Housing Element to the California Department of Housing and Community Development (HCD) for review. The HCD subsequently issued a letter stating that the Draft Housing Element complied with all provisions of State Housing Element law.

Chapter V of the City’s adopted Draft Housing Element includes a number of implementation actions involving changes to the General Plan Official Land Use Districts and/or the Development Code that are necessary to ensure continued compliance with State law. These implementation actions include site-specific changes to land use designations, as well as changes to land use regulations in the Development Code that apply citywide. These implementation proposals, along with one additional item not called out in the Housing Element Action Plan (the Redevelopment Inclusionary Housing Program), constitute a program of related actions that will be evaluated in the EIR (see **Table 1**).

Description of Implementation Actions

1. Site-Specific Changes to Land Use Designations. As described in Chapter III of the Housing Element, Yucaipa’s “fair share” of regional housing need for the planning period July 2006 through June 2014 is 2,048 units. This total includes 476 very-low income units, 332 low-income units, 389 moderate-income units, and 851 above-moderate income units. In addition, the City must accommodate a “carryover” of 608 lower-income units from the previous Housing Element cycle. State law requires the City to demonstrate that it has adequate sites with appropriate zoning to accommodate the various types of units that have been assigned in the Regional Housing Needs Assessment (RHNA).

Table 1: Summary of Proposed Actions

Action*	Description
Designation of Additional Sites (Program 3.a)	Identify and rezone a minimum of 19 acres of land for multifamily development “as-of-right” (i.e., no conditional use permit or other discretionary requirement triggering CEQA review) at a density of 20–24 units/acre (excluding any density bonus). This action includes the creation of a new zoning district (RM-24) in the Development Code with development standards for multifamily residential development “by-right” at a density of up to 24 units/acre.
Density Bonus Ordinance (Program 4.a)	Update the Development Code to reflect changes in State density bonus law (Government Code §65915).
Single-Room Occupancy (SRO) Housing (Program 4.d)	Update the Development Code to allow SRO units subject to appropriate development standards.
Emergency Shelters and Transitional/Supportive Housing (Program 4.e)	Update the Development Code to designate emergency shelters a permitted use in the Service Commercial (CS) zone subject to appropriate development standards, and clarify that transitional and supportive housing is a residential use.
Reasonable Accommodation for Persons with Disabilities (Program 4.f)	Update the Development Code to establish procedures for reviewing and approving requests for reasonable housing accommodations pursuant to Senate Bill (SB) 520 of 2001.
Inclusionary Housing Program for the Redevelopment Project Area	Adopt an Inclusionary Housing Ordinance incorporating the requirements of State redevelopment law for projects in the redevelopment project area only (not citywide).

*Program numbers refer to Chapter V of the City of Yucaipa Housing Element.

In accordance with Government Code (§65583 et seq.), the minimum base residential density (i.e., excluding any density bonus) presumed to be adequate to facilitate development of lower-income housing is 20 units/acre. There are currently no vacant sites in Yucaipa with zoning that meet these criteria. Therefore, the City must rezone a sufficient amount of land to accommodate the 808 lower-income units assigned in the current RHNA cycle plus the 608 carryover units from the previous cycle—a total of 1,416 units—at a density of at least 20 units/acre. The Housing Element (Program 3a) contains a commitment to rezone a minimum of 59 acres of land with an allowable density of 20–24 units/acre to meet the City’s obligations under the RHNA. State law requires that the rezoned sites allow multiple-family development “by-right” (i.e., no conditional use permit or other discretionary approval triggering CEQA review) and have a capacity of at least 16 units per site.

On November 24, 2008, the City Council approved the rezoning of three sites encompassing 40 acres for multifamily development. These sites are located in the Freeway Corridor Specific Plan project area, south of Interstate 10 (I-10). In order to facilitate sustainable development and the reduction of greenhouse gasses, all of these sites are located adjacent to commercial districts that will accommodate pedestrian-oriented commercial developments. There are 25 acres of high-density multiple-family zoning and 10.6 acres of adjacent commercial zoning, located in the northwest quadrant of the project area, and there are 15 acres of high-density multiple-family zoning and 16.8 acres of adjacent commercial zoning, located in the southeast quadrant of the project area. A separate EIR was prepared and certified for that project. With the rezoning of 40 acres for multifamily development in the Freeway Corridor Specific Plan, an additional 19 acres remain to be rezoned.

Included in this component of the program is the creation of a new land use district RM-24 (Multiple Residential, 24 units per acre maximum) in the General Plan Land Use Element and Development Code. This district would establish development standards and procedures for multifamily

development by-right (i.e., without a conditional use permit or other discretionary approval) at a density of 20 to 24 units per acre excluding density bonus.

2. Housing Element Implementation Actions to Revise Citywide Land Use Regulations and Procedures. In addition to the proposed changes to site-specific land use designations discussed above, the Housing Element implementation plan includes the following amendments to citywide land use regulations and procedures.

- Density Bonus Regulations. Under current State Density Bonus Law (SB 1818 of 2004), cities and counties must provide a density increase up to 35 percent over the otherwise maximum allowable residential density under the Municipal Code and the Land Use Element of the General Plan (or bonuses of equivalent financial value) when builders agree to construct housing developments with units affordable to low-income or moderate-income households. The Housing Action Plan (Chapter V) contains Program 4a to add density bonus provisions to the Municipal Code to comply with the current provisions of State law. Pending completion of that update, State law supersedes the existing density bonus ordinance.
- Single-Room Occupancy (SRO) Regulations. SRO facilities are small studio-type units that may provide affordable housing to lower-income individuals such as students. SROs are not currently defined in the Development Code. Program 4d is included in Chapter V of the Housing Element to revise the Code to establish appropriate locations and development standards for SROs. Development standards and approval procedures will be designed to encourage and facilitate this type of housing.
- Emergency Shelter and Transitional/Supportive Housing Regulations. SB 2 of 2007 strengthened the planning requirements for emergency shelters and transitional/supportive housing. Unless adequate capacity is available to serve existing need, SB 2 requires that shelters be allowed “by-right” (i.e., without a conditional use permit or other discretionary approval) in at least one zoning district. Emergency shelters are currently permitted as a conditional use in a number of land use districts in the City. The Housing Action Plan (Chapter V) includes Program 4e to amend the Municipal Code in conformance with SB 2. The CS (Service Commercial) zone is proposed to allow emergency shelters by-right.

SB 2 also requires that transitional and supportive housing be treated as a residential use that is subject to the same regulations and procedures as other residential uses of the same type in the same zone. Program 4e in the Housing Action Plan provides that the City will amend the Municipal Code in conformance with SB 2.

- Reasonable Accommodation Procedures. SB 520 of 2001 requires cities to remove constraints and make reasonable accommodation for housing occupied by persons with disabilities. In order to facilitate the processing of requests to reduce land use or architectural obstacles for persons with disabilities, Program 4f to adopt a Reasonable Accommodation Ordinance is included in the Housing Action Plan.

3. Other Items Not Identified as Housing Element Implementation Actions.

- Redevelopment Project Inclusionary Housing Program. Inclusionary housing refers to the State mandate that at least 15 percent of new housing constructed in a redevelopment project area be affordable to low-income and moderate-income households. The proposed action includes General Plan and Development Code Amendments to incorporate regulations for inclusionary housing in the City’s Redevelopment Project Area consistent with State redevelopment law.

Existing Conditions:

- Site 1: Oak Glen Road/Colorado Street. This site is undeveloped with dominant nonnative vegetation and interspersed native vegetation. It is an alluvial fan or flood-prone area with smaller ephemeral drainages and a larger tributary to Wilson Creek with riprap-protected banks.
- Site 2: Yucaipa Boulevard/Sand Canyon Road. This site is vacant with steep slopes covered by annual grasses with several eroded gullies or swales.
- Site 3: California Street/Avenue E. This site is developed as a manufactured home park with scattered nonnative ornamental trees. No open space, native vegetation, or natural drainages are present.

Actions and Approvals: The City's Housing Program will include the following new and/or revised actions:

- General Plan Land Use District Change to establish mixed-use or multiple-family land use district on one of the three alternative sites.
- General Plan and Development Code Amendments to incorporate zoning and development standards for an Inclusionary Housing Program in the Redevelopment Project Area.
- Development Code Amendment to incorporate zoning and development standards for SRO dwelling units, current statutes for Density Bonus provisions of State law, current statutes for Reasonable Accommodation provisions of State law, and zoning and development standards for high-density "by-right" multiple-family developments.

Project related approvals may be required by the following agencies, including but not limited to: Yucaipa Valley Water District, Regional Water Quality Control Board, California Department of Fish and Game, and the U.S. Army Corps of Engineers.

ENVIRONMENTAL ISSUES TO BE EVALUATED IN THE EIR

The environmental review process for the Housing Element Implementation Project (proposed project) is normally a three-step process governed by CEQA. The first step is for the Lead Agency, the City of Yucaipa, to determine whether a project is exempt from CEQA review. The City has determined that this project is not exempt. The second step is typically the preparation of an Initial Study to determine potential impacts of the project on the environment. As permitted under CEQA Guidelines (§15060(d)), if an EIR is clearly required for a project, the City may skip initial review of the project and begin work directly on the EIR. As the City has determined the preparation of an EIR is clearly required for the project, it has elected to proceed to begin work of the EIR without preparation of an Initial Study.

The EIR will be prepared to evaluate comprehensively the potential impacts that would result from implementation of the proposed project. The EIR will address the short-term and long-term effects of the project on the environment. It will also evaluate the potential for the project to cause direct and indirect growth-inducing impacts, as well as cumulative impacts. Mitigation will be proposed for those impacts that are determined to be significant. Mitigation will be identified and a mitigation monitoring program will be developed as required by CEQA Guidelines (§15150).

The following issues will be addressed in the EIR.

Aesthetics: Potential development that may result from implementation of the proposed project would alter the existing visual character of the project sites. Potential aesthetic effects that may result from implementation of the proposed project may include changes in land use, density, building height, loss/conversion of open space, the generation of light and glare, and/or compatibility with existing adjacent uses. Additionally, development that could occur on the sites could alter the visual character of surrounding areas, and/or obstruct existing views to, from, or through the sites. While the precise nature of development that may occur on each site is not known, the EIR will evaluate views into and from each site to identify potential aesthetic impacts that may result from implementation of the proposed project. The EIR will consider the project's consistency with the goals and policies established by the City pertaining to aesthetics and visual resources. As appropriate, the EIR will identify appropriate mitigation to reduce the significance of potential aesthetic and visual resource impacts.

Agricultural Resources: Site 3 is developed with an existing mobile home park; therefore, no agricultural resources impact would result from implementation of the proposed project at this location. While Sites 1 and 2 are undeveloped, no agricultural activity occurs within their boundaries. Nonetheless, the EIR will evaluate existing and adjacent land use, existing City land use designations, Williamson Act Contract data, and the State's Farmland Mapping and Monitoring program to assess the suitability of the sites for agricultural activity. As appropriate, the Department of Conservation's Land Evaluation and Site Assessment model will be utilized to assess potential agricultural resource impacts associated with the implementation of the proposed project on either of these sites.

Air Quality and Climate Change: The proposed project is located in the non-desert portion of San Bernardino County, which is part of the South Coast Air Basin (Basin). Air quality in this area is administered by the South Coast Air Quality Management District (SCAQMD). The air quality analysis will place particular emphasis on delineating the issues specific to the City and SCAQMD air quality requirements. Development that may result from the implementation of the proposed project would generate short-term construction-related and long-term operational air pollutant emissions. Given the varying size of the three potential sites, the type of adjacent uses, and the amount and type of uses that may be developed on site, the amount and effect of project-related emissions may differ. The EIR will assess the amount and effect of pollutant emissions at each of the sites. The EIR will include a discussion of the potential climate change issues that may result from implementation of the proposed project. The air quality and climate change analysis will identify and quantify emissions and will address project consistency and compliance with established air quality and climate change policies, regulations, and other requirements.

Biological Resources: Site 1 is undeveloped land with steep slopes covered by annual grasses and with several eroded gullies or swales. Chicken Springs Wash bisects the site prior to joining Wilson Creek. Site 2 is an alluvial fan or flood-prone area with smaller ephemeral drainages and a larger tributary to Yucaipa Creek with riprap-protected banks. This undeveloped site is dominated by nonnative vegetation and interspersed native vegetation. Site 3 is built out as a manufactured home park with scattered ornamental trees. No open space, native vegetation, or natural drainages are present within Site 3. Habitat suitability assessments will be conducted on all three sites to assess potential biological resource impacts that may result from implementation of the proposed project. These assessments and other biological studies will document existing site conditions, the potential for presence or absence of species of concern, and requirements for more detailed biological investigations (e.g., focused resource surveys, jurisdictional delineations). The EIR will summarize the findings of the habitat assessments of each site and will identify appropriate measures to mitigate for biological resource impacts that may result from implementation of the proposed project.

Cultural Resources: Site 3 has previously been developed with urban uses, while Sites 1 and 2 are undeveloped. Previous records searches and excavations provide evidence that known prehistoric sites are located within the City. These sites include graves, pottery, fire-altered rock, and habitation sites. Native American archaeological material, human burial, and evidence of past prehistoric habitation sites have been documented within Site 1. The EIR will summarize the findings of cultural resource investigations conducted for the various sites. These investigations may include records searches conducted through the San Bernardino Archaeological Information Center (SBAIC), research into the land use history of the sites, and, as appropriate, detailed archaeological or historic investigation.

As the proposed project includes an amendment to the City's Plan, consultation with Native American entities is mandated by provisions of SB 18. While SB 18 consultation is not part of the CEQA process, as appropriate, the information and mitigation identified during the consultation process will be incorporated into the EIR.

Geology and Soils: The City is located in a seismically active region and is traversed by active faults. These faults have the potential to expose people and structures to significant impacts as a result of a fault rupture and seismic ground shaking. Parts of the City may contain expansive or unstable soils that have the potential to cause structural damage. In addition, grading associated with future development could result in substantial soil erosion. The EIR will include a discussion of potential geological and soil impacts that may result from implementation of the proposed project. As it is not possible to determine the specific potential impacts related to future development that may occur on each of the project sites, future development projects will be required to prepare site-specific geotechnical investigations to determine appropriate design standards and construction methods to address site-specific impacts. The EIR will provide appropriate measures to ensure project-level analysis of potential geologic and soil impacts are addressed prior to future development.

Hazards and Hazardous Materials: Hazardous materials are routinely used and transported on I-10 through the southern area of the City; therefore, current and future residents, workers, and visitors in this area could be exposed to hazards resulting from the use, disposal, and transport of hazardous materials. Implementation of the proposed project would result in construction of residential uses that would expose additional persons to hazardous materials. Sites 1 and 2 are located within boundaries of Fire Review Area 2. The development of multiple-family dwellings on these sites could result in the exposure of residents or property to the risk of loss, injury, or death due to wildland fires. There is a potential that during previous uses, hazardous materials may have been deposited on the sites. Past on-site hazardous materials usage may be identified during excavation and construction activities that would result from implementation of the proposed project. As it is not possible to determine the potential project impacts related to future development that may occur on each of the project sites, future development projects will require site-specific investigations to ascertain the absence or presence of hazardous materials. The EIR will identify on a programmatic level, potential hazards to residents and property that could result from implementation of the proposed project and will provide appropriate measures to ensure project-level analysis and mitigation of potential impacts are addressed prior to future development.

Hydrology and Water Quality: Development that may result from implementation of the proposed project could affect water quality through the addition of increased runoff and wastewater discharge. The EIR's discussion of water quality impacts will summarize the existing water quality condition in the project area and will provide a general discussion of potential water quality impacts that may result from the development of the sites.

Based on the City's Hazards Overlay District map, portions of Site 1 are located within the 100-year floodplains established for Chicken Springs Wash and Wilson Creek. The EIR will assess the potential flooding and/or drainage impacts that may occur upon development of the sites. Where conceptual plans are available, the EIR will identify potential hydrologic and water quality impacts that may result from future development. For other sites, the EIR will identify, on a programmatic level, potential hazards to residents and property that could result from implementation of the proposed project and will provide appropriate measures to ensure that project-level analysis and mitigation of potential impacts are addressed prior to future development.

Land Use and Planning: The proposed Housing Element implementation program includes several Development Code amendments that apply citywide as well as one or more site-specific changes to General Plan land use categories and the City's zoning map. Proposed citywide Code amendments include State-mandated updates related to density bonus, SRO units, emergency shelters and transitional housing pursuant to SB 2, "reasonable accommodation" procedures for persons with disabilities pursuant to SB 520, inclusionary housing within the redevelopment project area, and the creation of a new "RM-24" zoning district that would allow multifamily development by-right (i.e., with no subsequent discretionary review) at a density of up to 24 units/acre (excluding density bonus). The EIR will evaluate these amendments for their potential adverse environmental effects on the community or conflicts with other plans, policies, or regulations, and if necessary, mitigation measures will be recommended. While some of these topics (e.g., SROs, emergency shelters and transitional housing) may raise public concerns regarding community compatibility, in many cases, these concerns are social, not environmental, issues and therefore are not within the purview of CEQA. To assist City decision-makers and the public in understanding the City's legal responsibilities and limitations, the EIR will clearly identify the scope of environmental review under CEQA.

With regard to the proposed site-specific land use changes, the EIR will analyze the proposed redesignations for their consistency with other existing plans and regulations, including the other elements of the City's General Plan, the Development Code, and any applicable specific plans or community plans. The EIR will identify potential land use conflicts as well compatibility/consistency impacts that may result from the development of the proposed uses. As warranted by the analysis, appropriate mitigation will be identified to reduce the significance of any potential impact.

Mineral Resources: Per the City's General Plan, no classified or designated mineral deposits of Statewide or regional significance have been identified within the City. The entire City is designated as Mineral Resource Zone 3 ("areas containing mineral deposits the significance of which cannot be evaluated from available data"). No mineral extraction activity currently takes place with the limits of the project sites. The EIR will address potential mineral resource impacts that may result from development of the project sites.

Noise: Development of the proposed project would be expected to result in short-term construction-related noise impact, including groundborne vibration noise that could exceed established standards. Development would also be expected to result in an incremental increase in long-term noise levels from increased vehicular traffic as well as new stationary sources of noise. Existing roadway noise will be modeled for major highways and roadways in the vicinity of each project site. The EIR will identify the noise-sensitive receptors that may be affected by noise generated during the construction and operation of land uses on the sites.

Population and Housing: Under State law, the Housing Element must describe how the City will accommodate its fair share of the region's new housing need as quantified in the Regional Housing Needs Assessment (RHNA). Development that may result from the implementation of the proposed

project would induce population growth. The EIR will describe the requirements of State Housing Element law and the RHNA as they relate to the proposed land use changes, and will analyze potential impacts. As an existing mobile home park occupies Site 3, the EIR will address the impacts associated with closure of this park and the displacement of existing residents, including requirements for relocation assistance.

Public Services: By increasing the density of housing and increasing the number of persons that may reside in the City, development that may occur subsequent to the Housing Element Update may affect the provision of school, law enforcement, fire protection, and/or other municipal services. The EIR will include estimates of increased student demand on local schools, as well as any increase in police/fire protection service requirements. As appropriate, the EIR will identify impacts to existing and planned levels of service for local public service providers.

Recreation: By increasing the density of housing and increasing the number of persons that may reside in the City, development that may occur subsequent to the Housing Element Update may affect the provision of park and recreational services. The EIR will include estimates of increased demand on these services and identify impacts to existing and planned levels of service.

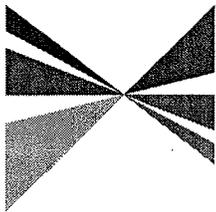
Transportation/Traffic: New residential development resulting from implementation of the proposed project would be expected to generate increased traffic on local and regional road networks. Utilizing the analysis contained within the Traffic Impact Analysis (TIA), the EIR will assess potential traffic, circulation, and accessibility impacts that may result from development of the areas proposed under the Housing Element Update.

Utilities and Service Systems: Based on the residential densities proposed and commercial development that could occur at the sites, the EIR will include estimates of the amount of water, wastewater, and solid waste generated. The EIR will assess the impact the increased demand for utility and services will have on existing providers. The EIR will determine if the increased demand for services is adequately anticipated in existing plans/programs of local utility/service providers. Based on the preliminary project parameters, it appears that development that could occur within the area encompassed by two of the proposed Housing Element Update sites would exceed the threshold requiring preparation of a Water Supply Assessment (WSA). As deemed appropriate by the City, the EIR will include analysis of the water supply impacts associated with the proposed Housing Element Update. Any such water supply analysis in the EIR will be based on the WSA prepared and adopted by the appropriate water purveyor.

Public Scoping Meeting

A Public Scoping Meeting for this project will be held on **Thursday, May 7, 2009, at 6:00 p.m.**, in the City's Council Chambers inside Yucaipa City Hall, located at 34272 Yucaipa Boulevard. Please contact Mr. John McMains at the City of Yucaipa, at (909) 797-2489 or jmcmains@yucaipa.org for more information related to this matter.

NOP RESPONSE LETTERS



ASSOCIATION of GOVERNMENTS

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Jon Edney, El Centro

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Larry McCallon, Highland

Second Vice President
Pam O'Connor, Santa Monica

Immediate Past President
Richard Dixon, Lake Forest

Policy Committee Chairs

Executive/Administration
Jon Edney, El Centro

Community, Economic and
Human Development
Larry McCallon, Highland

Energy & Environment
Keith Hanks, Azusa

Transportation
Mike Ten, South Pasadena

May 19, 2009

Mr. John McMains
Director of Community Development
City of Yucaipa
34272 Yucaipa Boulevard
Yucaipa, California 92339-9950
jmcmains@yucaipa.org

RE: SCAG Comments on the Notice of Preparation of an Environmental Impact Report for The City of Yucaipa Housing Element Implementation Project [SCAG No. I20090172]

Dear Mr. McMains,

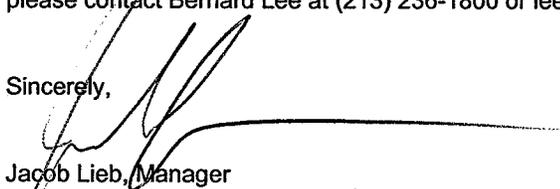
Thank you for submitting the **Notice of Preparation of an Environmental Impact Report for The City of Yucaipa Housing Element Implementation Project [SCAG No. I20090172]** to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review of Programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12372 (replacing A-95 Review). Additionally, pursuant to Public Resources Code Section 21083(d) SCAG reviews Environmental Impacts Reports of projects of regional significance for consistency with regional plans per the California Environmental Quality Act Guidelines, Sections 15125(d) and 15206(a)(1). SCAG is also the designated Regional Transportation Planning Agency and as such is responsible for both preparation of the Regional Transportation Plan (RTP) and Regional Transportation Improvement Program (RTIP) under California Government Code Section 65080 and 65082.

SCAG staff has reviewed this project and determined that the proposed project is regionally significant per California Environmental Quality Act (CEQA) Guidelines, Sections 15125 and/or 15206. The proposed project concerns the potential rezoning and development of three alternative sites, in order to support implementation of the City of Yucaipa's Housing Element.

Policies of SCAG's Regional Transportation Plan (RTP) and Compass Growth Vision (CGV) that may be applicable to your project are outlined in the attachment. The RTP, CGV, and table of policies can be found on the SCAG web site at: <http://scag.ca.gov/igr>. For ease of review, we would encourage you to use a side-by-side comparison of all SCAG policies with a discussion of the consistency, non-consistency or non-applicability of the policy and supportive analysis in a table format (example attached).

The attached policies are meant to provide guidance for considering the proposed project within the context of our regional goals and policies. We also encourage the use of the SCAG List of Mitigation Measures extracted from the RTP to aid with demonstrating consistency with regional plans and policies. **Please provide a minimum of 45 days for SCAG to review the Draft EIR and associated plans when these documents are available.** If you have any questions regarding the attached comments, please contact Bernard Lee at (213) 236-1800 or leeb@scag.ca.gov. Thank you.

Sincerely,


Jacob Lieb, Manager
Assessment, Housing & EIR

DOCS# 151815

**COMMENTS ON THE NOTICE OF PREPARATION OF AN ENVIRONMENTAL
IMPACT REPORT FOR THE CITY OF YUCAIPA HOUSING ELEMENT
IMPLEMENTATION PROJECT – SCAG NO. I20090172**

PROJECT DESCRIPTION

California Government Code Section 65302(c) mandates that each city shall include a Housing Element in its General Plan. The Housing Element is required to identify and analyze existing and projected housing needs, and include statements of the City's goals, policies, quantified objectives, and scheduled programs for the preservation, improvement, and development of housing. The City, in preparing its Housing Element, must consider economic, environmental, and fiscal factors, as well as community goals as set forth in the General Plan. The Housing Element must comply with Section 65580 et seq. of the California Government Code.

In December 2008, the City of Yucaipa submitted its Draft 2008 Housing Element to the California Department of Housing and Community Development (HCD) for review. The HCD subsequently issued a letter stating that the Draft Housing Element complied with all provisions of State Housing Element law.

Chapter V of the City's adopted Draft Housing Element includes a number of implementation actions involving changes to the General Plan Official Land Use Districts and/or the Development Code that are necessary to ensure continued compliance with State law. These implementation actions include site-specific changes to land use designations, as well as changes to land use regulations in the Development Code that apply citywide. These implementation proposals, along with one additional item not called out in the Housing Element Action Plan (the Redevelopment Inclusionary Housing Program), constitute a program of related actions that will be evaluated in the EIR.

The implementation actions are:

1. Site-Specific Changes to Land Use Designations
2. Housing Element Implementation Actions to Revise Citywide Land Use Regulations and Procedures
3. Other Items Not Identified as Housing Element Implementation Actions

PROJECT LOCATION

The proposed project examines three sites within the City of Yucaipa.

- Site 1: Oak Glen Road/Colorado Street – a 57-acre site located at the northeast corner of the intersection.
- Site 2: Yucaipa Boulevard/Sand Canyon Road – a 27-acre site located at the northwest corner of the intersection.
- Site 3: California Street/Avenue E – a 10-acre site located on the west side of California Street, approximately 660 feet south of Avenue E.

CONSISTENCY WITH REGIONAL TRANSPORTATION PLAN

Regional Growth Forecasts

The DEIR should reflect the most current SCAG forecasts, which are the 2008 RTP (May 2008) Population, Household and Employment forecasts. The forecasts for your region, subregion, and city are as follows:

Adopted SCAG Regionwide Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	19,418,344	20,465,830	21,468,948	22,395,121	23,255,377	24,057,286
Households	6,086,986	6,474,074	6,840,328	7,156,645	7,449,484	7,710,722
Employment	8,349,453	8,811,406	9,183,029	9,546,773	9,913,376	10,287,125

Adopted County of San Bernardino Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	2,182,049	2,385,761	2,582,773	2,773,938	2,957,754	3,133,797
Households	637,252	718,601	787,138	852,994	914,575	972,565
Employment	810,232	897,493	965,781	1,045,471	1,134,964	1,254,752

Adopted SANBAG Subregion Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	2,182,049	2,385,761	2,582,773	2,773,938	2,957,754	3,133,797
Households	637,252	718,601	787,138	852,994	914,575	972,565
Employment	810,232	897,493	965,781	1,045,471	1,134,964	1,254,752

Adopted City of Yucaipa Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	52,728	55,216	57,360	59,441	61,442	63,358
Households	18,645	20,094	21,157	22,178	23,134	24,033
Employment	10,978	12,316	13,335	14,528	15,880	18,006

1. The 2008 RTP growth forecast at the regional, subregional, and city level was adopted by the Regional Council in May 2008. City totals are the sum of small area data and should be used for advisory purposes only.

The **2008 Regional Transportation Plan (RTP)** also has goals and policies that are pertinent to this proposed project. This RTP links the goal of sustaining mobility with the goals of fostering economic development, enhancing the environment, reducing energy consumption, promoting transportation-friendly development patterns, and encouraging fair and equitable access to residents affected by socio-economic, geographic and commercial limitations. The RTP continues to support all applicable federal and state laws in implementing the proposed project. Among the relevant goals and policies of the RTP are the following:

Regional Transportation Plan Goals:

- RTP G1** *Maximize mobility and accessibility for all people and goods in the region.*
- RTP G2** *Ensure travel safety and reliability for all people and goods in the region.*
- RTP G3** *Preserve and ensure a sustainable regional transportation system.*
- RTP G4** *Maximize the productivity of our transportation system.*
- RTP G5** *Protect the environment, improve air quality and promote energy efficiency.*
- RTP G6** *Encourage land use and growth patterns that complement our transportation investments.*
- RTP G7** *Maximize the security of our transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.*

GROWTH VISIONING

The fundamental goal of the **Compass Growth Visioning** effort is to make the SCAG region a better place to live, work and play for all residents regardless of race, ethnicity or income class. Thus, decisions regarding growth, transportation, land use, and economic development should be made to promote and sustain for future generations the region's mobility, livability and prosperity. The following "Regional Growth Principles" are proposed to provide a framework for local and regional decision making that improves the quality of life for all SCAG residents. Each principle is followed by a specific set of strategies intended to achieve this goal.

Principle 1: Improve mobility for all residents.

- GV P1.1 *Encourage transportation investments and land use decisions that are mutually supportive.*
- GV P1.2 *Locate new housing near existing jobs and new jobs near existing housing.*
- GV P1.3 *Encourage transit-oriented development.*
- GV P1.4 *Promote a variety of travel choices*

Principle 2: Foster livability in all communities.

- GV P2.1 *Promote infill development and redevelopment to revitalize existing communities.*
- GV P2.2 *Promote developments, which provide a mix of uses.*
- GV P2.3 *Promote "people scaled," walkable communities.*
- GV P2.4 *Support the preservation of stable, single-family neighborhoods.*

Principle 3: Enable prosperity for all people.

- GV P3.1 *Provide, in each community, a variety of housing types to meet the housing needs of all income levels.*
- GV P3.2 *Support educational opportunities that promote balanced growth.*
- GV P3.3 *Ensure environmental justice regardless of race, ethnicity or income class.*
- GV P3.4 *Support local and state fiscal policies that encourage balanced growth*
- GV P3.5 *Encourage civic engagement.*

Principle 4: Promote sustainability for future generations.

- GV P4.1 *Preserve rural, agricultural, recreational, and environmentally sensitive areas*
- GV P4.2 *Focus development in urban centers and existing cities.*
- GV P4.3 *Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.*
- GV P4.4 *Utilize "green" development techniques*

CONCLUSION

As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

All feasible measures needed to mitigate any potentially negative regional impacts associated with the proposed project should be implemented and monitored, as required by CEQA. Refer to the SCAG List of Mitigation Measures for additional guidance.

The list can be found at: http://www.scag.ca.gov/igr/documents/SCAG_IGRMMRP_2008.pdf

SUGGESTED SIDE BY SIDE FORMAT - COMPARISON TABLE OF SCAG POLICIES

For ease of review, we would encourage the use of a side-by-side comparison of all SCAG policies with a discussion of the consistency, non-consistency or not applicable of the policy and supportive analysis in a table format. All policies and goals must be evaluated as to impacts. Suggested format is as follows:

The complete table can be found at: <http://www.scag.ca.gov/igr/>

- Click on "**Demonstrating Your Project's Consistency With SCAG Policies**"
- Scroll down to "**Table of SCAG Policies for IGR**"

SCAG Regional Transportation Plan Goals and Compass/Growth Visioning Principles		
Regional Transportation Plan Goals		
Goal/ Principle Number	Policy Text	Statement of Consistency, Non-Consistency, or Not Applicable
RTP G1	Maximize mobility and accessibility for all people and goods in the region.	Consistent: Statement as to why Not-Consistent: Statement as to why or Not Applicable: Statement as to why
RTP G2	Ensure travel safety and reliability for all people and goods in the region.	Consistent: Statement as to why Not-Consistent: Statement as to why or Not Applicable: Statement as to why
RTP G3	Preserve and ensure a sustainable regional transportation system.	Consistent: Statement as to why Not-Consistent: Statement as to why or Not Applicable: Statement as to why
Etc.	Etc.	Etc.



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

April 24, 2009

Mr. John McMains, Director of Community Development
City of Yucaipa
Community Development Department
34272 Yucaipa Boulevard
Yucaipa, CA 92339

Dear Mr. McMains:

Notice of Preparation of a Draft Environmental Impact Report (Draft EIR) for the City of Yucaipa Housing Element Implementation Project

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The SCAQMD's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the draft environmental impact report (EIR). Please send the SCAQMD a copy of the Draft EIR upon its completion. **In addition, please send with the draft EIR all appendices or technical documents related to the air quality analysis and electronic versions of all air quality modeling and health risk assessment files. Electronic files include spreadsheets, database files, input files, output files, etc., and does not mean Adobe PDF files. Without all files and supporting air quality documentation, the SCAQMD will be unable to complete its review of the air quality analysis in a timely manner. Any delays in providing all supporting air quality documentation will require additional time for review beyond the end of the comment period.**

Air Quality Analysis

The SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. The SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the SCAQMD's Subscription Services Department by calling (909) 396-3720. Alternatively, the lead agency may wish to consider using the California Air Resources Board (CARB) approved URBEMIS 2007 Model. This model is available on the SCAQMD Website at: www.urbemis.com.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, that is, sources that generate or attract vehicular trips should be included in the analysis.

The SCAQMD has developed a methodology for calculating PM_{2.5} emissions from construction and operational activities and processes. In connection with developing PM_{2.5} calculation methodologies, the SCAQMD has also developed both regional and localized significance thresholds. The SCAQMD requests that the lead agency quantify PM_{2.5} emissions and compare the results to the recommended PM_{2.5} significance thresholds. Guidance for calculating PM_{2.5} emissions and PM_{2.5} significance thresholds can be found at the following internet address: http://www.aqmd.gov/ceqa/handbook/PM2_5/PM2_5.html.

In addition to analyzing regional air quality impacts the SCAQMD recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LST's can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore, when preparing the air quality analysis for the proposed project, it is recommended that the lead agency perform a localized significance analysis by either using the LSTs developed by the SCAQMD or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at <http://www.aqmd.gov/ceqa/handbook/LST/LST.html>.

It is recommended that lead agencies for projects generating or attracting vehicular trips, especially heavy-duty diesel-fueled vehicles, perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment ("Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis") can be found on the SCAQMD's CEQA web pages at the following internet address: http://www.aqmd.gov/ceqa/handbook/mobile_toxic/mobile_toxic.html. An analysis of all toxic air contaminant impacts due to the decommissioning or use of equipment potentially generating such air pollutants should also be included.

Mitigation Measures

In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate significant adverse air quality impacts. To assist the Lead Agency with identifying possible mitigation measures for the project, please refer to Chapter 11 of the SCAQMD CEQA Air Quality Handbook for sample air quality mitigation measures. Additional mitigation measures can be found on the SCAQMD's CEQA web pages at the following internet address: www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html Additionally, SCAQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook contain numerous measures for controlling construction-related emissions that should be considered for use as CEQA mitigation if not otherwise required. Other measures to reduce air quality impacts from land use projects can be found in the SCAQMD's Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning. This document can be found at the following internet address: <http://www.aqmd.gov/prdas/aqguide/aqguide.html>. In addition, guidance on siting incompatible land uses can be found in the California Air Resources Board's Air Quality and Land Use Handbook: A Community Perspective, which can be found at the following internet address: <http://www.arb.ca.gov/ch/handbook.pdf>. Pursuant to state CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed.

Data Sources

SCAQMD rules and relevant air quality reports and data are available by calling the SCAQMD's Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available via the SCAQMD's World Wide Web Homepage (<http://www.aqmd.gov>).

The SCAQMD is willing to work with the Lead Agency to ensure that project-related emissions are accurately identified, categorized, and evaluated. Please call Daniel Garcia, Air Quality Specialist, CEQA Section, at (909) 396-3304 if you have any questions regarding this letter.

Sincerely,

Steve Smith, Ph.D.
Program Supervisor, CEQA Section
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