



Wilson Creek Estates Final Environmental Impact Report SCH#2015091088

Case No. 15-061/TTM 19974

Lead Agency:
City of Yucaipa
Planning Division
34272 Yucaipa Blvd.
Yucaipa, CA 92399

June 2016

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FINAL EIR

WILSON CREEK ESTATES RESIDENTIAL SUBDIVISION

**CITY OF YUCAIPA
CASE NO. 15-061/TTM 19974**

Lead Agency:

City of Yucaipa
Planning Division
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June 2016

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LIST OF ACRONYMS

ACOE	U.S. Army Corps of Engineers
ADT	Average Daily Traffic
AQMP	Air Quality Management Plan
AWS	All-way-stop
BMP	Best Management Practices
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CalEEMod	California Emissions Estimator Model
CARB	California Air Resources Board
CCAA	California Clean Air Act
CC&Rs	Conditions, Covenants and Restrictions
CCR	California Code of Regulations
CDFG	California Department of Fish and Game
CEQA	California Environmental Quality Act
Cfs	Cubic feet per second
CMP	(San Bernardino County) Congestion Management Plan
CNDDDB	California Natural Diversity Data Base
CNEL	Community Noise Equivalent Level
CO	Carbon monoxide
County	County of San Bernardino
CSA	County Service Area
CUP	Conditional Use Permit
C&D	Construction and Development
dB	Decibel
dBA	Decibel A-weighted
DFG	California Department of Fish and Game
EB	Eastbound
EIR	Environmental Impact Report
FAR	Floor Area Ratio
FHWA	Federal Highway Administration
HCP	Habitat Conservation Plan
HHW	Household Hazardous Waste
HOV	High Occupancy Vehicle
HVLP	High Volume, Low Pressure
Hz	Hertz
lbs/day	Pounds per day
L	Low Density
L _{eq}	Equivalent Sound Level
LOS	Level of Service
MSL	Mean Sea Level
NA	Native American
NAAQS	National Ambient Air Quality Standards
NB	Northbound
NFPA	National Fire Protection Association

NNG	Non-native grasses
NO _x	Nitrogen oxides
NO ₂	Nitrogen dioxide
NOP	Notice of Preparation
NPDES	National Pollution Discharge Elimination System
O ₃	Ozone
Pb	Lead
PM ₁₀	Particulate Matter
ppm	Parts per million
PRC	Public Resources Code
Project	Wilson Creek Estates Residential Subdivision
PVC	Polyvinyl Chloride
ROC	Reactive Organic Compounds
RSA	Regional Statistical Area
RWQB	Regional Water Quality Control Board
SANBAG	San Bernardino Association of Governments
SB	Southbound
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
sf	Square feet
SO ₂	Sulfur dioxide
SWPPP	Storm Water Pollution Prevention Plan
TIA	Traffic Impact Analysis
TT	Tentative tract
UBC	Uniform Building Code
URBEMIS 7G	Urban Emission Model
USACE	United States Army Corps of Engineers
U.S. EPA	United States Environmental Protection Agency
VOC	Volatile Organic Compounds
V/C	Volume to Capacity
VCP	Vitrified Clay Pipe
WB	Westbound
WQ	Water Quality
YVWD	Yucaipa Valley Water District

EXECUTIVE SUMMARY

The Executive Summary prepared for the Wilson Creek Estates Residential Subdivision (the “Project”) briefly describes the intended use of the following Environmental Impact Report (EIR), in addition to the Project’s background, goals and objectives, alternatives, and the areas of environmental concerns relative to the Project. Table ES-2, *Summary of Significant Environmental Impacts, Mitigation Measures and Level of Significance after Mitigation*, is presented in this Executive Summary to outline the Project’s significant impacts by resource, mitigation measure(s), and the Project’s residual significant impact after implementation of recommended mitigation measure(s).

INTENDED USE OF THE EIR

As required by the California Environmental Quality Act (CEQA) pursuant to Public Resources Code § 21000-21178, as amended January 1, 2005, this Final EIR is specifically intended to assist decision-makers and the general public in understanding the potential significant environmental effects to occur with development of the Wilson Creek Estates Residential Subdivision. Additionally, CEQA states that an EIR must address “a range of reasonable alternatives to the Project, or a location of the Project, which could feasibly attain the basic objectives of the Project, but avoid or substantially lessen any of the significant effects of the Project and evaluate the comparative merits of the alternatives” (California Code of Regulations Title 14, Chapter 3 Section § 15126.6(a)). Therefore, the intent of this EIR is to delineate information on the:

- Potential environmental impacts of the Project;
- Feasible mitigation measures to avoid or significantly reduce these impacts; and,
- Evaluation of reasonable alternatives for use by decision-making bodies and other interested parties.

The City of Yucaipa is the lead agency for the Project, as defined by Section 15051(b) of the CEQA Guidelines, and will have discretionary authority over Project approval. This Final EIR is intended to be read together with the Draft EIR that was circulated for public comment.

PROJECT DESCRIPTION

The Project is located in the City of Yucaipa, in the County of San Bernardino (Figure ES-1), and consists of a Phased Tentative Tract Map (TTM) to subdivide approximately 236 gross acres into 184 single family lots each with a minimum lot size of one (1) gross acre, with two (2) additional “Not a Part” lots for an existing private residence (Casa Blanca Ranch). A lot line adjustment has been approved for current “Not a Part” lot configuration. The Project is intended to be constructed as a lot sales project, with individual lots to be sold to future builders.

The TTM includes right-of-way dedication for public streets within the development, which will include area to accommodate a multi-purpose trail system within the subdivision consistent with the City's General Plan Map of Multi-Use Trails and Bike Paths and Rural Multi-Use Trail specifications. Appropriate drainage easements will be recorded to accommodate 100-year flood zone areas located within the development.

The EIR process typically consists of three parts:

1. Initial Study and Notice of Preparation;
2. Draft EIR; and
3. Final EIR.

The original Notice of Preparation (NOP) for the proposed Project was circulated in September 2015. The NOP, which included a completed Initial Study Checklist, was distributed directly to approximately 17 public agencies and interested parties. A notice advising the availability of the NOP was posted with the San Bernardino County Clerk of the Board on October 1, 2015 and the State Clearinghouse on September 30, 2015. Copies of both the NOP and NOP distribution list are presented in Appendix A. Copies of the comments received in response to the NOP are also presented in Appendix A.

PROJECT OBJECTIVES

Pursuant to CEQA Guidelines Section 15124(b) and recent CEQA case law, the Project proponent, Meridian Land Development, has identified several objectives for the proposed Wilson Creek Estates Residential Subdivision. The Project objectives, shown below, are generally consistent with the City's building intensity standards for the Rural Living (RL) Land Use District, as well as the goals, policies, and objectives as defined in the City's adopted 2004 General Plan, including the 2013 update to the Housing Element:

1. To subdivide the property for single-family homes consistent with the density requirements and provisions of the Yucaipa General Plan;
2. The Project design specifically avoids mass grading;
3. Existing slopes and vegetation will be avoided wherever possible;
4. Street grades will follow the existing topography to the extent and wherever possible;
5. Rural street designs will maintain a 30-foot paved profile within a 60-foot right-of-way;
6. Street grading will not alter or impact Wilson Creek drainage; and
7. Minor drainage courses feeding into Wilson Creek will be left natural wherever possible.

AREAS OF CONTROVERSY/ISSUES TO BE RESOLVED

Section 15123(b)(3) of the CEQA Guidelines requires that an EIR describe known areas of controversy and issues to be resolved, including the choice among alternatives and how to mitigate significant impacts. The principal issues to be resolved include decisions by the City as to whether:

- The EIR adequately describes the environmental impacts of the proposed Project;
- The recommended mitigation measures should be adopted or modified;
- Additional mitigation measures need to applied to the proposed Project;

SUMMARY OF SIGNIFICANT ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Table ES-1 provides a summary of the significant environmental impacts, mitigation measures, and residual environmentally significant impacts following implementation of the mitigation measures. Detailed evaluation of these issues is presented in Section 3.0.

Table ES-1 Summary of Significant Environmental Impacts, Mitigation Measures, and Level of Significance after Mitigation

Potential Significant Adverse Environmental Impacts	Mitigation Measures	Level of Significance without Mitigation	Level of Significance After Mitigation
AESTHETICS			
Scenic Vistas	<p>AES-1: Prior to issuance of grading permits for an individual lot, the individual lot owner, shall submit a Building Pad Constraints Exhibit for City review and approval. The Building Pad Constraints Exhibit shall show how the proposed residence preserves scenic resources and vistas by identifying how the building pads and access driveways for each lot minimize development within areas of one or more of the following attributes:</p> <ul style="list-style-type: none"> • Moderate to steep sloping land (11 percent slope or greater). • Applicable drainage courses per the City Engineer, including but not limited to the FEMA-designated 100-year floodplain. • Within identified riparian areas. 	Potentially Significant Impact.	Less Than Significant Impact.
Impacts to the existing visual character or quality of the site and its surroundings.	<p>AES-2: Individual lot owners shall adhere to a “minimal grading” concept for the property, with circulation and drainage systems conforming to the existing contours of the land, and individual lots to be kept in their natural state to the extent feasible. Minimal grading is a concept designed to minimize excavation and filling, with roadways conforming closely to the natural contours.</p> <p>AES-3: Individual lots adjacent to Oak Glen Road shall incorporate the design elements set forth in the Transportation Element of the General Plan. The General Plan states that since Oak Glen Road acts as a gateway to the apple-growing tourist destination of Oak Glen that the following design elements be incorporated into the Project design:</p> <ul style="list-style-type: none"> • Deciduous flowering, tree massings; • Evergreen backdrop trees in windrows; • Split-rail fencing; and • Appropriate signage and hardscape feature with a rustic theme. <p>AES-4: Design elements of the Project are required to be consistent with standards identified in the General Plan Urban Design Element Landscape Guidelines, as updated from time to time.</p>	Potentially Significant Impact.	Less Than Significant Impact.
AGRICULTURE AND FORESTRY RESOURCES			
Prime and Unique Farmland. The portion of land along the north side of Oak Glen Road, designated unique farmland, is located on the southern portion of nine proposed lots of the	<p>AG-1: To protect the agricultural heritage of the site, the Olive Grove shall be maintained. Prior to recordation of the final map and the removal of any olive trees for the tract map development, or the development of any parcel, the subdivider shall submit to and receive approval from the Planning Division an Olive Tree Preservation Plan for common/street areas and for individual parcels. The Olive Tree Preservation Plan shall include:</p>	Potentially Significant Impact.	Less Than Significant Impact.

Potential Significant Adverse Environmental Impacts	Mitigation Measures	Level of Significance without Mitigation	Level of Significance After Mitigation
subdivision (lots 171 through 175 and lots 178 through 181).	<ul style="list-style-type: none"> • Delineation of grove boundaries • Maintenance responsibilities (who is responsible for trees in the future) • Method of tree preservation (easement, HOA, LLMD, CC&R's, etc.) • Preservation and protection of at least 75% of the entire olive grove). 		
AIR QUALITY			
The operational phase of the Project would generate VOC emissions that exceed the SCAQMD threshold of significance. These emissions are primarily related to hearth emissions.	AQ-1: The Project shall comply with the requirements of SCAQMD Rule 445 with regard to the installation of permanent indoor wood-burning devices (such as fireplaces and stoves). The exemption for residential properties above 3,000 feet msl or more shall not apply to the Project.	Potentially Significant Impact.	Less Than Significant Impact.
BIOLOGICAL RESOURCES			
<p>Sensitive and Special Status Species. The presence of white-tailed kite and Cooper's hawk, as well as habitat suitable for the burrowing owl, was observed on the Project site. Additionally, Parry's spineflower and Plummer's mariposa lily, both identified as sensitive species, was listed as having a high potential for occurrence within the Project site. Other special status species may also occur.</p> <p>The Project could result in the removal of up to 0.16 acre of riparian vegetation.</p>	<p>BIO-1: The property owner or Project contractor will be responsible to schedule vegetation clearing and grading activities outside of the typical avian nesting season (February 15 through August 31, or as determined by a qualified biologist based on observations in the field) to the maximum extent practical in order to comply with the MBTA and relevant sections of the California FGC. If vegetation clearing during the breeding season is unavoidable, avian nesting surveys and protection must be implemented as provided in Mitigation Measure BIO-5.</p> <p>BIO-2: Due to their potential for occurrence on the site, additional surveys for sensitive plants, including slender-horned spineflower, white-bracted spineflower, Parry's spineflower, and Plummer's mariposa lily, shall be completed during the spring blooming period prior to final map recordation and prior to construction of grading for common areas and streets, or of individual lots. The blooming period for Parry's spineflower is April through June, and Plummer's mariposa lily is May through July. Surveys during May would encompass both species; however, known reference populations should be visited to determine if April/May for Parry's spineflower would be better and another survey in June should occur to locate Plummer's mariposa lily. Should surveys indicate of the presence of these species, the Project proponent shall contact CDFW to determine appropriate strategies. Acceptable mitigation options may include:</p> <ol style="list-style-type: none"> 1. Avoidance of sensitive plant locations; 2. Payment of an in-lieu fee; or, 	<p>Potentially Significant Impact.</p> <p>Potentially Significant Impact.</p>	<p>Less Than Significant Impact.</p> <p>Less Than Significant Impact.</p>

Potential Significant Adverse Environmental Impacts	Mitigation Measures	Level of Significance without Mitigation	Level of Significance After Mitigation
<p>A total of 0.64 acres of potential waters of the U.S. were recorded on the property. This acreage represents a calculated estimation of the jurisdictional area within the Project boundaries, and is subject to modification following the USACE verification process. A total of 1.202 acres of CDFG Habitat Area were recorded on the property, and this finding is to be verified by the CDFW. No wetlands are present, and impacts to waters would be largely avoided by drainage easements.</p> <p>Protected oak trees subject to the City's Oak Tree Conservation Ordinance were found to exist on the project site, and could be removed during development.</p>	<p>3. Replacement of plants.</p> <p>Ground disturbance in areas where sensitive plants have been documented shall not be allowed to proceed until a mitigation option commensurate with the level of impact has been selected and approved by the City.</p> <p>BIO-3: During Project grading activities, the limits of grading and construction activities within the Project footprint shall be clearly delineated with temporary staking, flagging, or similar materials by the property owner or Project contractor. Grading of the Project footprint shall be minimized to the greatest extent feasible and access to it shall be via preexisting/maintained access routes to the greatest extent possible.</p> <p>BIO-4: Prior to the issuance of grading permits for any ground disturbing activities occurring in areas that contain FEMA 100-year flood zones or regulated aquatic resources such as washes, streams, or wetlands, the developer or landowner shall either:</p> <ol style="list-style-type: none"> 1) Obtain federal and/or state permits authorizing the proposed work, including a Clean Water Act Section 404 Permit, Clean Water Act Section 401 Water Quality Certification, Lake/Streambed Alteration Agreement, and/or Waste Discharge Requirements; or, 2) Obtain statements from the U.S. Army Corps of Engineers, CDFW, and Santa Ana RWQCB indicating that such permits are not required, and provide these statements to the City. <p>A grading permit shall not be issued, and no vegetation shall be removed from these areas, until the conditions above are satisfied. If federal or State permits are obtained, the permittee shall comply with all permit conditions when implementing the proposed activities, including any seasonal timing restrictions, impact avoidance measures, limitations on</p> <p>BIO-5: Within 72 hours prior to vegetation clearing or grading that would occur during the avian breeding season (typically February 1 through August 31 in the Project region, or as determined by a qualified biologist based on observations in the field), the developer shall have a City-approved biologist conduct a survey to determine if active nests of any bird species protected by the Migratory Bird Treaty Act or the California Fish and Game Code are present in the disturbance zone or within 200 feet (500 feet for raptors or listed species) of the disturbance zone. If active nests are detected, clearing and construction within 200 feet of the nest (500 feet for raptors and listed species) shall be postponed until the nest is vacated and juveniles have fledged, as determined by the biologist. This buffer shall be established in the field by highly visible means.</p> <p>The biologist shall be present and monitor vegetation removal, and shall have the authority to stop work to protect nesting birds or other biological resources, or if violations of laws or permit conditions would occur. If it is necessary to perform limited work inside the avoidance buffer [ARC1] to achieve a condition where work can be safely suspended, the biological monitor must be present and will ensure that construction activities are not affecting the nest. The monitor shall impose any necessary restrictions, including limiting work durations,</p>	<p>Potentially Significant Impact.</p> <p>Potentially Significant Impact.</p>	<p>Less Than Significant Impact.</p> <p>Less than Significant Impact.</p>
<p>AECOM</p> <p>Protected oak trees subject to</p>	<p>The biologist shall be present and monitor vegetation removal, and shall have the authority to stop work to protect nesting birds or other biological resources, or if violations of laws or permit conditions would occur. If it is necessary to perform limited work inside the avoidance buffer [ARC1] to achieve a condition where work can be safely suspended, the biological monitor must be present and will ensure that construction activities are not affecting the nest. The monitor shall impose any necessary restrictions, including limiting work durations,</p>		<p>ES-7</p>

Potential Significant Adverse Environmental Impacts	Mitigation Measures	Level of Significance without Mitigation	Level of Significance After Mitigation
<p>As stated above, the presence of white-tailed kite and Cooper’s hawk, as well as habitat suitable for the burrowing owl, was observed on the Project site. Other special status species may also occur.</p>	<p>The biologist shall be present and monitor vegetation removal, and shall have the authority to stop work to protect nesting birds or other biological resources, or if violations of laws or permit conditions would occur. If it is necessary to perform work inside the avoidance buffer, the biological monitor must be present and will ensure that construction activities are not affecting the nest. The monitor shall impose any necessary restrictions, including limiting work durations, installing visual barriers, or prohibiting work within the avoidance buffer, to protect the success of the nest and ensure compliance with federal and state law.</p> <p>BIO-6: Prior to the issuance of grading permits for infrastructure facilities (Project roadways and backbone infrastructure) it will be the responsibility of the project proponent (master developer) to obtain the necessary permits for removal of protected oak trees as applicable. Subsequent oak tree removal permits outside of the public right-of-way will be the responsibility of the individual lot owners as applicable. Removal of oak trees will also be subject to nesting surveys prior to the issuance of permits, consistent with the requirements identified under Mitigation Measure BIO-5.</p> <p>BIO-7: A pre-construction survey for burrowing owls shall be conducted by a City-approved biologist, no more than 14 days prior to commencement of grading, and shall be submitted to the Planning Division for approval. The survey shall be conducted according to the CDFW’s 2012 <i>Staff Report on Burrowing Owl Mitigation</i>. If active burrowing owl burrows are detected on-site, they shall not be excavated or disturbed during the breeding season (February 1 through August 31). Outside the breeding season, burrowing owl burrows shall only be removed pursuant to a Burrowing Owl Exclusion Plan prepared in accordance with the 2012 <i>Staff Report on Burrowing Owl Mitigation</i> and approved by CDFW.</p>	<p>Potentially Significant Impact.</p>	<p>Less than Significant Impact.</p>
CULTURAL RESOURCES			
<p>The proposed Project includes the construction of new homes immediately adjacent to the Casa Blanca property, which is eligible for listing in both the NRHP under criteria A through C and in the CRHR under criteria 1 through 3.</p>	<p>CR-1: Prior to recordation of the final map, the following security measures shall be implemented to the existing Casa Blanca residence to prevent arson and further vandalism:</p> <ul style="list-style-type: none"> a) Installation of an alarm system to the main residence. b) Installation of a locked gate at the lower end of the driveway by Oak Glen Road. <p>CR-2: Prior to the issuance of building permits to restore the Casa Blanca residence, a landscaping plan shall be submitted to the City for review and approval. The landscaping plan shall show how the landscaping and plantings in the area immediately surrounding the house shall be preserved for the Casa Blanca residence’s integrity of setting. This includes the front yard and its border of deodar cedar and olive trees, the deodar cedar trees that line the driveway, the stone retaining wall with rings for tethering horses in the back yard of the house, and the olive trees on the steep hill slope south of the house. Keeping the olive trees on the hill slope would</p>	<p>Potentially Significant Impact.</p>	<p>Less Than Significant Impact.</p>

Potential Significant Adverse Environmental Impacts	Mitigation Measures	Level of Significance without Mitigation	Level of Significance After Mitigation
	<p>have the added effect of maintaining the historical visual barrier between Oak Glen Road and the house. Retaining the Casa Blanca house and its immediate surroundings would provide an aesthetic focal point for any new residential development, as well as an important link to the history of the region and its pioneers.</p> <p>CR-3: Although the cultural resources survey was conducted in as thorough a manner as possible, there is always the possibility that previously unidentified archaeological and paleontological resources could be discovered during Project construction. Prior to the issuance of grading permits, the developer or Project contractor will be responsible to retain the services of a qualified archaeologist and/or paleontologist who shall monitor grading activities during Project construction for all of the Project roads and common areas. In the event that any prehistoric or historic-period cultural resources (chipped or ground stone lithics, animal bone, ashy midden soil, structural remains, historic glass or ceramics, etc.) are discovered during the course of construction when a monitor is not present, the Project contractor will be responsible to cease all work in the vicinity and wait until the archaeologist and/or paleontologist has evaluated the significance of the find and has removed the resource as required by law. In addition, as individual parcel owners develop a parcel, each owner shall retain archeological and paleontological services to monitor construction activities for each individual parcel.</p> <p>CR-4: If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made necessary findings as to origin and disposition of the remains pursuant to PRC Section 5097.98. The following actions must be taken by the property owner or Project contractor or proponent in the event that human remains are discovered on private or State land:</p> <ul style="list-style-type: none"> ○ Stop work immediately and contact the County Coroner. The County Coroner must be notified immediately of the find. ○ The Coroner has two working days to examine human remains after being notified by the responsible person. If the remains are determined to be prehistoric or Native American the coroner will notify the NAHC within 24 hours. ○ The NAHC will immediately notify the person it believes to be the most likely descendent (MLD) of the deceased Native American. With the permission of the landowner or agency, or an authorized representative, the MLD may inspect the site of the discovery. ○ The MLD makes recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods. 		

Potential Significant Adverse Environmental Impacts	Mitigation Measures	Level of Significance without Mitigation	Level of Significance After Mitigation
<p>140, 141, 145, 151, 154, 158, 159, 171, 173-180, 182, 184.</p>	<p>easement will be recorded as approved by the City Engineer, aligned consistent with the centerline of the wash. A conservation easement exceeding the limits of the 100-year flood shall be recorded. No buildings or structures will be permitted within the easement, which shall be maintained as close to its natural state as possible.</p> <p>WQHYDRO-5: Grading plans submitted to and approvable by the Engineering Department shall delineate the limits of grading and construction activities and should clearly outline the limits of the drainage easements and the 100-year flood limits.</p> <p>WQHYDRO-6: Building plans submitted to and approvable by the Engineering Department shall be designed so that new construction and substantial improvement of any residential structure shall have the lowest floor, elevated to one foot above base flood elevation. Upon the completion of the structure, the elevation of the lowest floor, including the basement, shall be certified by a registered professional engineer or licensed land surveyor, and verified by the City Building Official to be properly elevated above the floodplain elevation at the time of certification.</p> <p>WQHYDRO-7: The property owner or the Project applicant for future development projects shall prepare additional project drainage studies and submit for approval by the City Engineer when future development plans are available. Such studies will need to identify any increase in developed condition peak flows, measures to manage any incremental increase in storm flows (e.g. detention/retention basins, other storm water BMPs), measure impacts to adjacent properties, and identify and quantify whether diversion of flow will occur.</p> <p>WQHYDRO-8: The property owner or the Project applicant for future development projects shall ensure that fill materials placed adjacent to streambeds are compacted according to the City's development standards. It must be demonstrated that fill will not settle and is protected from erosion, scour, or differential settlement.</p> <p>WQHYDRO-9: Storm water drainage inside the proposed Project boundaries will be designed to minimize soil erosion and provide for sediment control. Drainage control measures will be installed so that surface runoff will not be increased as it exits the site and does not increase velocity, to prevent erosion of downslope properties. Final design of the site drainage shall be subject to all requirements of the grading permit.</p> <p>WQHYDRO-10: The property owner or the Project applicant for future development projects shall provide employee training concerning water quality and site management (as is required in the WQMP). The employee training documents shall be submitted to the City</p>		

Potential Significant Adverse Environmental Impacts	Mitigation Measures	Level of Significance without Mitigation	Level of Significance After Mitigation
	<p>Engineering Department prior to the issuance of final occupancy permits.</p> <p>WQHYDRO-11: The property owner or the Project applicant for future development projects shall prepare and submit a Notice of Intent to comply with the Construction General Permit to the California State Water Resources Board.</p> <p>WQHYDRO-12: The property owner or the Project applicant for future development projects shall prepare a SWPPP per requirements of the Construction General NPDES Permit.</p> <p>WQHYDRO-13: During Project construction and operation, the property owner or Project contractor will be required to use or store hazardous materials in a safe manner and at an appropriate distance from known or identified natural drainages. Material Safety Data Sheets will be made available to all site workers for cases of emergency.</p> <p>WQHYDRO-14: The property owner or the Project applicant for future development projects shall prepare a final WQMP for approval by the City Engineer addressing post-construction water quality BMPs.</p>		
LAND USE/PLANNING			
None identified.	None required.	N/A	N/A
MINERAL RESOURCES			
None identified.	None required.	N/A	N/A
NOISE			
The proposed Project would result in a temporary increase in ambient noise levels during construction activities.	<p>CONSTRUCTION NOISE:</p> <p>NOISE-1: Engineering noise controls – to the extent practical, locate stationary and/or continuous major noise producers (e.g., air compressors, generators) as far as possible from the potentially impacted residential receiver. In other words, gain more naturally-occurring noise attenuation via increasing distance between source and receiver.</p> <p>NOISE-2: Equipment noise controls – there are a number of practices that could be employed as follows:</p> <ul style="list-style-type: none"> • Ensure that all engine-driven vehicles and stationary equipment feature factory-approved exhaust silencers/mufflers that are in proper working order. • Minimize idling time for engine-driven operating vehicles that have the engine running between periods of mobility and/or work-intensive activity. For instance, with respect to its influence on an hourly L_{eq} value, reducing the time that a vehicle or piece of equipment operates by half (e.g., 10 minutes instead of 20 during a given 	Potentially Significant Impact.	Less Than Significant Impact.

Potential Significant Adverse Environmental Impacts	Mitigation Measures	Level of Significance without Mitigation	Level of Significance After Mitigation
	<p>hour) generally enables a 3 dB reduction of noise emission associated with that source (since it is contributing half as much acoustical energy), which can help lower the overall hourly L_{eq} value representing the sound environment at a studied location.</p> <ul style="list-style-type: none"> As certain equipment may have a “louder” side or facing (e.g., an air intake that produces the most noise), position the equipment onsite so that said louder facings are directed away from the noise-sensitive receiver. <p>NOISE-3: Beyond noise mitigation measures NOISE-1 and NOISE-2, proper design and installation of temporary construction noise barriers may need to be implemented to reduce construction noise. The following are recommended:</p> <ul style="list-style-type: none"> Use of quiet construction equipment when possible. Operational limitations within the noise ordinance day time hours. Use of temporary sound barriers. When loud equipment is required for construction, noise baffles should be used to reduce impacts. When the construction activity of concern has concluded and moved to sufficiently more distant Project locations, thus increasing the distance between it and the NSR, the need for temporary noise barriers would correspondingly diminish or be eliminated altogether. <p><u>OPERATIONAL NOISE:</u></p> <p>NOISE-4: Developer shall consider options for and implement measure(s) such as an earthen berm or wall of sufficient height and extent between 11114 Cherry Croft Drive and the primary roadway traffic noise sources (e.g., engine exhaust and tire/pavement contact) on Jefferson Street so that 4 dBA of Jefferson Street traffic noise reduction as quantified at 11114 Cherry Croft Drive can be achieved. Noise reduction benefit could be estimated prior to mitigation measure design and installation as part of Jefferson Street roadway upgrading, and field-verified with pre-construction and post-construction outdoor noise level measurements similar to those performed for the baseline sound environment data collection described in Section 3.2.2 of Appendix I.</p>		
PUBLIC SERVICES			
None identified.	None required.	N/A	N/A

Potential Significant Adverse Environmental Impacts	Mitigation Measures	Level of Significance without Mitigation	Level of Significance After Mitigation
RECREATION			
None identified.	None required.	N/A	N/A
TRANSPORTATION/TRAFFIC			
Based on the results of the traffic study, there are no anticipated AM and PM peak hour Project added trips at the Bryant Street/Carter Street intersection. The development of the Project will not impact nor deteriorate the forecast intersection delay of the Bryant Street/Carter Street intersection, which is projected to operate at LOS E during the morning peak hour and LOS D during the evening peak hour under 2040 traffic conditions with and without Project.	<p>The Project shall contribute to the implementation of the following mitigation measure to improve the forecast future LOS E/D operation of this intersection:</p> <ul style="list-style-type: none"> TR-1: Signalization of the Bryant Street/Carter Street intersection will be required when MUTCD peak hour signal warrants are met. Based on the prevailing growth in the area, the anticipated year of implementation of the signal will be by Year 2025 contingent upon meeting traffic signal warrants. The Project may proactively contribute in a fair-share program (based on and not to exceed 50 daily or five peak hour Project added trips) towards the costs of the signalization of this intersection. 	Potentially Significant Impact.	Less Than Significant Impact.
UTILITIES/SERVICE SYSTEMS/ENERGY			
None identified.	None required.	N/A	N/A

1.0 INTRODUCTION

1.1 PURPOSE AND INTENT

This Final Environmental Impact Report (Final EIR) has been prepared to evaluate the potential environmental effects of the proposed Wilson Creek Estates Residential Subdivision (“Project”). It is to be read in conjunction with the Draft EIR that was circulated for public comment. In accordance with Section 15121(a) of the California Environmental Quality Act (CEQA) Guidelines (California Administrative Code, Title 14, Division 6, Section 3), the purpose of this EIR is to:

“... inform public agency decision-makers and the public generally of the significant environmental effect of a Project, identify possible ways to minimize the significant environmental effects, and describe reasonable alternatives to the Project ...”

This EIR does not set forth City policy about the appropriateness of the Project. It contains information on the (1) potential environmental impacts of the Project, (2) feasible mitigation measures to avoid or significantly reduce the impacts, and (3) an evaluation of reasonable alternatives for use by City decision-making bodies, public agencies and the general public.

1.2 PROPOSED PROJECT ACTIONS AND PROJECT OBJECTIVES

The EIR analyzes the development of the Project as a whole in order to determine the full potential impact of the proposed Project. It is uncertain, however, as to what portion of the overall Project will be constructed initially as the Project is anticipated to be developed as individual lot sales, and the rate of development will depend on market demand. To ensure that there are adequate facilities, improvements and access for the Project site, the onsite improvements, including streets, utilities, and related infrastructure will be constructed as each phase of the Project is completed. This will ensure that utilities, roadways, and related infrastructure onsite meet the demands of the residential units.

This statement of the Project objectives is intended to provide a clear understanding of the purpose and intent of the Project, to assist in the formulation and evaluation of alternatives, and to aid in the preparation of findings by the decision-making body.

Pursuant to CEQA Guidelines Section 15124(b) and recent CEQA case law¹, the Project proponent, Meridian Land Development, has identified several objectives for the proposed Wilson Creek Estates Residential Subdivision. The Project objectives, shown below, are generally consistent with the goals, policies, and objectives as defined in the City of Yucaipa’s General Plan, including the 2013 update to the Housing Element:

1. To subdivide the property for single-family homes consistent with the density requirements and provisions of the Yucaipa General Plan;

¹ *Watsonville Pilots Assoc. v. City of Watsonville* (2010) 183 Cal.App.4th 1059

2. The Project design specifically avoids mass grading;
3. Existing slopes and vegetation will be avoided wherever possible;
4. Street grades will follow the existing topography to the extent and wherever possible;
5. Rural street designs will maintain a 30-foot paved profile within a 60-foot right-of-way;
6. Street grading will not alter or impact Wilson Creek drainage; and
7. Minor drainage courses feeding into Wilson Creek will be left natural wherever possible.

1.3 FORMAT AND CONTENT OF THIS EIR

As part of the Notice of Preparation (refer to Appendix A), an initial study was completed and circulated for the Project. The following environmental topics were identified for additional information and analysis in the Draft EIR:

- Aesthetics
- Agricultural and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Greenhouse Gas Emissions
- Hazards/Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities/Service Systems
- Mandatory Findings of Significance

This Final EIR is organized into three sections. In addition to this introductory section, Section 2.0 contains a detailed Project description, including a discussion of the regional and local context of the Project. Section 3.0 contains the comments received on the Draft EIR and their corresponding responses. It also contains a list of text edits and additions as well as an Errata section of minor corrections or modifications to the text of the Draft EIR.

1.4 DISCRETIONARY ACTIONS

The intent of this EIR is to provide sufficient information to allow the discretionary actions listed below to be considered and approved by the Lead Agency and Responsible Agencies.

1.4.1 Tentative Tract Map

The applicant has submitted an application for a Phased Tentative Tract Map (Case No. 15-061/TTM 19974), to create 184 numbered lots, with two (2) additional “Not a Part” lots for an existing private residence (Casa Blanca Ranch). A lot line adjustment has been approved for current “Not a Part” lot configuration.

The TTM includes right-of-way dedication for public streets within the development, which will include area to accommodate a multi-purpose trail system within the subdivision consistent with the City’s General Plan Map of Multi Use Trails and Bike Paths and Rural Multi Use Trail specifications. Appropriate drainage easements will be recorded to accommodate 100-year flood zone areas located within the development.

1.4.2 Other Related Actions

Prior to the issuance of grading permits, permits will be required to remove and relocate onsite protected oak trees to the extent such tree removal and/or relocation is proposed. These permits would be issued by the Development Services Department (City).

1.4.3 Other Agency Permits

This EIR may be used for approvals and or permits issued by the following Responsible Agencies:

- Yucaipa Valley Water District
- Santa Ana Regional Water Quality Control Board
- California Department of Fish and Wildlife
- United States Army Corps of Engineers

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2.0 PROJECT DESCRIPTION

2.1 LOCATION

The proposed Project encompasses approximately 236 acres of land located within the northeast portion of the City of Yucaipa (City), San Bernardino County, California. The site is located within Section 29, Township 1 South, and Range 1 West, San Bernardino Base and Meridian, and is identified on the Baldy Mesa, California United States Geological Survey (USGS) 7.5-Minute Topographic Quadrangle Map (USGS 1970). The site is located at latitude 34°2'56.74"N and Longitude 117°0'59.84"W. Figures 2-1 and 2-2 show the Project site's regional and local vicinity, respectively.

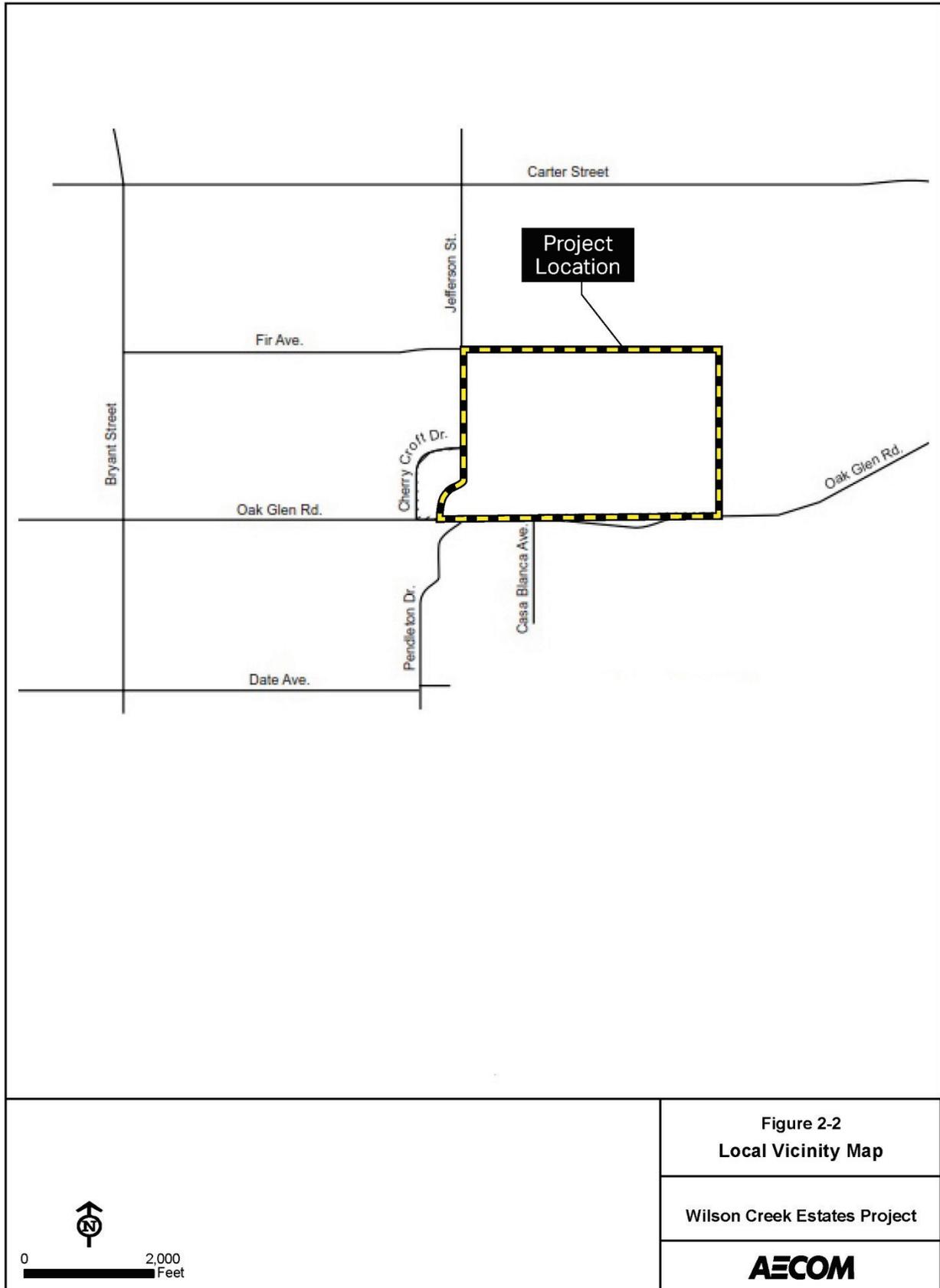
As shown in Figure 2-2, the Project site is located north of Oak Glen Road and east of Jefferson Street/Cherry Croft Drive. The Project site is currently improved with a vacant ranch, which has been historically used for agricultural purposes, and includes hilltops and canyons. Several farm related structures exist on the Project site, including a ranch house and other small habitable buildings, as well as structures used for storage, workshop and packing purposes.

The Project includes the following Assessor Parcel Numbers (APN):

0321-082-15
0321-101-02
0321-101-12
0321-101-21

The City, in its capacity as Lead Agency under CEQA, would consider this document and other information that may be presented to the City to make decisions concerning the Project.

Figure 2-2 Local Vicinity Map



2.2 REGIONAL AND LOCAL CONTEXT

2.2.1 Land Use

The property is located along the upper portions of Wilson Creek in the northeastern portion of the City of Yucaipa, San Bernardino County, California four miles north of Interstate 10. The property is bound by Fir Avenue to the north, Oak Glen Road to the south, Jefferson Street and Cherry Croft Drive to the west.

As outlined in the 2004 Yucaipa General Plan, the city is divided into five residential neighborhoods, North Bench, Central Yucaipa, Wildwood Canyon, Dunlap Acres, and Freeway Corridor, based on topography and creeks. The proposed site is situated in the North Bench Planning Area, which is a residential area of Yucaipa, north of Oak Glen Road.

The location of the Project has been a historical ranch with vacant lands to the north and east. The Project site is currently improved with a vacant ranch used for agricultural purposes, and includes hilltops and canyons. Several farm related structures exist on the Project site, including a ranch house and other small habitable buildings, as well as structures used for storage, workshop and packing purposes.

Vacant and open land zoned for rural residential and open space uses is located to the east of the Project site. Large lot, rural (one to five acre minimum lot sizes) and single family (20,000 square feet minimum lot size) residential uses are located to the west and south of the Project site (Figure 2-3). It should be noted that there are approved Tentative Tract Maps for the adjacent, vacant parcels which would allow development of one gross acre lots or larger.

Wilson Creek, a designated Federal Emergency Management Agency (FEMA) 100-year flood plain and a USGS blue line stream, traverses through the north and central portions of the Project site (see Figure 2-4 – Preliminary Flood Hazard Map). Other non-FEMA drainage courses also traverse the Project site.

2.2.2 Natural Resources

Vegetation within the site consists of a mixture of native shrubs and trees, agriculture, orchards, grasslands and developed areas. Native vegetation tends to dominate the Wilson Creek area and its associated finger canyons, while agriculture and associated plant communities dominate the ridgelines. Several outbuildings exist in the southwestern corner of the property. The property is currently subject to some degree of human visitation, likely from site maintenance purposes, with associated habitat degradation.

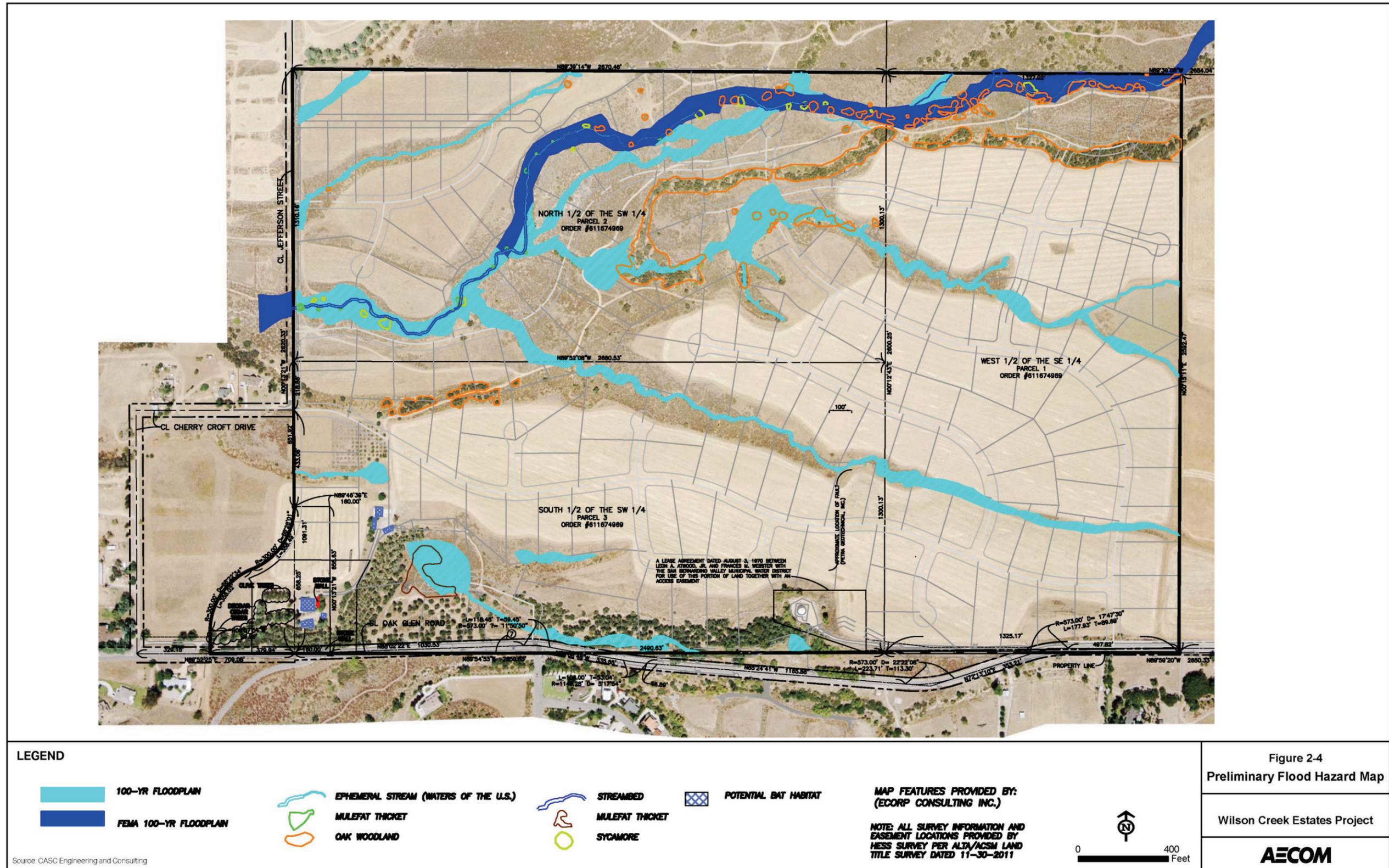
The property is located along Wilson Creek within the Yucaipa Creek Watershed, a watershed of approximately 67 square miles, which is a part of the much larger Santa Ana River Watershed. Local topography consists of a single large canyon (Wilson Creek), and a few adjoining canyons, surrounded by ridges trending in an east to west direction. The property ranges in elevation between approximately 3,000 feet above mean sea level (msl) in the southwest section to 3,460 feet above msl in the northeast.

Figure 2-3 Local Vicinity Aerial



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Figure 2-4 Preliminary Flood Hazard Map



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2.3 PROJECT CHARACTERISTICS

2.3.1 Tentative Tract Map

The Tentative Tract Map will subdivide approximately 236 gross acres into 184 single family lots with a minimum lot size of one (1) gross acre, with two (2) additional “Not a Part” lots for an existing private residence (Casa Blanca Ranch). A lot line adjustment has been approved for current “Not a Part” lot configuration. See Figure 2-5 – Proposed Subdivision Map.

The TTM includes right-of-way dedication for public streets within the development, which will include a multi-purpose trail system within the subdivision rights-of-way consistent with the City’s General Plan Map of Multi Use Trails and Bike Paths and associated design standards. Appropriate drainage easements will be recorded to accommodate 100-year flood zone areas located within the development.

The proposed Project is intended to reflect a rural design that includes minimal grading for roads, and phased recordation based upon projected demand and sales potential. Recorded lots are to be sold to individual home buyers to build and construct on an individual basis. Each homeowner would act as their own developer and would be responsible for hiring professionals to prepare plans for review and approval by the City prior to the issuance of any permits, such as site grading and building. The implementation of mitigation measures for natural resources permitting is the responsibility of each permit applicant/holder. No production-type housing is proposed by the applicant at this time; however, there is a possibility of such occurrence and relevant Conditions of Approval for the Project can be used in either scenario.

2.3.2 Grading

The Project Proponent is proposing to build paved streets and infrastructure to support 184 developable rural residential lots. The Project includes roads, water and sewer lines, utilities, and fire access. It is the intent of the Project proponent to utilize a ‘minimal grading’ concept for the property, meaning that the Project design, including the circulation and drainage systems, would conform to the existing contours of the land to the extent possible. Primary objectives and features of the development plan involve a minimal grading concept to preserve to the maximum extent possible existing slopes and vegetation, and avoid mass-grading. Further, the design and layout of the proposed one-acre lots offer the opportunity to maintain each lot in its natural state until development. However, individual site grading would occur as lots are sold and developed by individuals. Grading for each individual lot would need to be consistent with appropriate drainage requirements.

2.3.3 Circulation and Infrastructure

Primary access to the site will be from new public residential streets with access from the re-aligned Jefferson Street and Oak Glen Road. Regional access to the site will be provided via Oak Glen Road, the major east-west corridor that also is accessible from the I-10 Freeway.

Sewer service for this Project is provided by the Yucaipa Valley Water District. Water service, for both domestic and fire protection purposes, is provided by the Yucaipa Valley Water District.

On-site distribution systems will be constructed as part of the Project. Electrical, telephone, and gas services will also be constructed as part of the Project.

2.4 CUMULATIVE PROJECTS

CEQA Guidelines Section 15130(b) requires identification of related Projects that together with the Project could have cumulative impacts on the environment. A cumulative impact is an impact that is created as a result of the combination of the Project described in this EIR, together with other projects causing related impacts. A list of such projects in the City of Yucaipa and their location is provided in Table 2-1. This list was developed to include projects that could combine with the proposed Project to cumulatively affect resources. Potential cumulative impacts are discussed further in Section 4.0 of the Draft EIR, which is included as Appendix A of this Final EIR.

Table 2-1 Cumulative Projects List

Project	General Location	Total Units/Site Size
Tract 18593	north of Oak Glen Road, east of Casa Blanca Ave.	58 SF detached on 78.8 acres
Tract 17725	west of 3 rd Street, east of 4 th Street, and south of Avenue H	108 SF Condo units on 14.9 acres
Tract 18948	NEC Chapman Heights Rd. and Oak Glen Rd.	143 SF detached homes
Tract 17229	SE corner of Jefferson and Carter Street	229 lot subdivision on 318 acres

Tract 18593: Tentative Tract Map to subdivide 78.8 acres into 58 single family detached lots located on the north side of Oak Glen Road, approximately a half mile east of Cherry Croft Drive.

Tract 17725: Tentative Tract Map for a 108 detached unit condominium project on 14.9 acres, west of 3rd Street, east of 4th Street, and south of Avenue H.

Tract 18948: Tract Map to build 143 single family detached homes within the Planning Area 3D in Chapman Heights (NE corner of Chapman Heights Road and Oak Glen Road); APN: 0303-131-093. The project is currently under construction by William Lyon Homes.

Tract 17229: Tentative Tract Map for a 229 lot subdivision on 318 acres located at the SE corner of Jefferson and Carter Street: APNs: 321-091-01, 03, 04 & 06.

2.5 PROPOSED PROJECT ALTERNATIVES

Section 15126.6² of the CEQA states that an EIR describe a range of reasonable alternatives to the Project or to the location of the Project, which would feasibly attain most of the basic

² CEQA Guidelines 15126.6(b): Because an EIR must identify ways to mitigate or avoid the significant effects that a Project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the Project or its location which are capable of avoiding or substantially lessening any significant effects of the Project, even if these alternatives would impede to some degree the attainment of the Project objectives, or would be more costly.

objectives of the Project but would avoid or substantially lessen any of the significant effects of the Project, and evaluate the comparative merits of the alternatives. The range of potential alternatives to the proposed Project needs to include those that could feasibly accomplish most of the basic objectives of the Project and could avoid or substantially lessen one or more of the significant effects. The following alternatives were considered in this environmental analysis:

- No Project Alternative;
- Lower density Alternative;
- Planned Development Alternative; and
- Alternative locations also within the Rural Living 1, Improvement Level 3 (RL-1) Zoning and 2004 General Plan designations.

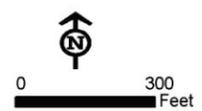
The alternatives are further discussed and analyzed in Section 6.0, Alternatives of the Draft EIR, which is included as Appendix A of this Final EIR.

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Figure 2-5 Proposed Subdivision Map



<p>LEGEND</p> <table border="0"> <tr> <td>BSL</td> <td>BUILDING SETBACK LINE</td> <td>PI</td> <td>POINT OF INTERSECTING GRADE</td> <td>(XX.XX)</td> <td>EXISTING ELEVATION</td> <td>---</td> <td>BUILDING SETBACK LINE</td> </tr> <tr> <td>FG</td> <td>FINISH GRADE</td> <td>P.U.E</td> <td>PUBLIC UTILITY EASEMENT</td> <td>40</td> <td>LOT NUMBER</td> <td>---</td> <td>TRACT BOUNDARY</td> </tr> <tr> <td>FL</td> <td>FLOW LINE</td> <td>RW</td> <td>RETAINING WALL</td> <td>03.7 PE</td> <td>PAD ELEVATION</td> <td>---</td> <td>PROPOSED SEWER LINE</td> </tr> <tr> <td>FS</td> <td>FINISH SURFACE</td> <td>HP</td> <td>HIGH POINT</td> <td>□</td> <td>PROPOSED CATCH BASIN</td> <td>---</td> <td>PROPOSED WATER LINE</td> </tr> <tr> <td></td> <td></td> <td>S.D.</td> <td>STORM DRAIN</td> <td>▽</td> <td>2:1 SLOPE</td> <td>---</td> <td>PROPOSED STORM DRAIN LINE</td> </tr> </table>				BSL	BUILDING SETBACK LINE	PI	POINT OF INTERSECTING GRADE	(XX.XX)	EXISTING ELEVATION	---	BUILDING SETBACK LINE	FG	FINISH GRADE	P.U.E	PUBLIC UTILITY EASEMENT	40	LOT NUMBER	---	TRACT BOUNDARY	FL	FLOW LINE	RW	RETAINING WALL	03.7 PE	PAD ELEVATION	---	PROPOSED SEWER LINE	FS	FINISH SURFACE	HP	HIGH POINT	□	PROPOSED CATCH BASIN	---	PROPOSED WATER LINE			S.D.	STORM DRAIN	▽	2:1 SLOPE	---	PROPOSED STORM DRAIN LINE	<p>Figure 2-5 Proposed Subdivision Map</p>	
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		S.D.	STORM DRAIN	▽	2:1 SLOPE	---	PROPOSED STORM DRAIN LINE																																						
<p>Source: CASC Engineering and Consulting, Meridian Land Development Company</p>				<p>Wilson Creek Estates Project</p>																																									
<p>AECOM</p>				<p>AECOM</p>																																									



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3.0 COMMENTS AND RESPONSES

This Section has been prepared in accordance with Section 15088 of the California Environmental Quality Act (CEQA) Guidelines.

3.1 INTRODUCTION

As the CEQA lead agency, the City of Yucaipa has reviewed each of the comments received on the Draft EIR for the proposed Project and has prepared responses to the written comments received. The Draft EIR was circulated for a public review period that began March 15, 2016 and concluded on April 28, 2016. The comment letters (see Section 3.3) were submitted by agencies, organizations, and individuals. A total of 10 comment letters were received during the public review period.

The focus of the Lead Agency's responses to comments (see Section 3.4) is the disposition of environmental issues that are raised in the comments, as specified by Section 15088(b) of the State CEQA Guidelines. Detailed responses are not necessarily provided to comments on the merits of the proposed Project, unless the comment suggests deficiencies in the EIR's analysis. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR (Section 15204(a)).

The Draft EIR, as revised, and this Comments and Responses section collectively comprise the Final EIR for the Wilson Creek Estates Project. Any changes made to the text of the Draft EIR correcting information, data or intent, other than minor typographical corrections or minor working changes, as a result of comments received are noted in Section 3.5.

3.2 COMMENTERS ON THE DRAFT EIR

Commenters on the Draft EIR include agencies, organizations, and individuals. These various commenters are listed in Table 3-1; the actual letters are presented in Section 3.3.

Table 3-1 Commenters on the Draft EIR

Letter #	Commenter	Agency/Organization	Date
Agencies			
1	Elizabeth R. Thomas, Regulatory Assistant	U.S. Army Corps of Engineers, Los Angeles District	March 28, 2016
2	Mark Roberts, Office Chief	California Department of Transportation, District 8 Planning	April 26, 2016
3	Leslie MacNair, Regional Manager	California Department of Fish and Wildlife	April 28, 2016
4	Terri Reeder, Chief, Coastal Waters Planning Section	Santa Ana Regional Water Quality Control Board	May 6, 2016
Organizations			
5	Mark Friis, Executive Director & Norman, Policy Director	Inland Empire Biking Alliance	April 21, 2016
Individuals			
6	Tom Nieves, Senior Project Manager	CASC Engineering & Consulting	March 24, 2016
7	Craig M. Collins	Blum Collins LLP	April 25, 2016
8	Linda Bedford	None	April 27, 2016
9	Robert and Pamela Chambers	None	April 27, 2016
10	Tom Nieves, Senior Project Manager	CASC Engineering & Consulting	April 27, 2016

3.3 COMMENTS RECEIVED ON THE DRAFT EIR

The Notice of Availability of the Draft EIR indicates that the Draft EIR was circulated for a public review period that began March 15, 2016 and concluded on April 28, 2016.

The comment letters presented in the following pages were submitted by agencies, as well as organizations and private individuals. The numbers in brackets refer to the applicable comment number from the comment letters presented in this Section.

Comment Letter No. 1

Joseph Lambert

From: Thomas, Elizabeth SPL <Elizabeth.R.Thomas@usace.army.mil>
Sent: Monday, March 28, 2016 12:02 PM
To: Joseph Lambert
Cc: Swenson, Daniel P SPL; Thomas, Elizabeth SPL
Subject: Permit Application Request letter SPL 2016-00293-ERT The Wilson Creek Estates Project

Dear Joseph Lambert:

It has come to our attention that you are evaluating The Wilson Creek Estates Project. This activity may require a U.S. Army Corps of Engineers permit.

A Corps of Engineers permit is required for:

a) structures or work in or affecting "navigable waters of the United States" pursuant to Section 10 of the Rivers and Harbors Act of 1899.

Examples include, but are not limited to,

1. constructing a pier, revetment, bulkhead, jetty, aid to navigation, artificial reef or island, and any structures to be placed under or over a navigable water;

2. dredging, dredge disposal, filling and excavation;

b) the discharge of dredged or fill material into, including any redeposit of dredged material other than incidental fallback within, "waters of the United States" and adjacent wetlands pursuant to Section 404 of the Clean Water Act of 1972. Examples include, but are not limited to,

1. creating fills for residential or commercial development, placing bank protection, temporary or permanent stockpiling of excavated material, building road crossings, backfilling for utility line crossings and constructing outfall structures, dams, levees, groins, weirs, or other structures;

2. mechanized landclearing, grading which involves filling low areas or land leveling, ditching, channelizing and other excavation activities that would have the effect of destroying or degrading waters of the United States;

3. allowing runoff or overflow from a contained land or water disposal area to re-enter a water of the United States;

4. placing pilings when such placement has or would have the effect of a discharge of fill material;

c) the transportation of dredged or fill material by vessel or other vehicle for the purpose of dumping the material into ocean waters pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972;

d) any combination of the above.

An application for a Department of the Army permit is available on our

1-1

1-2

website:

<http://www.usace.army.mil/Portals/2/docs/civilworks/permitapplication.pdf> .

If you have any questions, please contact me (contact information below).

Please refer to this letter and SPL-2016-00293-ERT in your reply.

Sincerely,

Elizabeth R. Thomas
Regulatory Assistant
North Coast Branch
Regulatory Division
U.S. Army Corps of Engineers, Los Angeles District
213-452-3897 (Ofc); 213-452-4196 (Fax)

1-2
cont'd

DEPARTMENT OF TRANSPORTATION
DISTRICT 8
PLANNING (MS 725)
464 WEST 4th STREET, 6th FLOOR
SAN BERNARDINO, CA 92401-1400
PHONE (909) 388-7017
FAX (909) 383-5936
TTY 711
www.dot.ca.gov/dist8



Serious Drought.
Help save water!

Comment Letter No. 2

April 26, 2016

File: 08-SBd-38-PM 8.944

Joseph Lambert
City of Yucaipa
34272 Yucaipa Boulevard
Yucaipa, CA 92399

Wilson Creek Estates – Draft Traffic Impact Analysis Report and Draft Environmental Impact Report

Dear Mr. Lambert:

Thank you for providing the California Department of Transportation (Caltrans) the opportunity to review and comment on the Draft Traffic Impact Analysis Report (TIA) and Draft Environmental Impact Report (DEIR) for the City of Yucaipa Wilson Creek Estates (Project). The proposed project is located at north of Oak Glen Road and east of Jefferson Street in the City of Yucaipa. The Project consists of 184 single family dwelling units on an approximately 236 acres land.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act, it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the City of Yucaipa, due to the project’s potential impact to the State facilities, including State Route 38 (SR-38), it is also subject to the policies and regulations that govern the SHS. We offer the following comments:

2-1

- Use the 2010 Highway Capacity Manual (HCM) rather than the 2000 HCM. The 2010 HCM is slightly different from the 2000 HCM; therefore, this usage may be subject to challenge during the environmental review process. Explain why older version of the HCM was used for calculations.
- Include SR-38/Bryant Street and SR-38/Mill Greek Road intersections in the TIA. Evaluate SR-38/Bryant Street intersection for a traffic signal warrant with the proposed additional traffic generated by the project.

2-2

2-3

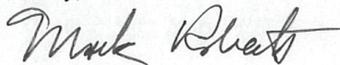
“Provide a safe, sustainable, integrated and efficient transportation system to enhance California’s economy and livability”

Mr. Lambert
April 26, 2016
Page 2

- Include Fremont Street, located between Bryant Street and Cherry Croft Drive, in the study. | 2-4
- Verify the Level of Service (LOS) E and F descriptions on Table 1 with the descriptions provided in 2010 HCM. | 2-5
- Explain ADT of 4,320 East of Bryant Street and ADT of 12,512 West of Bryant Street on page 9. | 2-6
- Verify the numbers and calculations of PM on Table 8. | 2-7
- Verify the exiting year 2015 ADT and the proposed year 2040 ADT. The existing ADT is more than the ADT on 2040 build with the project. | 2-8
- There is not any existing transit line that currently serves the area in the immediate vicinity of the proposed project. To reduce Vehicle Miles Traveled and Greenhouse Gases, which are the primary goals of the 2040 California Transportation Plan, it is recommended that the city in coordination with the Transit Agency (OmniTrans) locate transit stops within the project area. | 2-9

These recommendations are preliminary and summarize our review of materials provided for our evaluation. Please continue to keep us informed of this project and other future updates, which could potentially impact the SHS and interfacing transportation facilities. If you have any questions or need to contact us, please do not hesitate to contact Adrineh Melkonian at (909) 806-3928 or myself at (909) 383-4557. | 2-10

Sincerely,



MARK ROBERTS
Office Chief
Intergovernmental Review, Community and Regional Planning

“Provide a safe, sustainable, integrated and efficient transportation system to enhance California’s economy and livability”



State of California - Natural Resources Agency
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EDMUND G. BROWN, Jr., Governor
 CHARLTON H. BONHAM, Director



Comment Letter No. 3

April 28, 2016

Joseph Lambert
 City of Yucaipa
 34272 Yucaipa Boulevard
 Yucaipa, CA 92399

Subject: Draft Environmental Impact Report
 Wilson Creek Estates Project
 State Clearinghouse No. 2015091088

Dear Mr. Lambert:

The Department of Fish and Wildlife (Department) appreciates the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Wilson Creek Estates Project (project) [State Clearinghouse No. 2015091088]. The Department is responding to the DEIR as a Trustee Agency for fish and wildlife resources (California Fish and Game Code Sections 711.7 and 1802, and the California Environmental Quality Act [CEQA] Guidelines Section 15386), and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines Section 15381), such as the issuance of a Lake or Streambed Alteration Agreement (California Fish and Game Code Sections 1600 *et seq.*) and/or a California Endangered Species Act (CESA) Permit for Incidental Take of Endangered, Threatened, and/or Candidate species (California Fish and Game Code Sections 2080 and 2080.1).

3-1

Project Description

The approximately 236-acre project site is located north of Oak Glen Road, east of Cherry Croft Drive and Jefferson Street, approximately 0.5 mile south of Carter Street, and southwest of the San Bernardino Mountains; within the City of Yucaipa, San Bernardino County, California; Assessor's Parcel Numbers (APNs) 0321-082-15, 0321-101-02, and 0321-101-21.

The project consists of a Phased Tentative Tract Map (TTM) to subdivide the project site into 184 single-family lots each with a minimum lot size of one acre, with two additional "Not a Part" lots for an existing private residence (Casa Blanca Ranch) and water tank/pump station site owned and operated by the Yucaipa Valley Water District. The project is intended to be constructed as a lot sales project, with individual lots to be sold to future builders. The TTM includes right-of-way dedication for public streets within the development, which will include an area to accommodate a multi-purpose

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Draft Environmental Impact Report
 Wilson Creek Estates Project
 SCH No. 2015091088
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trail system within the subdivision consistent with the City’s General Plan Map of Multi-Use Trails and Bike Paths and Rural Multi-Use Trail specifications. Drainage easements will be recorded to accommodate 100-year flood zone areas located within the development.

3-1
 cont'd

Comments and Recommendations

Following review of the DEIR, the Department has identified a number of concerns regarding the adequacy and completeness of the DEIR’s biological analysis, and recommends that the City of Yucaipa (City; the CEQA lead agency) revise and recirculate the DEIR pursuant to CEQA Guidelines §15088.5(a). The Department offers the comments and recommendations presented below to assist the City in adequately identifying and/or mitigating the project’s significant, or potentially significant, impacts on biological resources:

3-2

Analysis of Sensitive Vegetation Communities

Although the DEIR includes a list of vegetation communities present on the project site, it fails to adequately analyze the project’s potential direct, indirect, and cumulative impacts to the communities present. To provide sufficient information for meaningful public review, the DEIR should quantify the area (i.e., acres) of each vegetation community present on-site, provide a complete and detailed description of the project impacts to each community, and quantify the area of each community that may be removed, disturbed, or otherwise impacted by project impacts and foreseeable future impacts resulting from the project’s approval. Furthermore, the Department questions the DEIR’s accuracy in describing the vegetation communities present on-site.

3-3

3-4

In its October 29, 2015 letter (attached), the Department requested clarification as to whether the project site supports Riversidean alluvial fan sage scrub (RAFSS; also known as alluvial fan sage scrub), and whether the project would have direct or indirect impacts to RAFSS. While the DEIR does not discuss RAFSS, its description of California buckwheat scrub as a mixture of California buckwheat (*Eriogonum fasciculatum*), deerweed (*Acmispon glaber*), scale broom (*Lepidospartum squamatum*), thick-leaved yerba santa (*Eriodictyon crassifolium*), white sage (*Salvia apiana*), and our Lord’s candle (*Yucca whipplei*) matches the Department’s understanding of a typical alluvial fan sage scrub community. Scale broom in particular is considered a RAFSS indicator species (Barbour & Wirka 1997). In addition, the Department’s California Natural Diversity Database (CNDDB) includes a mapped occurrence of RAFSS within Wilson Creek, adjacent to the project site to the west (CDFW 2016).

3-5

Based on the plant list detailed in the DEIR, the hydrological connectivity of the site, and the proximity of mapped RAFSS adjacent to the site, the Department questions the DEIR’s classification of the community as California buckwheat scrub. According to Sawyer et al. (2009), the presence of >1% cover of *Lepidospartum squamatum* within vegetation stands in alluvial environments would categorize the community as scale

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broom scrub (*Lepidospartum* alliance). Scale broom scrub has an overall rarity ranking of G3 S3, with some associations within the scale broom scrub alliance (i.e., RAFSS) as rare as G1 S1.1. The Department considers all associations with state ranks of S1-S3 to be highly imperiled. Therefore, while the Department has concluded that the scale broom scrub present on the project site likely falls within the category that Holland (1986) described as RAFSS, any impacts to scale broom scrub should be analyzed as impacts to a sensitive natural community. For more information on the Department's classification of rare vegetation communities, see http://www.dfg.ca.gov/biogeodata/vegcamp/natural_comm_background.asp.

3-5
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We recommend that the DEIR be revised to include a thorough and detailed analysis of the scale broom scrub present on-site and the project's potential direct, indirect, and cumulative impacts to scale broom scrub. The analysis should quantify the area (i.e., acres) of scale broom scrub that will or could potentially be removed or otherwise impacted by project activities and/or foreseeable future impacts resulting from the project's approval. If the area of scale broom scrub identified on the project site differs from the area of California buckwheat scrub mapped in the DEIR, the revised DEIR should contain a thorough and detailed description of (a) the differences between the scale broom scrub community and the remainder of the community previously mapped as California buckwheat scrub, and (b) the specific methods used to delineate the boundary between scale broom scrub and the remainder of the community previously mapped as California buckwheat scrub. The revised EIR should also include specific avoidance, minimization, and/or mitigation measures that will reduce the project impacts to scale broom scrub, and any other sensitive natural community with the potential to be impacted, to a level that is less than significant.

3-6

Impacts to Special-Status Plant Species

The DEIR states that slender-horned spineflower (*Dodecahema leptoceras*; a federally- and state-endangered wildflower species) and white-bracted spineflower (*Chorizanthe xanti* var. *leucotheca*) are "presumed absent" from the project site because there is "no habitat on the site". The Department does not concur with this assessment. Both species occur in alluvial scrub, which is present within Wilson Creek. Furthermore, the CNDDB contains occurrences of both species within approximately 3.5 miles of the site.

3-7

Additionally, the DEIR states that Hall's monardella (*Monardella macrantha* ssp. *hallii*) has a moderate potential to occur on-site. Although Hall's monardella was not observed during the 2013 focused rare plant surveys, the surveys were limited to two days in April, outside of Hall's monardella's typical blooming period of June through August.

3-8

In addition to surveys being completed at a time when detection of sensitive plant species may have been extremely difficult, the surveys were also conducted during a drought. Lack of detection during drought may not accurately reflect a plant species

3-9

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absence from a site, and multiple years of surveys during periods of drought may be necessary to appropriately determine the presence of a species. Furthermore, a reference site containing the representative species in question should have been surveyed to ensure species detectability by surveyors, and to verify whether the species in question were detectable during a drought. Because of these shortcomings the Department questions the Lead Agency's due diligence in determining that these sensitive plants are absent from the project site and the conclusion that the project will have no impact. The Department recommends that additional focused plant surveys be completed during the appropriate blooming periods for slender-horned spinyflower, white-bracted spinyflower, and Hall's monardella. The Department further recommends that the biologist(s) responsible for conducting the surveys first visit reference populations of each of the target plant species in order to confirm that the species is presently blooming and easily identifiable. The Department expects that rare plant surveys will be conducted in accordance with the USFWS guidelines for rare plant surveys, found here: http://www.fws.gov/sacramento/es/Survey-Protocols-Guidelines/Documents/Listed_plant_survey_guidelines.pdf. The results of the focused plant surveys should be included with the revised and recirculated CEQA document, along with appropriate avoidance, minimization, and/or mitigation proposals.

3-9
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3-10

3-11

Potential Impacts to San Bernardino Kangaroo Rat and Stephen's Kangaroo Rat

The DEIR states that San Bernardino kangaroo rat (SBKR; *Dipodomys merriami parvus*) is assumed absent from the site, and that Stephens' kangaroo rat (SKR; *Dipodomys stephensi*) has a low probability of occurring on-site. However, based on the presence of suitable habitat for both SBKR and SKR on-site, and trapping records from within ten miles of the site, the Department questions this conclusion. Furthermore, in a personal communication with the Department, United States Fish and Wildlife Service (USFWS) biologist Geary Hund indicated that both species may have the potential to occur onsite, and that small mammal trapping surveys are warranted. Please note that SBKR is a federally listed endangered species, and SKR is federally endangered and state threatened.

3-12

An assumption of absence is insufficient to conclude that the project will have no effect on these two species. No effect can only be argued with supporting quantitative data. To determine whether the project will impact SKR and/or SBKR, the Department strongly recommends that focused trapping surveys, using appropriate methodology, and completed during the appropriate time of day and season, be completed within all suitable or potentially suitable habitat on the project site. The results of the surveys, including a complete inventory of all species trapped and/or incidentally observed, should be included in the revised and recirculated DEIR. Please note that the Project Proponent may be required to obtain Incidental Take Permits from the USFWS and CDFW if SKR and/or SBKR are found on-site.

3-13

3-14

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Impacts to Special-Status Animal Species

The DEIR lists a total of eighteen (18) special-status animal species that have been observed on-site or that have a moderate to high potential to occur on-site, including harmonious sweat bee, coast horned lizard, coastal western whiptail, San Bernardino ringneck snake, Cooper’s hawk, northern harrier, white-tailed kite, California horned lark, prairie falcon, southern California rufous-crowned sparrow, Bell’s sage sparrow, Lawrence’s goldfinch, loggerhead shrike, burrowing owl, San Diego black-tailed jackrabbit, Dulzura pocket mouse, southern grasshopper mouse, and American badger. Absent focused survey results to the contrary, each of these species should be assumed to be present. The proposed project has the potential to cause significant adverse impacts to the above-described species through direct take resulting from construction activities and habitat/foraging loss; indirect impacts resulting from increased human presence, lighting, noise, and predation by domestic animals; and cumulative impacts to population viability and movement capability when combined with other past, present, and foreseeable future projects in the region.

Although the DEIR contains some avoidance measures for special-status avian species in the form of requiring nesting bird surveys prior to construction, no avoidance, minimization, or mitigation measures are proposed for impacts to special status insect, mammal, and/or reptile species. The DEIR also does not propose mitigation measures for the loss of nesting and foraging habitat. The Department considers the project’s potential impacts to these species to be significant, and requests that the revised and recirculated DEIR include a thorough and detailed analysis of the project’s potential direct, indirect, and cumulative impacts to each of the species mentioned, as well as appropriate avoidance, minimization, and mitigation measures. The Department recommends that unavoidable impacts to special status species be mitigated through the preservation, enhancement, and management in perpetuity of occupied habitat, or suitable habitat that is adjacent to known occupied habitat.

Impacts to Nesting and Migratory Birds

Please note that it is the Project Proponent’s responsibility to comply with all applicable laws related to nesting birds and birds of prey. Migratory non-game native bird species are protected by international treaty under the federal Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 *et seq.*). In addition, sections 3503, 3503.5, and 3513 of the Fish and Game Code (FGC) also afford protective measures as follows: Section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by FGC or any regulation made pursuant thereto; Section 3503.5 states that it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by FGC or any regulation adopted pursuant thereto; and Section 3513 states that it is unlawful to take or possess any migratory nongame bird as

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designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

3-21
 cont'd

Mitigation Measures BIO-1 and BIO-5 both address nesting bird issues. The measures contain several separate nesting season definitions: BIO-1 defines the "typical avian nesting season" as February 14 through August 31; and BIO-5 defines the "raptor breeding season" as January 1 through July 15, the "typical avian nesting season" as February 15 through September 15, and the "breeding season" as February 1 through September 1. The Department does not recommend relying on seasonal restrictions alone, as nesting dates vary from year to year and some species may nest year-round. Instead, we recommend that a qualified ornithologist conduct nesting surveys prior to initiating vegetation removal and/or ground disturbing activities even outside of the peak nesting season. We do however encourage the project proponent to continue to schedule vegetation removal and ground-disturbing activities outside of the peak nesting season, as this reduces the chances of project delays resulting from discovery of an active nest.

3-22

Mitigation Measure BIO-5 states that "[i]f the biological monitor determines that construction activities are disturbing or disrupting nest activities, then the biologist shall have the authority, upon consultation and concurrence with CDFW, to halt construction in order to reduce the noise and/or disturbance to the nests, as appropriate." The Department requests the following:

3-23

- Please clarify whether the City will require the use of biological monitors for the construction of individual homes, or if this will only apply to construction of project-wide infrastructure such as roads.
- Please remove "upon consultation and concurrence with CDFW" from the measure. If construction activities are disrupting normal nesting activities, then construction should be halted *immediately* and should not resume until the biologist has determined that the young have fully fledged and are foraging independently of their parents.

3-24

Impacts to Wildlife Movement

The Department is concerned with the project's potential direct and cumulative impacts to wildlife movement. The project site is currently mostly undeveloped and supports wildlife movement from north to south and likely from east to west via Wilson Creek. Although Wilson Creek's utility as a wildlife movement corridor is likely hampered by barriers such as Yucaipa Boulevard and the I-10 freeway, smaller wildlife species are often able to move under large roads through culverts (Clevenger, Chruszcz, & Gunson 2001) and many larger and more mobile wildlife species are able to cross over large roads. Rural residential development within the corridor, while a hindrance, is unlikely to completely prevent wildlife movement.

3-25

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The Revised Biological Report states that "the properties to the north and east of the project area have approved projects associated with them (Coy and Cherrycroft) that, once built, would eliminate the majority of [the open space to the north and east of the project site] from contributing to the overall open space block associated with Wilson Creek Estates." This appears to present a significant adverse cumulative impact to wildlife movement. The Department requests that the revised and recirculated DEIR include a thorough and detailed analysis of the projects direct, indirect, and cumulative impacts to wildlife movement, as well as appropriate avoidance, minimization, and mitigation measures to address the impacts.

3-25
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Lake and Streambed Alteration

For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream or use material from a streambed, the project applicant (or "entity") must provide written notification to the Department pursuant to Section 1602 of the Fish and Game Code. Based on this notification and other information, the Department then determines whether a Lake and Streambed Alteration (LSA) Agreement is required. The Department's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if necessary, the environmental document should fully identify the potential impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with the Department is recommended, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Lake or Streambed Alteration notification package, please go to <https://www.wildlife.ca.gov/Conservation/LSA/Forms>.

3-26

The Jurisdictional Delineation (JD) depicts Wilson Creek as a narrow single channel flowing from east to west over the northern portion of the project site, with one tributary (labeled "Drainage 1"). However, following review of aerial photography of the project site and the site's topography, the Department believes that the JD underrepresents the extent of streambed resources on-site. Topographically, Wilson Creek appears to be considerably wider than what is represented in the JD, with a braided channel and a number of tributaries forming small canyons between areas of agricultural land use. Another two streambed features appear to be present in the northwestern corner of the site. These features are included on the DEIR's Preliminary Flood Hazard Map, found on page 2-6 of the DEIR. The Department recommends that the JD be revised to include all streambed areas on-site, including first-order streams, swales, and vegetation associated with the streams.

3-27

The Department's website has information regarding dryland streams in "A review of Stream Processes and Forms in Dryland Watersheds," available at this location: <https://www.wildlife.ca.gov/Conservation/LSA/Resources>.

3-28

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Additional information can also be found in "Methods to Describe and Delineate Episodic Stream Processes on Arid Landscapes for Permitting Utility-Scale Solar Power Plants, With the MESA Field Guide - Final Project Report" available here: <http://www.energy.ca.gov/2014publications/CEC-500-2014-013/index.html>

3-28
 cont'd

The following information will be required for the processing of a Notification of Lake or Streambed Alteration and the Department recommends incorporating this information into the CEQA document to avoid subsequent documentation and project delays. Please note that failure to include this analysis in the project's environmental document could preclude the Department from relying on the Lead Agency's analysis to issue a LSA Agreement without the Department first conducting its own, separate Lead Agency subsequent or supplemental analysis for the project:

- 1) A complete delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
- 2) Discussion of avoidance and minimization measures to reduce project impacts; and,
- 3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance. Please refer to section 15370 of the CEQA Guidelines for the definition of mitigation.

3-29

Because the Project Proponent proposes to sell the land as lots for individual construction rather than developing the project as a whole, it is especially important to accurately identify the streambed resources on-site and formulate adequate mitigation measures for project impacts to the streams now, during the CEQA process. This information is necessary to allow individual home builders to make informed decisions when considering whether to purchase a parcel of land.

Potential Impacts to Adjacent Open Space

In its October 29, 2015 letter, the Department requested that the DEIR contain a discussion of potential indirect project impacts to adjacent open space, natural resources, public lands, and/or designated and/or proposed reserve or mitigation lands. The project site is adjacent to the City's El Dorado Ranch Park, an area of open space that includes significant natural resources as well as areas designated as mitigation lands. The DEIR, as written, does not include a thorough discussion of the project's potential impacts on adjacent open space and conserved lands, including El Dorado Ranch Park. The Department requests that this discussion be included in the revised and recirculated DEIR. The discussion should include, but should not be limited to, thorough and detailed analyses of the following:

3-30

- Impacts related to increased noise and vibration;
- Impacts related to increased human presence;
- Impacts related to increased presence of exotic vegetation;

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- Impacts related to construction, use, and maintenance of trail systems;
- Impacts related to increased presence of domestic predators, such as house cats;
- Impacts related to fuel modification (e.g., fire breaks) and vector control activities;
- Avoidance, minimization, and mitigation measures designed to offset the impacts discussed above; and
- Specific measures to protect mitigation lands from impacts leading to reduced habitat quality.

3-30
cont'd

Reduced Impact Alternative

Many of the concerns identified in this letter, including potential impacts to sensitive natural communities, potential impacts to special-status plant and animal species, potential impacts to wildlife movement, and potential impacts to streambed and riparian habitat, may be significantly reduced or eliminated by revising the project design to avoid and conserve the natural open-space areas on-site. The Department strongly encourages the City and Project Proponent to select a reduced impact alternative that avoids natural open-space areas and streambeds to the greatest extent feasible.

3-31

Further Coordination

The Department appreciates the opportunity to comment on the DEIR for the Wilson Creek Estates Project (SCH No. 2015091088), and requests that the City address the Department's comments and concerns in the revised and recirculated DEIR. The Department requests to schedule a meeting with the City to discuss the concerns mentioned in this letter prior to the DEIR's recirculation. If you should have any questions pertaining to these comments, please contact Gabriele Quillman at (909) 980-3818 or gabriele.quillman@wildlife.ca.gov.

3-32

Sincerely,


For Leslie MacNair
Regional Manager

cc: State Clearinghouse, Sacramento
Karin Cleary-Rose, USFWS

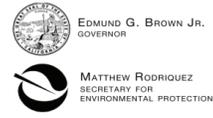
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3-33

Comment Letter No. 4



Santa Ana Regional Water Quality Control Board

May 6, 2016

Mr. Joseph Lambert
Development Services Director, City of Yucaipa
34272 Yucaipa Boulevard
Yucaipa, CA 92399

DRAFT ENVIRONMENTAL IMPACT REPORT FOR WILSON CREEK ESTATES, TTM 19974, OAK GLEN ROAD AT CHERRY CROFT DRIVE/JEFFERSON STREET – CITY OF YUCAIPA PLANNING DIVISION, SCH# 2015091088

Dear Mr. Lambert:

Staff of the Regional Water Quality Control Board, Santa Ana Region (Regional Board) reviewed the Draft Environmental Impact Report for the Wilson Creek Estates (Project) in the northeastern portion of the City of Yucaipa (City). The Project site is located northeast of the corner of Oak Glen Road and Cherry Croft Drive/Jefferson Street, on a foothill slope of the San Bernardino Mountains. Tentative Tract Map No. 19974 would subdivide 236 gross acres into 184 single family lots at least one gross acre in size, but does not include the existing private residence (Casa Blanca historic ranch site) or a water tank operated by the Yucaipa Valley Water District (YVWD).

4-1

Approximately 11 natural drainages have been identified onsite (Figure 2-4, Preliminary Flood Hazard Analysis). Wilson Creek, as a braided arroyo, traverses the rectangular Project site from its northeastern corner west to the center of the western boundary of the Project, where it exits the site. Two tributaries populated with native riparian vegetation (Streams D and G, Fig. 2-4) trend northwesterly as small ravines to join Wilson Creek in the northwestern half of the site. These two tributaries divide the southeastern half of the site into three flattened, elevated plains ("benches") that have already been disturbed from decades of farming (p. 3-2).

We recommend that the Project incorporate the following comments into the Final EIR, in order for the Project to best protect water quality standards (water quality objectives and beneficial uses) contained in the Water Quality Control Plan for the Santa Ana River Basin (Region 8 Basin Plan, 1995, as amended):

- 1. The beneficial uses (BUs) of Wilson Creek are among those listed in the Basin Plan for tributaries to the headwaters of San Timoteo Creek: Municipal and Domestic Supply (MUN), Groundwater Recharge (GWR), Water Contact Recreation (REC1), Non-contact Water Recreation (REC2), Warm Freshwater Habitat (WARM), and Wildlife Habitat (WILD). Two

4-2

1 The DEIR text only refers to one "Drainage 1" tributary originating from the north.
2 Two sensitive (though not threatened) species were observed onsite, the White-tailed kite (Elanus leucurus), a CDFW "fully-protected species" under the Fish and Game Code, and Cooper's hawk (Accipiter cooperii). However, since these species (footnote continued on next page)

WILLIAM RUH, CHAIR | KURT V. BERCHTOLD, EXECUTIVE OFFICER

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Mr. Joseph Lambert

- 2 -

May 6, 2016

riparian vegetational communities--mulefat thickets and sycamore woodland--have been identified onsite within Wilson Creek and its tributaries. Therefore, any construction outside of the historically flattened benches and into these riparian areas will adversely impact or completely remove the WARM and WILD beneficial uses. Regional Board staff stresses that the Project should implement avoidance of the riparian area to the greatest extent possible. Any future drainage crossings that are constructed should be open culverts or bridges with sufficient clearance to accommodate the passage of large wildlife species, particularly through the Wilson Creek riparian corridor.

4-2
cont'd

2. All riparian acreage with no delineated bed and bank, and all active channels, are considered to be waters of the state jurisdictional to the Regional Board as well as to the California Department of Fish and Wildlife (CDFW) (DEIR p. 3-40). A 2012 Jurisdictional Delineation (JD) for the Project, and DEIR p.3-40 and 3-49, note that 0.638 acres of potential waters of the U.S. and 1.202 acres of potential waters of the state (which encompass the federal waters) were estimated within the Project boundaries. We understand that the U.S. Army Corps of Engineers (Corps) and CDFW must still verify this acreage, and a detailed JD of impacted acreage must still be conducted. This JD should be accomplished in correlation with a selected Project Alternative (of the three proposed) before the City adopts a Final EIR. On the basis of that JD, Regional Board staff must still determine whether a Clean Water Act Section 401 Water Quality Standards Certification, or Waste Discharge Requirements (WDRs) acting as a Certification, may be issued.

4-3

3. The Executive Summary states that the Project intends to avoid mass grading and that grading is expected to not alter Wilson Creek or its tributaries (DEIR p.1-1,1-2). However, Exhibit 1, Proposed Subdivision Map, depicts completely graded lots over the entire property, including Wilson Creek and its tributaries. The DEIR (p.6-7-15) contains no figures depicting:

- Alternative 2, the Lower Density Alternative that would still extend the anticipated 184 larger lots across all drainages; nor
- Alternative 3, Planned Development with Open Space Linkages and Riparian Preservation, with a similar lot configuration that only partially avoids riparian areas (Table 6-2) (replacing the earlier concept "Planned Development with the protection of riparian areas along Wilson Creek and its tributaries").

4-4

Reiterating Comment 1, Regional Board staff stress the need for Project avoidance of the site's natural drainages, which are necessary to safely convey mountain floods through the Project area without jeopardy to life and property. We prefer that the Project consider a hybridized Alternative that confines the projected or fewer number of lots to the three disturbed benches in the southeastern half of the Project site and effectively avoids the drainages, thereby posing impacts to fewer acres of waters of the U.S. and the state.

4. Mitigation Measures BIO-1 through BIO-6 (DEIR p.3-51-53), aside from several operational and survey protocols, do not propose compensatory mitigation for the projected impacts to federal and state waters. The DEIR should propose such mitigation before the City adopts the Final EIR. The action of obtaining a permit does not, in of itself, constitute mitigation

4-5

(footnote continued from previous page)
 are not considered Rare, Endangered or Threatened (RARE) under federal law, the presence of these birds on the Project Site will not result in the designation of the RARE beneficial use to the Project waters.

Mr. Joseph Lambert

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May 6, 2016

under CEQA; mitigation eventually approved for a 401 Certification or WDRs may augment that mitigation proposed in a CEQA document. 4-5 cont'd

5. Lots would be sold individually to future homeowners, each of whom would act as his/her own developer ("lot sales project") and independently hire builders. Individual plan checks would be approved by the City (DEIR p.2-7), and grading of individual lots would occur within a timeframe as long as 20 years. Regional Board staff requests that the City identify the parties that would be responsible, under such a program, for the above-referenced mitigation for impacts to waters of the U.S./state. Conditions under a 401 Certification or WDRs would apply to certain lot-owners over time, as proposed in the DEIR; however, Regional Board staff believe that the developer (Meridian Land Development) and the City themselves should determine and resolve compensatory mitigation at this CEQA stage, and at a minimum, before Project approval and the issuance of any grading permits. Separate permits will not be issued to individual owners, in disagreement with p.4-6 and BIO-3. 4-6

Similarly, septic system clearances (p. 4-6) must be conducted for necessary sites within the entire Project at once; otherwise, Regional Board staff asks that the number of Project lots be limited to those that can be sewerred by the YWWWD. Any septic system installation must meet the Regional Board's Minimum Lot Size Requirements and meet clearance requirements by the San Bernardino County Department of Environmental Health Services. 4-7

Regional Board staff requests clarification of the Introduction to DEIR Section 4.3.9. (p.4.6), Hydrology/ Water Quality, regarding a requirement that "all cumulative projects" comply with regulations for "septic tank development" and stormwater runoff management (future Storm Water Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP)). Regional Board staff emphasize that each individual lot owner and builder would need to implement the WQMP established originally for the overall Project, which must conform to the WQMP outlined in the San Bernardino Municipal Separate Storm Sewer System (MS4) Permit³. Incrementally increasing stormwater runoff from additions of individual houses will likely result in hydromodification to the onsite drainages and impact beneficial uses (BUs). Further, the City would permit equestrian stabling per individual lot, yet the DEIR includes no plan for enforcing the removal of manure and its associated nitrogen loading from runoff to the adjacent drainages. Therefore, Regional Board staff view individualized construction as problematic under permits that should regulate pre-determined conditions for one overarching development plan. We request that the City, as the CEQA Lead Agency, reconsider this approach through meetings with resource agencies. 4-8 4-9

If you have any questions, please contact Glenn Robertson at (951) 782-3259 or Glenn.Robertson@Waterboards.ca.gov, or Terri Reeder at (951) 782-4995 or Terri.Reeder@Waterboards.ca.gov 4-10

³ The Regional Water Quality Control Board's Waste Discharge Requirements (Order No. R8-2010-0036, NPDES Permit No. CAS618036) for San Bernardino County Flood Control District, the County of San Bernardino, and the Incorporated Cities of San Bernardino County within the Santa Ana Region, Area-Wide Urban Storm Water Runoff Management Program, also known as the San Bernardino County municipal separate storm sewer system or "San Bernardino County MS4" permit. Please see our web site at http://www.waterboards.ca.gov/santaana/board_decisions/adopted_orders/orders/2010/10_036_SBC_MS4_Permit_01_29_10.pdf All development must conform to the WQMP requirements of the MS4 by implementing a variety of structural and non-structural BMPs controlling pollutants from both point and non-point sources (NPS) for the life of the Project.

Mr. Joseph Lambert

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May 6, 2016

Sincerely,



Terri Reeder, PG, CHG, CEG
Chief, Coastal Waters Planning Section

cc: Joseph A. Lambert, City of Yucaipa - jlambert@yucaipa.org
James Mace, U.S. Army Corps of Engineers, Prado Office - James.E.Mace@usace.army.mil
Jeff Brandt, California Department of Fish and Wildlife, Ontario office - Jeff.Brandt@wildlife.ca.gov
Karin Cleary-Rose, U.S. Fish and Wildlife Service, Palm Springs office - Karin_Cleary-Rose@fws.gov

H://GRobertson/Data/CEQA/San Bernardino County/City of Yucaipa/ DEIR- City of Yucaipa – Wilson Creek Estates_Final.doc



Comment Letter No. 5

21 April 2016

Joseph M. Lambert, Director of Development Services
 City of Yucaipa
 34272 Yucaipa Blvd.
 Yucaipa, CA 92399

Dear Mr. Lambert,

We are writing on behalf of the Inland Empire Biking Alliance. Our organization is a registered 501(c)(3) nonprofit dedicated to addressing the needs and concerns of bicyclists in the Inland Empire. Our mission is to ensure that everyone has a safe, convenient place to ride, no matter what or why they're riding. Our growing group of members come from all rides of life and are equally as passionate as we are about seeing bicycling in the most dangerous area of the state be improved.

We are responding to the Draft Environmental Impact Report for the Wilson Creek Estates project that has been prepared and provided for review, with our comments focused on the Traffic Impact Analysis and the issue of what the project would do to biking in Yucaipa. While thankfully, the relatively small size of the project has not created recommendations for outlandish size roads to serve it, we are still concerned about several things that are being proposed and hope that they can be addressed as the project and planning move forward.

5-1

Our first concern is for the numbers used in producing the report. Trip generation estimates are presented in *Table 8: Project Trip Generation Estimates* of the report, but we question whether the figures used are accurate. Recent research has shown that the ITE *Trip Generation Handbook* estimates substantially overshoot the target on the actual amounts of trips that are taken. This discrepancy is prevalent in virtually all categories and the majority of markets nationwide, including the Inland Empire (Millard-Ball, 2015). Planning for trips that will never materialize forces house buyers to pay more for less house and saddles the City with a long-term maintenance liability of infrastructure that is not needed. We would like to see that an analysis completed using the newly revised CEQA rules for traffic analyses based on VMT instead of LOS.

5-2

We are also greatly concerned at the impacts that this and cumulative projects will have on Oak Glen Road. At present, it is a popular location for bicyclists and integral to many routes used by local clubs and solo bicyclists. We would like to make sure that this ride quality is not degraded by this or any other projects. The two-lane road at present is well used, but widening will have a detrimental impact on the biking environment if not properly planned and built. It is imperative that planning and engineering staff understand that it takes more than just a stripe of paint to make it all better. Context matters, and it would be irresponsible to place Class II bike lanes similar to what are currently present on Oak Glen Road between Yucaipa Blvd. and Bryant St. on this segment. Those are too narrow for both ascending

5-3

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and descending and would instead be better served by a couplet of a buffered bike lane on the uphill side and sharrows centered in the outside lanes on the downhill side.

5-3
cont'd

Additionally, we want to ensure that the proposal to realign Jefferson St. and Pendleton Dr. to create a single intersection with Oak Glen Rd. consider a roundabout in the analysis. With research showing that roundabouts are a safer intersection alternative than traffic signals or two-way stop controls (NCHRP 2010), planning for either of those alternatives is to knowingly plan for an option that will increase hazards by design which is identified as a significant impact under CEQA. While converting square intersections to roundabouts often is cost-prohibitive, the fact that this entire intersection is already being realigned and rebuilt means any cost difference directly due to roundabout-specific needs such as additional right-of-way will more than likely be negligible in relation to the overall cost of realigning the intersection, which will almost certainly already require additional right-of-way be acquired. Building the intersection as a roundabout ensures that it remains safer from the beginning as well as providing lower costs over the life of the intersection, both of which are benefits that the City of Yucaipa is no stranger to. Therefore, a roundabout should be planned for from the beginning.

5-4

Finally, it would be helpful for appropriately-sized lanes to be used. With research showing that wider, highway-sized lanes tend to be less safe (Karim 2015), using them is another instance of choosing the less-safe option. The City should encourage and pursue the use of lanes that are a maximum of 11 feet wide, especially on thoroughfares that are not designated truck routes. If paved shoulders are provided as part of the roadway, the outside lanes should include outside edge markings to ensure that they do not exceed 11 feet in width. We would also encourage the City to not saddle the builder and future homeowners with excess asphalt in the community itself. Due to the small size of the proposed development, we would recommend that the local streets with direct property access be no wider than 28 feet. This allows them to function as a 'yield street' and keep speeds low by design, which is critically important in residential areas where children are likely to be present.

5-5

We would encourage the City and applicant to avoid another project of the type that unfortunately dominates the region and earned the dubious distinction of one of the most sprawled in the nation. With buyers and renters continuing to be willing to pay a premium to live in locations that provide a multitude of mobility options, we would like to see that approach and those lessons be used to ensure that this project can deliver a product that improves the community and region as a whole.

5-6

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Friis".

Mark Friis, Executive Director

A handwritten signature in black ink, appearing to read "Marven E. Norman".

Marven E. Norman, Policy Director

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References

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3. National Cooperative Highway Research Program (2010). Roundabouts: An informational guide, second edition. Retrieved from: http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp_rpt_672.pdf.

5-7



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Comment Letter No. 6

Joseph Lambert

From: Tom Nieves <t_nieves@cascinc.com>
Sent: Thursday, March 24, 2016 2:46 PM
To: Joseph Lambert; Jim Morrissey; Jim Morrissey (pzl@verizon.net)
Cc: Jonathan Weldy (Jweldy@meridianldc.com); Glenn Budd
Subject: WCE DEIR

Joe,

The following are some preliminary comments we have on the DEIR based on our initial review. We plan on submitting a letter to the City making our formal comments to the document upon completion of our review. For now, we would like to discuss/clarify the following points:

6-1

1. The Tentative Tract Map as filed with the City proposes 183 lots. The DEIR states throughout that the project involves 184 residences. The existing Casa Blanca residence is not a part of the project and should not be included in any tally, discussion, mitigation, etc., etc. Please make the necessary corrections;

6-2

2. Executive Summary, Areas of Controversy/Issues to be Resolved (p ES-2) – The fourth bullet point seems to assume that “unavoidable significant adverse impacts related to Agricultural Resources and Air Quality” will result from the project. The detailed analysis and discussion of the project’s impacts (Section 3.2 Agricultural and Forestry Resources, 3.2.5 Mitigation Measures, Mitigation Measure AG-1, pages 3-8 to 3-17) indicate that the impacts of the project to agricultural resources and air quality can be mitigated to a less-than-significant level.

Regarding Air Quality, the detailed analysis and discussion of the project’s impacts on air quality (Section 3.3 Air Quality, 3.3.4 Impacts, 3.3.5 Mitigation Measures, pages 3-18 to 3-35) indicate that impacts to air quality can be mitigated to a less-than-significant level.

6-3

The fourth bullet point in the Executive Summary, as noted above, is inaccurate, inconsistent with the information presented in the body of the DEIR and should be removed.

3. Section 1.4 Discretionary Actions (p. 1-2) – Section 1.4.2 ,Other Related Actions, states that “permits to remove and re-locate on-site protected oak trees will also be necessary...”. This is not an accurate statement in that we do not know whether the removal and/or re-location of oak trees will be necessary. The term “may” instead of “will” be required is accurate. We ask that that correction be made.;

6-4

4. Section 3.1 Aesthetics, Mitigation Measure AES-1 (p. 3-8) – Said mitigation measure requires that prior to issuance of grading permits “the project proponent shall submit a Building Pad Constraints Exhibit for City review and approval.” We would like to clarify and confirm that the term, project proponent, refers to the individual lot owner who is proposing to construct a residence on the particular lot owned by the project proponent.;

6-5

5. Section 3.2 Agricultural and Forestry Resources, 3.2.5 Mitigation Measures, Mitigation Measure AG-1 (pages 3-8 to 3-17) requires an Olive Tree Preservation Plan. The responsible parties as well as the details of implementation are somewhat unclear. We would like to discuss the City’s understanding of this mitigation measure;

6-6

6. Section 3.5 Cultural Resources incorporates the existing Casa Blanca residence in the setting discussion and sets forth Mitigation Measures CR-1 and CR-2 which pertain specifically to the existing Casa Blanca residence. The

6-7

Casa Blanca residence is not part of the application for entitlement and, although included in the original cultural resource assessment, should not be included in any required actions or mitigation that is tied directly or indirectly to the proposed project;

6-7
cont'd

- 7. Section 3.9 Hydrology/Water Quality, 3.9.5 Mitigation Measures (pages 3-90 to 3-101) – We would like to discuss the proposed mitigation measures to gain a full understanding of the requirements contained therein.;

6-8

Additionally, we'd like to update and confirm the schedule. Thanks. See you in a few.

Best regards,



Tom Nieves
Senior Project Manager
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1470 E. Cooley Drive
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Comment Letter No. 7

BLUM | COLLINS LLP

Aon Center
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90017

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April 25, 2016

Joseph M. Lambert
Director of Development Services
City of Yucaipa
34272 Yucaipa Blvd.
Yucaipa, CA 92399
jlambert@yucaipa.org

Via Email & U.S. Mail

Re: *California Environmental Quality Act Comments on Wilson Creek Estates
DEIR, State Clearinghouse Number 2015091088*

Dear Mr. Lambert and the City of Yucaipa:

Pursuant to the California Environmental Quality Act (“CEQA”), this is to provide comments on the Draft Environmental Impact Report (“DEIR”) for the Wilson Creek Estates project (“the Project”), State Clearinghouse Number 2015091088. As we understand it, the Project would entail subdividing 236 gross acres at the Project site into 184 single family lots with two “not a part” (“NAP”) lots for an existing private residence and a water tank/pump station maintained by the Yucaipa Valley Water District (“YVWD”).

7-1

Our comments follow the order in which matters appear in the DEIR.

Section 3.1 - Aesthetics. Your mitigation measure (“MM”) AES-1 requires submittal of a building pad constraints exhibit by each individual developer prior to issuance of individual grading permits, and says each developer would have to show avoidance of development, among other things, within areas of “important biological resources.” However you have not identified these areas anywhere in your DEIR, so the MM is not enforceable.

7-2

You say that the minimum lot size and 35-foot building height limit means development “would not have notable prominence or affect views.” You haven’t included any photos of the existing site from any angle for a person to evaluate the veracity of this statement, and you have not included simulation of how views would be affected. Thus, the DEIR fails in its role in informing the public. And you rely on MM AES-1, but again, we do not know the existing conditions or have any basis for seeing how development would

7-3

Joseph M. Lambert, City of Yucaipa
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affect the site, so we also have no basis for assessing how the MM would limit damage to views.

7-3
cont'd

As to the threshold “Will the Project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?,” you state there are no scenic highways in the vicinity, but the threshold does not limit view impacts to within a state scenic highway. Also, you state “The project proponent intends to utilize a ‘minimal grading’ concept for the property,” but under the conditions you propose, where the proponent is merely subdividing the land, there are absolutely no guarantees that individual land developers will go along with this, so you have not enforceably mitigated impacts below a significant level. Similarly, you state “Design elements of the project, along the southern border adjacent to Oak Glen Road, could include split rail fencing and landscaping with a rustic theme,” but there is no enforceable requirement that these elements be implemented either.

7-4

The same problems mean that your mitigation of the impact, “Will the Project substantially degrade the existing visual character and quality of the site and its surroundings?” is not adequate. Here the DEIR says the City created Landscape Guidelines to “encourage” attractive, identifiable neighborhoods. But this isn’t included as a mitigation measure either and we doubt the Guidelines are enforceable.

7-5

The next threshold is whether the Project will create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. Here you concede that the new sources of lighting including street lighting and building mounted lights could result in light trespass, light pollution and glare to the neighboring rural residential community. This is a significant impact. Yet you conclude that it won’t be based on developers’ requirements to comply with the City Development Code. This is not based on substantial evidence. You do not cite the provisions of the Development Code, and nevertheless, you have indicated that light pollution, light trespass and glare could still result.

7-6

3.2 Agriculture and Forestry Resources. The first impact question is whether the Project will convert prime farmland, unique farmland or farmland of statewide importance as shown on the maps prepared pursuant to the State Farmland Mapping and Monitoring Program (“FMMP”). You acknowledge that there are three acres of prime farmland and 11 acres of unique farmland mapped. Using the California Department of Conservation Land Evaluation and Site Assessment model, you find the impacts to these acres to be significant. You state that these impacts will be reduced to less than significant levels by MM AG-1, which simply states that the Olive Grove shall be maintained “to the extent possible.” This doesn’t address the three acres of prime farmland used for growing fruit trees, grain and hay. Also, MM AG-1 appears to provide for various methods of tree preservation “prior to the removal of any olive trees,” but to be enforceable, it would require that this plan be developed prior the subdivision and before the lots are sold. For example, there is no other reference to a provision for a HOA in the document. Finally, MM AG-1 lets the proponent identify “a ratio of acceptable take,” and suggests 75% of

7-7

Joseph M. Lambert, City of Yucaipa
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 Page 3

the trees be retained, but this is not assurance that the take will be so limited on this record. This is not mitigation to a less than significant level.

7-7
 cont'd

3.3 Air Quality. You purport to have done a Regional Significance Thresholds and Local Significance Thresholds Analysis. However for the Local Significant Thresholds (“LSTs”) you say you are using the lookup tables for a five-acre site and you claim that this is “conservative” because a much larger project site would allow for greater separation emission sources and off-site sensitive receptors. This ignores that the emissions could be much greater, and occurring throughout the 236-acre site simultaneously, given your proper assumption that all lots could be sold and developed in fairly short order, within a year’s time. At 3-30 you have actually misquoted the LSTs. We’ve included the SCAQMD lookup tables as Attachment E.

7-8

At around page 3-32 you appear to have modeled emissions as if the 236-acre site were a “five-acre development area.” This is outrageous.

7-9

At 3-33 through 3-34 you evaluate the threshold, “Will the Project expose sensitive receptors to substantial pollutant concentrations,” but you only evaluate Toxic Air Contaminants (“TACs”), not criteria pollutants.

7-10

3.4 Biological Resources. First, your DEIR indicates that no special-status plant species have been documented on the property in the public databases that were searched, and no federal or state listed plant species were documented on site during surveys. However, the Appendices to the DEIR indicate that the surveys were only done, as far as we can tell, only on April 16 and 17, 2013 for one hour and fifteen minutes on the 16th and for 4.5 hours on the 17th. This is not enough for a 236 acre site. It doesn’t address whether transects were walked, and there were only two surveyors (July 2015 Report at 11) on both days. Further, the Plummer’s mariposa lily, one of the only two species you acknowledge may be present on the site, does not bloom during this period, and we don’t know about other species. In your document, you only require surveys for the Plummer’s mariposa lily and the Parry’s spineflower, and you claim that with the surveys for these two species only there will be adequate mitigation. Other sensitive species could be present, so your conclusion that impacts will be less than significant with the implementation of MM BIO-2 is not supported by substantial evidence.

7-11

7-12

Similarly with regard to sensitive wildlife, you indicate no special status wildlife was “documented on the property in public databases.” But we do not know whether such wildlife was surveyed for, and if so, when. We assume it was not, based on the July 2015 Report’s inclusion of only Burrowing Owl Surveys and the aforementioned “rare plant survey.” While you apparently documented the presence of several bird species, the Cooper’s Hawk, the Northern Harrier, the White tailed kite, and the Prairie Falcon, we suspect there are terrestrial species present as well, and we have no indication that they were surveyed for.

7-13

Under “Wildlife Linkages and Movement Corridors,” you claim that “Although wildlife originating from the Wilson Creek Estates property can continue to the W, there is no

7-14

Joseph M. Lambert, City of Yucaipa
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direct connection through the other side of the developed portions of Yucaipa.” There is, however, open space to the west and southwest. This means that the site can provide habitat linkages which would be curtailed by the development. 7-14 cont'd

Further, with regard to the sensitive birds, you say there will be a less-than-significant impact with vegetation clearing and grading to take place outside the typical avian nesting season of what you say is February 15 to August 31. This isn't the full nesting season, particularly for raptors. Also you say the mitigation measure will be implemented “to the maximum extent practicable,” which again means it is unenforceable. Relating to the burrowing owl, you say there will be a requirement to survey for them prior to the issuance of grading permits, but there is no plan for what will be done if they are found. 7-15 7-16 7-17

At 3-49 you ask will “the Project have a substantial adverse effect on federally protected wetlands as defined by section 404 of the Clean Water Act, through direct removal, filling, hydrological interruption or other means?” The answer is obviously yes, but you indicate that this will be mitigated to a less than significant level by the developers’ obtaining Clean Water Act permits from the U.S. Army Corps of Engineers and the CDFW. The CDFW does not issue Clean Water Act permits, but Streambed Alteration Agreements. Moreover, the possibility of obtaining these permits does not derogate from this being a significant impact. 7-18 7-19 7-20

At around 3-50 you ask whether the Project will interfere significantly with the movement of any native resident or migratory fish or wildlife species or with established native or resident migratory wildlife corridors. You assert that “Due to the ever-narrowing width of this corridor through Yucaipa and its termination in a developed area, it is not considered an effective wildlife corridor.” This is what the species have, and the DEIR is here acknowledging that there are cumulative impacts to them. You also say that the implementation of MM BIO-5 requiring nesting surveys within 72 hours of construction will address this impact, but it will not, or at least not below a level of significance. 7-21 7-22

Regarding your MM’s, as noted above, MM BIO-1 requires clearing and grading outside the typical avian nesting season of Feb. 15- Aug. 31 “to the maximum extent practical.” This is not an enforceable MM and it is not fully effective as birds nest from Jan. 1 through Sept. 15. See Attachments F-1, F-2, and F-3. Also, the MM says that if active nests are discovered, a minimum buffer zone is recommended to the maximum extent practical. Again, this is not enforceable, and you do not call for the involvement of a qualified biologist, indicating (it appears) that you just intend to have construction personnel for the individual sites avoid nests if they happen to see them. Further, the minimum buffer zone needs to be defined. “Once nesting has ended, the buffer may be removed.” Again, who is to determine this? We also think this is unworkable with the applicant’s Project model. We think it unlikely that individual homeowners are going to hire a qualified biologist. This means impacts are likely to be significant, and they have not adequately been mitigated. Next you provide that with regard to the burrowing owl, there should be a preconstruction survey no more than 30 days prior to grading. 7-23 7-24

Joseph M. Lambert, City of Yucaipa
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According to CDFW guidance on burrowing owls, this should be no more than 14 days prior to ground disturbance with a final survey 24 hours or less prior to grading. *See* Attachment A at 29-30. And you have absolutely no mitigation measures in place in the event that owls are found. Again, we think it unlikely that the requirement of a qualified biologist is likely to be enforced across 184 individual lot developments.

7-24
 cont'd

As to MM BIO-2 it only covers the Plummer's mariposa lily and Parry's spineflower. The plant survey was not sufficiently comprehensive to rule them out. The MM provides "Should surveys indicate the presence of those species, the project proponent shall contact CDFW to determine appropriate strategies, which may include in lieu payment, avoidance, or replacement of plants." This is not an enforceable MM. The City should be requiring specific and enforceable steps, rather than leaving this to CDFW, which may not have jurisdiction to order mitigation for special status (as opposed to state-listed) species.

7-25

7-26

MM BIO-3 says during Project grading, "the limits of grading and construction activities within the Project footprint should be clearly delineated with temporary staking, flagging or similar materials by the Property owner or Project contractor. Grading of the Project footprint should be minimized to the greatest extent feasible." Again this is not enforceable. And there is no substantial evidence that the MM reduces impacts to riparian habitats to a less than significant level.

7-27

BIO-5 provides for nesting surveys, apparently year-round (of which CDFW would approve), but it does not provide who is to conduct them. It also allows for vegetation clearance other than from Jan. 1 through July 15 "where feasible," and again this is unenforceable. Also the nesting season is longer than that, by your own acknowledgement. Then it says in the event that clearing necessary during the breeding season, which it now specifies as Feb. 1, through Sept. 1, a qualified biologist shall conduct a survey no greater than 72 hours prior to construction. Clearing should include grading, and the season should cover from Jan. 1 through Sept. 15. It continues that an appropriate buffer area of 200 feet or 500 feet for raptors and listed species shall be established around each nest site, "typically." This makes it unenforceable as there are no clear grounds for when an exception may be granted or what is to happen if one is. Next, it says "In the event that construction must occur within this buffer the biological monitor will take steps to ensure that construction activities are not disturbing or disrupting nest activities." How, exactly, is the biological monitor to do this? Either the adults will abandon the nests or the young will fledge early before the biological monitor is likely to notice "disturbance." Again, we think it unlikely that a biological monitor will be hired for each site. Finally, it states that if the biological monitor – only with the concurrence of CDFW – may halt construction under these circumstances. Again, this is too little, too late. This is take under the Migratory Bird Treaty Act and is prohibited.

7-28

BIO-6 says that prior to issuance of grading permits for infrastructure it will be the responsibility of the project proponent to obtain the required permits for the removal of protected oak trees, while subsequent oak tree removal permits will be the responsibility

7-29

Joseph M. Lambert, City of Yucaipa
April 25, 2016
Page 6

of individual lot owners. This does not actually mitigate for the loss of the oaks because the Municipal Code allows for their removal.

7-29
cont'd

3.5 *Cultural Resources*. MM CR-3 provides that although there is a cultural resources report there could be unidentified cultural or paleontological resources on site encountered during construction. The DEIR calls for hiring *one* of these prior to grading. Again, we think it unlikely that individual lot owners will hire either but there could be significant impacts to the resource not covered under the MM. You also say that AB52 tribal consultation would occur in conjunction with implementing this MM. It should have occurred already.

7-30

7-31

3.6 *Geology and Soils*. Under the threshold, “Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving the rupture of a known earthquake fault, strong seismic ground shaking, seismic related ground failure, or landslides?,” the DEIR says the site does not lie within an Alquist-Priolo Fault Zone. However, you acknowledge that such a zone is only 0.5 miles to the north, and another is less than 2 miles to the west/northwest. You then state that impacts would be mitigated to a less than significant level by compliance with the Yucaipa Municipal Code and Building Code requirements. However, your geological report discloses two fault strands on the property which require investigation that has not been done. The report makes clear this analysis must be done if the land is to be developed for human occupancy, which clearly it is. You didn’t map these fault strands or disclose them in the DEIR, and this violates CEQA. Further geological studies should have been done prior to development of the DEIR – this is deferred and uncertain mitigation.

7-32

3.7 *Greenhouse Gas Emissions*. The DEIR acknowledges a 3,000 MTCO_{2e} threshold for the City and that the annual emissions from the Project would be 3,580 MTCO_{2e}. Thus, the impacts would be significant. You indicate that impacts would be less than significant by requiring measures totaling 100 points in compliance with the Yucaipa Climate Action Plan’s Screening Table for residential projects. You’ve failed to include the Screening Table in the DEIR so there is no way to determine if 100 points of measures from the Screening Table will reduce impacts to less than significant levels. Also, we believe your choice of amortizing construction emissions for the Project over 30 years when you project them all to occur within one year is not consistent with the goals of AB32, Executive Order S-3-05 or Executive Order B-30-15.

7-33

3.9 *Hydrology and Water Quality*. Under the threshold question, “Will the Project violate any water quality standards or waste discharge requirements?,” you say that prior to the issuance of building permits the Project would be required to comply with all applicable NPDES requirements through adoption and implementation of a SWPPP and a WQMP. We are not certain that the Construction General Permit would apply to the development project if it is to apply to individual lots. See Attachment B at pages 7 and 9, 10 (“construction activities not covered.”) Specifically, the Project will result in construction of individual lots that could well result in land disturbance of less than one acre, and they would not be a part of a larger plan for common development or sale of

7-34

Joseph M. Lambert, City of Yucaipa
 April 25, 2016
 Page 7

one or more acres of *disturbed land surface*.” Your assumption that this will mitigate impacts to less than significant levels is therefore not based on substantial evidence. 7-34 cont'd

Next, “Will the Project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table?” As you note, the YVWD’s basins are in overdraft. The YVWD Urban Water Management Plan, Attachment C, concedes as much. You haven’t projected the future uses on the site and there would be an increase of consumption onsite, though you haven’t quantified how much. 7-35

Then, “Will the Project alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off-site? You say there is no significant impact because individual property owners are to provide individual drainage studies which are to “provide the timing of additional improvements needed to serve the subdivision at buildout.” This is not a proportional requirement and thus could not be enforced. Further, expecting individual detention basins on each lot is not reasonable and has not been demonstrated to feasibly limit runoff. Further your conclusion is not supported by Appendix H, what you call your hydrology study but what is actually a one-page memo from AECOM indicating that it is difficult to find buildable areas on some of the lots within the 100-year floodplain. Additionally this memo refers to two sets of maps, neither of which are attached. Finally, the threshold asks if the Project will alter the course of a stream or river, and clearly it will. The answer should therefore have been that there was a significant impact. 7-36

“Will the Project create or contribute to runoff which would exceed the capacity of existing or planned storm water drainage systems or provide additional sources of polluted runoff?” You say “Prior to the issuance of building permits, the project would be required to comply with all applicable NPDES requirements through the adoption and implementation of a SWPPP and WQMP during the construction and operational phases.” To our knowledge there is no requirement for the operational phases of residential developments to have SWPPPs or WQMPs to our knowledge. Please explain the source of these alleged requirements. If they do not exist then your conclusion of mitigation to less than significant levels is not based on substantial evidence. 7-37

Under MM’s you provide as to post-construction BMPs that “owners shall develop a WQMP consistent with NPDES No. CAS6180306.” We looked it up and it appears no longer to be in effect. See Attachment D. As to WQHYDRO-1, that the property owners shall develop additional project drainage studies, there has been no drainage study, and the proposed approach is likely to lead to a series of low-level, conflicting and inadequate drainage studies for the site. The DEIR should at a minimum require WQMPs to be required of each owner/developer, though we again question the effectiveness of such a measure. WQHYDRO-4 provides that a conservation easement exceeding the limits of the 100-year flood shall be recorded and no buildings or structures shall be permitted within the easement. When is this to happen? Presently the easement is not enforceable. WQHYDRO-7 calls for additional drainage studies. See our comments on the viability 7-38 7-39

Joseph M. Lambert, City of Yucaipa
 April 25, 2016
 Page 8

of this above. WQHYDRO-8 says any fill placed adjacent to streambeds shall be compacted per City standards. This presupposes that there will be fill and appears contrary to some of your other mitigation measures. WQHYDRO-9 says storm water drainage inside the proposed Project boundaries will be designed to minimize soil erosion and provide for sediment control. This is not an enforceable MM. Who is going to design the drainage, how and when?

7-40

7-41

WQHYDRO-10 says the property owner or project applicant shall provide employee training concerning water quality and site management as is required by the WQMP, and that the training documents shall be submitted to the City Engineering Department prior to building occupancy. We will be surprised if all the occupants have employees or if most of them provide documentation to the City.

7-42

3.12 *Noise*. With respect to construction noise you reach the cursory conclusion in the DEIR that noise from the “sequential phases” of project construction would be less than 65 dBA L_{dn}. You don’t define L_{dn} in your noise descriptions earlier and thus it is impossible to evaluate this statement. We also find it hard to believe given most other descriptors. With respect to the threshold would the Project cause a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project, you indicate that Appendix I shows that one residential land use would have significant temporary noise impacts due to construction. This appears to conflict with your conclusion under the earlier impact at 3-118.

7-43

Your MM’s are again not enforceable. NOISE-2 says “There are a number of practices that could be employed as follows,” implementing none of the measures as a requirement. Similarly NOISE-3 says proper design and installation of temporary noise barriers “may need to be implemented,” and then it identifies a number of measures that are “recommended.” This is not adequate under CEQA.

7-44

3.17 *Utilities/Service Systems/Energy*. At 3-146 to 147 you say “funding for drainage facilities would come from the City’s Street Maintenance Division funds and development impact fees collected during the time of Project development.” With the Project being developed into individual lots this may be totally unworkable as the City may not receive sufficient funds to create the infrastructure.

7-45

4.0 *Cumulative Impacts*. At 2-8 you indicate that you are addressing “a list of . . . projects in the City of Yucaipa and surrounding jurisdictions,” but in Section 4.0 you admit that the list only includes projects in Yucaipa itself. And it only included projects within a radius of three miles, and it should have included a map showing where the projects were. We think the radius should have been larger to include impacts to air quality and traffic, and cumulative impacts to biological resources. We understand there are some major developments proposed in Calimesa, and we are not sure you have addressed all the projects in Yucaipa.

7-46

As to aesthetics it is impossible to tell if the Project will have significant impacts as you have not included any photos or renderings. As to agricultural resources you have

7-47

Joseph M. Lambert, City of Yucaipa
 April 25, 2016
 Page 9

<p>indicated that development on Tract 17229 would impact the same currently undeveloped agricultural areas as the proposed Project. We disagree with your conclusion that your MM mitigates agricultural impacts to less than significant levels and it does so even less cumulatively. You haven't indicated what, if any mitigation is occurring on Tract 17229. The development of housing will take this land out of potentially productive agricultural use. Your conclusion that there is no significant impact is not based on substantial evidence. As to air quality you say the Project's construction emissions would not have a cumulatively considerable contribution to the region's air quality. MM AQ-1 does not address construction emissions, and you have not evaluated the impacts of adjacent development such as Tract 17229, which could occur simultaneously. As to biological resources, you acknowledge that the development of Tract 17229 would reduce the extent of open land in the region but you say there is no significant impact because it is already adjacent to developed land. This is not a standard by which cumulative impacts should be measured. By this standard, any open space adjacent to development could never provide habitat. This obviously makes no sense.</p>	<p>7-48</p>
<p>Regarding geology and soils, we believe there could be a significant impact to public services if an earthquake were to impact all these developments at once. We cannot quantify the potential significance given the lack of a geotechnical study for the other projects and the shortcomings of the study done for this one.</p>	<p>7-49</p>
<p>Regarding hydrology, you say there are no cumulative impacts because impacts from the Project have been mitigated by MM's WQHYDRO-1 through -14. But you haven't indicated whether the other developments are in a 100 year floodplain or have jurisdictional features. We cannot determine whether there are cumulative impacts based on the information produced.</p>	<p>7-50</p>
<p>As to noise, you acknowledge that noise impacts from the concomitant construction of Tract 17229 and the Project could be significant for the homeowner on the affected lot, but you say MM NOISE-1 "would either reduce the temporary increase in ambient noise level from the project to 10 dBA or less, or circumvent the need for noise reduction via agreement with or temporary relocation of the owner/occupant." First of all, this isn't included in NOISE-1. Second, the fact that the Project's increase in noise may be reduced to less than 10 dBA does not mean the cumulative noise will. There is no substantial evidence for a conclusion of less than significant impact on the present record.</p>	<p>7-51</p>
<p><i>6.0 Alternatives.</i> You indicated that you did not carry forward your analysis of alternative sites because the property owner could not afford to simultaneously own the present property and another one. This is not the standard by which an alternative site is rejected as infeasible. Alternative sites could be analyzed with the expectation that the owner could divest itself of the present site and acquire a new one.</p>	<p>7-52</p>
<p>Regarding Alternative 1, the No Project Alternative, you state that the sedimentation impacts of the No Project Alternative would be greater than with the proposed Project. We find this difficult to believe as there has been no ground disturbance on the site for some time. Additionally, the MM's for hydrology and water quality for the Project</p>	<p>7-53</p>

Joseph M. Lambert, City of Yucaipa
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Page 10

merely said they would “minimize” it, without specifying how. We don’t believe your conclusion as to this alternative was based on substantial evidence. You also stated that the demand for public services for fire protection would be the same. We believe the risks of fire are greater in a built environment.

7-54
cont'd
7-55

Regarding Alternative 2, the Lower Density Alternative, you state that it is “anticipated that short-term construction air quality impacts would similarly be potentially significant.” This and your Table 6-1 Comparison indicate that you altered your air quality analysis. Please provide backup as to how and on what basis as this affects the substantial evidence basis for your conclusions. Also, we disagree with your conclusion regarding biological resources where you state the impacts would be similar. The lower density alternative should have fewer impacts in this regard.

7-56
7-57

Regarding Alternative 3, the Planned Development Alternative, you state that it would involve development of 225 residences on 180 acres leaving 50 acres of natural open space and 10 acres of olive grove. Again, you state “It is anticipated that under Alternative 3, short-term construction impacts would be similar and would require mitigation measures to address such impacts.” You have no mitigation of construction impacts to air quality under the Project. Please provide us with your original analysis.

7-58

Under the Environmentally Superior Alternative, you choose the Lower Density Alternative because you say “this alternative would reduce significant air quality impacts, though not to less than significant levels.” Again, this is contrary to what you found in the DEIR. Please explain your original analysis.

7-59

We look forward to your response. Please put us on your mailing list for the Project and contact us with the results of your process, including the Final EIR, should you decide to prepare one, at collins@blumcollins.com and bentley@blumcollins.com. Thank you.

7-60

Sincerely,

Craig M. Collins

Attachments: A-H

7-61

Comment Letter No. 8

4/27/216

Linda Bedford
35626 Carter Street
Yucaipa, CA 92399
linda.c.bee@verizon.net

Dear Mr. Lambert,

I am writing in response to the Draft EIR submitted for the Wilson Creek Estates aka Casa Blanca project.

I was going through the Draft EIR preparing to make my response when I started on the Biological Assessment, Appendix D. I was at the meeting when the city council decided not to go with ECORP for the full EIR and Aecom was chosen as the company to perform this most important task. Imagine my surprise when I realized that ECORP had just updated their study and that the only thing by Aecom in that section was an Oak Tree Study. This is not what the City of Yucaipa decided and I am concerned that the City of Yucaipa's instructions were not followed.

8-1

Speaking of the Oak Tree study. Everything that can possibly be done needs to be done to protect these trees. Saying the trees that have been there for decades are replaceable by planting new trees is missing the point entirely. The Oaks are grand old trees and need to be treated with respect and preserved.

8-2

There are many points to this Draft EIR that concern me. Air quality problems for one. Living in an inversion zone already keeps pollution in our area. The local chicken ranches, when not in compliance, contribute to the unhealthy air quality also. And building more houses here adds to the problem through their car's emissions, wood burning fire places and yard equipment, not to mention the heavy duty equipment used by the builders themselves.

8-3

Additionally, I am anxious for the birds on this land. Many are on the California Species of Special Concern List. The impact on them may be irreversible. Furthermore, there are many other species of animals that will be impacted by this development as would be discovered with a full four season EIR.

8-4

This area of proposed development is located within a hundred year flood plain. That should be a cause of concern for any potential residents moving or building there. Also, we are still in a drought situation. While each household in Yucaipa still has to cut back their water use by 36%, it makes no sense to allow a development of this size to be built.

8-5

8-6

Whether Meridian develops all the land at once, in phases, or chooses to sell lots to individuals for custom houses is irrelevant to the EIR process. A full, four season EIR needs to be done, and not for

8-7

perpetuity. It should expire within a certain time limit. The Earth is not static, it constantly evolves as do the animals and plants that inhabit it. Keeping up with the changes created by developing portions of this property is extremely important.

I hope you take the concerns of the citizens of Yucaipa seriously, and do whatever you can to keep this area, Casa Blanca Ranch, aka Wilson Creek Estates, naturally beautiful and protected for generations to come.

Yours sincerely,



Linda Bedford

8-7
cont'd

1 of 4

Comment Letter No. 9

Robert W. Chambers
36507 Oak Glen Road
Yucaipa, CA 92399

April 27, 2016

Mr. Joe Lambert
Planning department
City of Yucaipa
34272 Yucaipa Blvd.
Yucaipa, CA 92399

RE: Wilson Creek Estates, Project Case No. 15-061/TTM 19974

Dear Mr. Lambert,

Thank you for taking my call today. We discussed my concern of the existence of James Birch Road with respect to the above referenced project. My property and my neighbors property front on James Birch Road, and it will be necessary for ingress and egress to our property as Oak Glen road traffic count increases with the development of both the Eastern portion of Yucaipa, and the Oak Glen area.

9-1

I noticed that it does not show up on the Wilson Creek Estates plan, only the easement for the Water Tank.

James Birch Road is a dedicated road and **should not be vacated or abandoned**. I have planned on the ingress and egress for my lot from this road as an alternative to using Oak Glen Road because it is a busy street with a blind turn for the West bound (downhill) side. This will create a traffic hazard if we are required to use Oak Glen Road for ingress and egress to our lots. Three or four neighboring lots can also utilize James Birch Road for the same reason.

9-2

As I have mentioned to you, I have lived at 36507 Oak Glen Road for over 30 years, as have other neighbors. We have a curve in front of our house that several people have lost their lives and there are many accidents annually. This is why we need the James Birch Road access.

Please share my concern with our City Planners and City Council members. Please understand that though this development will do a number on our area wildlife, and increase traffic on Oak Glen Road, I understand the benefits to the City of Yucaipa with the upgrading of infrastructure and the increased revenue it will generate and I am not necessarily opposed to it.

9-3

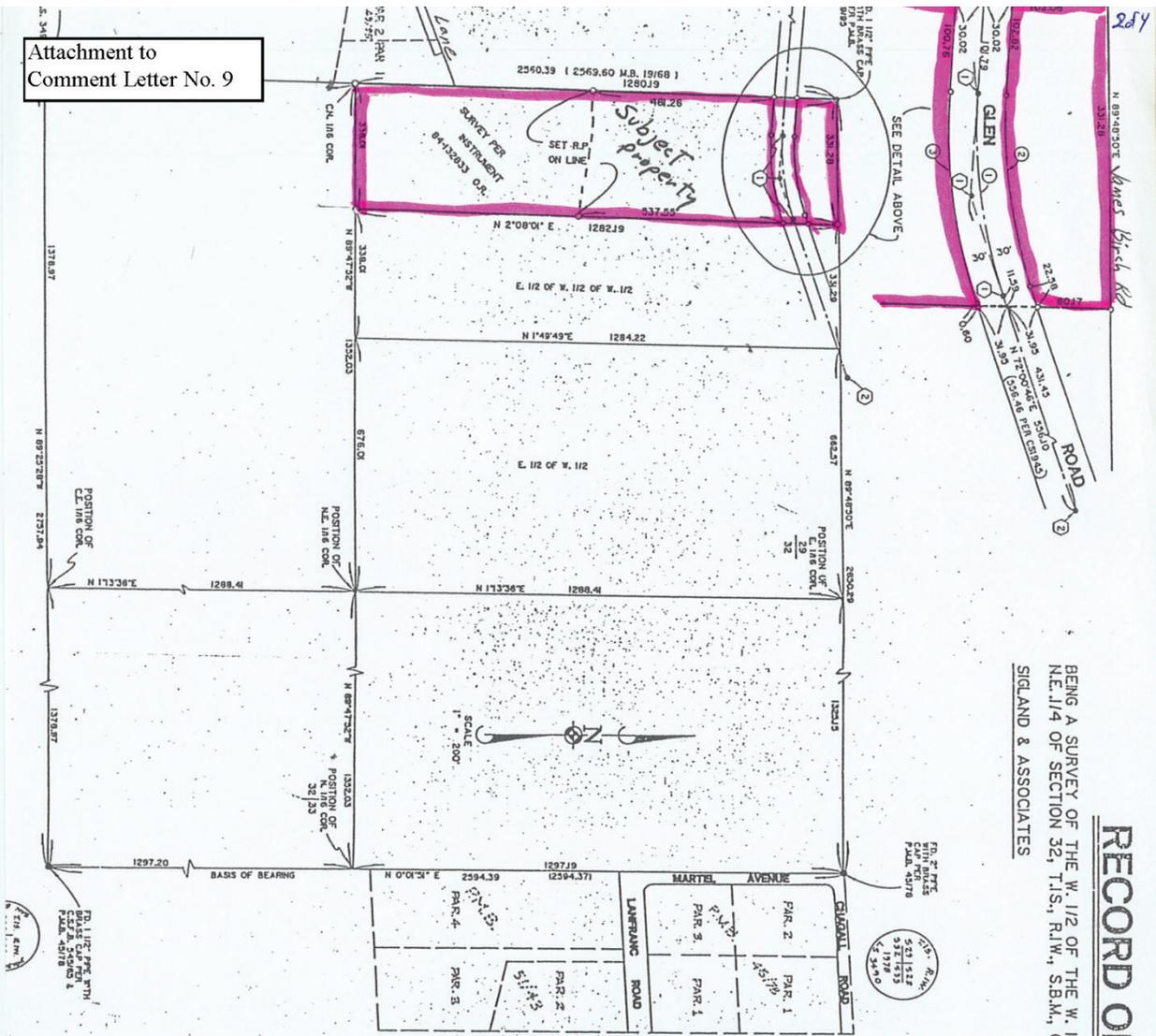
I bought my property over 30 years ago, and I had access to a road on the North side of my property. I allowed the Yucaipa Valley Water District to have their easement over my property and a locked gate at the entrance of their easement. I should not have to give up my rights to James Birch Road because someone thought nobody cares about a dedicated street.

Sincerely,



Robert and Pamela Chambers
(909)797-6458 Home (909)938-2603 mobile

Attachment to
Comment Letter No. 9



RECORD OF SURVEY

BENG A SURVEY OF THE W. 1/2 OF THE W. 1/2 OF THE N. 1/2 OF THE N.E. 1/4 OF SECTION 32, T1S, R1W, SB, M, COUNTY OF SAN BERNARDINO, CALIFORNIA
SIGLAND & ASSOCIATES
SEPTEMBER 1986

SHEET 1 OF 1 SHEET

PLAT NO. 521152
FILE NO. 537435
DATE 9/23/86

SURVEYORS STATEMENT
THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE LAND SURVEYORS ACT AT THE REQUEST OF ROBERT CHAMBERS IN SEPTEMBER 1986

RICHARD F. SIGLAND L.S. 34
EX. 6-30-



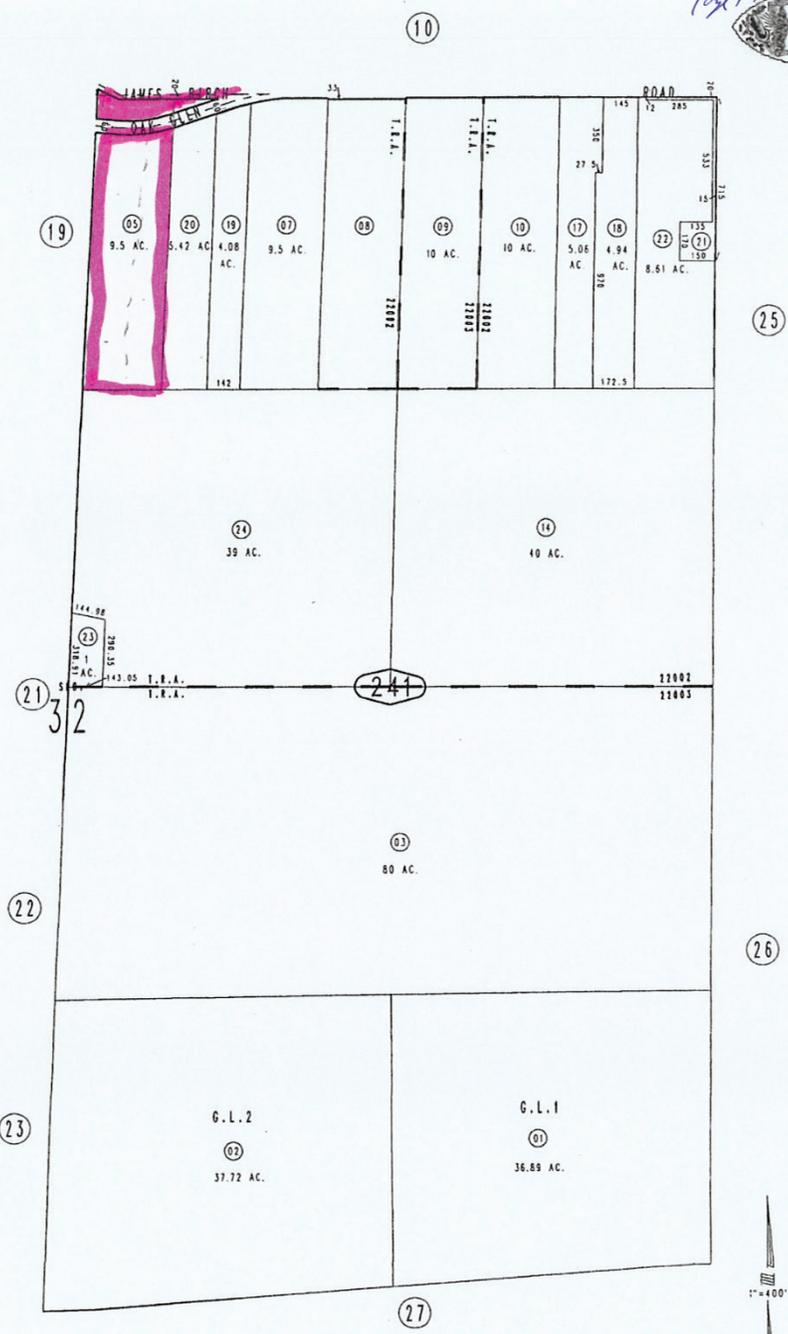
COUNTY SURVEYORS STATEMENT
THIS MAP HAS BEEN EXAMINED IN ACCORDANCE WITH SECTION 8706 OF THE LAND SURVEYORS ACT.
THIS EXAMINATION IS LIMITED TO THE DATE OF EXAMINATION.
CLAUDE D. TOLMAN COUNTY SURVEYOR
COUNTY OF SAN BERNARDINO, CAL.
BY *Richard F. Sigland*
L.S. 4006

- GENERAL NOTES**
1. THE BASIS OF BEARING FOR THIS MAP IS THE WEST LINE OF THE N.W. 1/4 OF SECTION 33 PER P.L. 4624, P.L.B. 4578 BENG N 07°.
 2. ② INDICATES MONUMENTS FOUND AS NOTED.
 3. ① INDICATES SET I' PPE. TAGGED L.S. 3900.
 4. () INDICATES RECORD BEARING OR DISTANCE PER RECORD OF SURVEY 37127.
 5. (1) INDICATES TO I' PPE. COUNTY SURVEYORS MONUMENT PER CO SURVEYORS FIELD BOOK 488102.
 6. (2) INDICATES TO I' PPE. COUNTY SURVEYORS MONUMENT PER CO SURVEYORS FIELD BOOK 488103.
 7. C.S.F. INDICATES COUNTY SURVEYORS FIELD BOOK.

87-081232
FILED REQUEST OF
ROBERT CHAMBERS
ON 09/23/86
R.F.S. 316 P.M.
COR. 67 PAGE 23

Attachment to
Comment Letter No. 9

2005



IS FOR THE PURPOSE
ALTERN. EXAMINATION ONLY

E.1/2 Sec.32, T.1S.,R.1W., S.B.B.&M.

City of Yuccipa
Tax Rate Area
22003,22002

0321 - 24

Assessor's Map
Book 0321 Page 24
San Bernardino County

REVISED

Comment Letter No. 10

Joseph Lambert

From: Tom Nievez <t_nievez@cascinc.com>
Sent: Wednesday, April 27, 2016 4:25 PM
To: Joseph Lambert; Jim Morrissey
Cc: Jonathan Weldy (Jweldy@meridianldc.com); Glenn Budd
Subject: FW: WCE DEIR comments

Joe,

I am forwarding for your review and comment. We would like to discuss/clarify/correct/confirm these items at tomorrow's meeting. We can then finalize any comments we have on the DEIR. You have seen some of these comments in my previous e-mail. Thanks. 10-1

Tom

From: Tom Nievez
Sent: Wednesday, April 27, 2016 9:00 AM
To: Jonathan Weldy (Jweldy@meridianldc.com) <Jweldy@meridianldc.com>
Cc: Glenn Budd <gbudd@cascinc.com>
Subject: WCE DEIR comments

Jonathan,

I have gone through the DEIR with a little finer tooth comb. The following points are items that, in my opinion, need to be corrected/clarified with staff/ adjusted: 10-2

- 1. The "Not a Part" areas appear to be part of the discussion and should not be (p. ES-1); PLEASE REMOVE
2. The project is consistent with the General Plan, not "generally" consistent (p. ES-2); REMOVE "GENERALLY"
3. The document incorrectly states that there are "unavoidable adverse impacts" (p. ES-3); REMOVE
4. MM AES-1 (p. ES-5); remove "avoid", add "minimize" | 10-5
5. MM AG-1 re "retain at least 75% of the olive grove" (p. ES-5); 75% OF THE ENTIRE GROVE. | 10-6
6. [REDACTED]
7. MM CR-1 and MM CR-2 relate directly to the Casa Blanca residence. They need to be removed (p. ES-7); | 10-7
8. Reference to "Not a Part" again needs to be corrected/removed (p. 1-3); | 10-8
9. Regarding Oak Tree removal, term "will" should be replaced with "may", (p. 1-3); | 10-9
10. Reference to "Not a Part" again needs to be corrected/removed (p. 2-7); | 10-10
11. Reference to split rail fencing being consistent with rural and scenic highway treatments in conflict with City policy re masonry walls at rear of lots (p.3-6); TTM COA'S in conflict. | 10-11
12. MM AG-1 objective of 75% preservation of olive trees. Refers to entire grove? Need clarification (3-17); | 10-12
13. Remove reference to Casa Blanca residence in discussion re cultural resources (p. 3-61); | 10-13
14. MM CR-1 and MM CR-2 re Casa Blanca residence need to be removed (p. 3-63); | 10-14
15. Fiscal Impact Analysis requirement needs to be clarified (p. 3-104); | 10-14
16. MM NOISE-1 re norms for 14144 Cherry Creek residence needs to be clarified (p. 3-104); | 10-15
17. Discussion re Casa Blanca residence under cumulative impacts needs to be clarified (p. 4-4); | 10-15
18. [REDACTED] | 10-16
19. Reference to "sidewalks" needs to be removed (p. 5-1). | 10-16

Handwritten signature and date: 4/28/16

Some of these may be addressed with staff and go away. Others affect the document and are valid DEIR comments. We have meeting scheduled with staff for tomorrow afternoon, but that is cutting it close. I would like to send this to Joe and have him review so that we can have a dialogue today or earlier tomorrow.

10-17

Please advise. I am leaving for Ontario and will be back in the office by noon. Thanks

Best regards,



Tom Nieves
Senior Project Manager

CASC ENGINEERING & CONSULTING
1470 E. Cooley Drive
Colton, CA 92324
909.783.0101 x4410
tnieves@cascinc.com

3.4 RESPONSES TO COMMENTS RECEIVED ON THE DRAFT EIR

Each comment that the lead agency received during the Draft EIR comment period is included in this section. Responses to these comments have been prepared to address the environmental concerns raised by the commenters and to indicate where and how the Final EIR addresses pertinent environmental issues. Collectively, these revisions clarify or amplify the analysis in the Draft EIR and none of them would result in new significant environmental effects. Pursuant to State CEQA Guidelines Section 15088.5(b), recirculation of the Draft EIR is not required.

The comment letters have been numbered sequentially, and each issue within a comment letter, if more than one, has a number assigned to it. Each comment letter is reproduced in its entirety with the issues of concern numbered in the right margin. References to the responses to comments identify first the letter number, and second, the numbered comment. Letters are numbered by the type of organization from which they were sent (agency, organization, or individual) (1-2, for example, would reference the second issue of concern within the first letter received from an agency).

Comment Letter 1 – U.S. Army Corps of Engineers

- 1-1 This comment explains the circumstances when a Project would be required to obtain a U.S. Army Corps of Engineers (USACE) permit. The City of Yucaipa acknowledges that the Project will require a USACE permit. As discussed in Section 3.4.4, on page 3-50 of the Draft EIR, Wilson Creek runs through several of the lots within the proposed Project site and is considered jurisdictional to USACE. Implementation of Mitigation Measure BIO-4 would require the property owner or Project contractor to obtain the applicable permits from USACE.
- 1-2 This comment states where the permit application can be found online and includes contact information. This comment does not state a specific concern or questions regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response is required.

Comment Letter 2 – California Department of Transportation, District 8

- 2-1 This comment presents introductory remarks and explains the California Department of Transportation's jurisdiction over State Highway facilities. No further response is required.
- 2-2 The comment requests that the analyses use the 2010 Highway Capacity Manual rather than the 2000 version, and request an explanation as to why the older version was used. It is understood that there are subtle differences between the 2010 Highway Capacity Manual (HCM) and the 2000 HCM, and the result of a side by side comparative analysis (see attached analysis worksheets in Appendix C of the Final EIR) between 2010 HCM and 2000 HCM methodology resulted in the same LOS and delay results. Therefore the traffic study conclusions and findings would remain the same if the 2010 HCM methodology was used. The City of Yucaipa approved the use of the 2000 HCM analysis procedure during the traffic study scoping process. The recently conducted Traffic Impact

Analysis Report for the City of Yucaipa General Plan Update (May 2015 – Draft) was prepared using the 2000 HCM analysis procedures. Therefore the traffic study was prepared consistent with the most recent studies within the City of Yucaipa.

- 2-3 The comment requests that SR-38/Bryant Street and SR-38/Mill Creek Road intersections be analyzed in the TIA and that SR-38/Bryant Street be evaluated for a traffic signal warrant with the proposed additional traffic generated by the Project. The intersections of SR-38/Bryant Street and SR-38/Mill Road were not identified as critical locations to be studied during the Traffic Study scoping process, as there are a minimal number of vehicle trips towards SR-38 (less than ten combined northbound and southbound directional trips during either AM or PM peak hours. See “Added Volume” row in Appendix C and E of the Draft Traffic Impact Analysis Report included in Appendix J of the Draft EIR), which is approximately four miles away. The City of Yucaipa had reviewed and approved the final study locations as reflected in the TIA. The approved Project trip distribution and assignment contribute minimal Project trips towards SR-38.
- 2-4 The comment requests that Fremont Street be included in the TIA. Fremont Street was not included in the study because it is an in-between north-south roadway and was not identified as a critical study roadway segment. Fremont Street is anticipated to carry negligible Project traffic based on the approved trip distribution assignment and travel patterns.
- 2-5 The comment requests that the LOS E and F descriptions on Table 1 be verified against the descriptions in the 2010 HCM. The Level of Service (LOS) E and F descriptions and intersection delay ranges on Table 1 are consistent and correspond to the same values of the 2010 HCM descriptions provided in HCM Exhibit 18-4 LOS Criteria for Signalized Intersections and HCM Exhibit 19-1 LOS Criteria for Unsignalized Intersections.
- 2-6 The comment requests an explanation of the Oak Glen Road ADT of 4,320 east of Bryant Street and the ADT of 12,512 west of Bryant Street. As described in the traffic report and reflected in the traffic counts collected, the differences in traffic volume reflect the lower level of development (fewer housing sites) east of Bryant Street as compared to the segment of Oak Glen Road west of Bryant Street.
- 2-7 The comment requests verification of the numbers and calculations of PM on Table 8. The PM Project Generated trips shown in Table 8 have been verified. Total PM trips (184) reflect the PM trip rate (1.0 per unit) multiplied by number of Single Family Housing units (184). Source: *Institute of Transportation Engineers (ITE) Trip Generation Handbook, 9th Edition*.
- 2-8 The comment requests verification of the existing year 2015 ADT and the proposed year 2040 ADT. The volume differences are consistent with the General Plan Update Traffic Study Buildout Conditions. As presented in the City of Yucaipa General Plan Update Traffic Study, Table 8-2: Segment LOS Analysis – Proposed General Plan Buildout Conditions, the segment of Oak Glen Road between 2nd Street and Bryant Street has daily Existing Conditions volume of 12,147 versus Proposed General Plan Conditions volume of 10,806. The volumes reflect the resultant effects of all roadway network improvements

within the study area and the City in general. It is not unusual if some roadway links will experience changes (slight reduction or increases) in volume as future roadway connections come online. As described in the City of Yucaipa General Plan Update Traffic Study (Chapter 8 Buildout Post-2020 with Proposed General Plan Conditions and 8.1 Post-2010 Roadway Systems), numerous future circulation plan changes may potentially contribute to the aforementioned changes in future vehicle circulation patterns. The combined improvements contribute to the variation of future travel patterns.

- 2-9 The comment notes that there are no existing transit lines serving the area near the Project, and recommends that the City coordinate with OmniTrans to locate transit stops in the area. OmniTrans Routes 308 and 309 only operate on the areas west of Bryant Street. As new developments are built east of Bryant Street, it is recommended that the City coordinate with OmniTrans to explore the expansion of transit services within the immediate vicinity of the Project site. It must be noted that transit service expansion relies on the results of multi-input transit planning tools including 1) evaluating a proposed project by the values it provides for customers, the community, and the agency; and 2) considering new services as market development routes with a defined trial period and ridership target (Omnitrans Core Mission, FY2015-2020 Short Range Transit Plan).
- 2-10 This comment includes closing remarks and does not state a specific concern or questions regarding the adequacy of the environmental impact analysis in the Draft EIR. Additionally, the commenter has been added to the Project mailing list and will be notified of the availability of the Final EIR and future Project hearings.

Comment Letter 3 – California Department of Fish and Wildlife

- 3-1 The comment introduces the CDFW, describes the CDFW's roles as a trustee agency and responsible agency under CEQA, and summarizes the proposed Project. The comment does not address the content or adequacy of the Draft EIR, and no further response is needed.
- 3-2 The comment states that CDFW has identified concerns regarding the adequacy and completeness of the Draft EIR's analysis of impacts to biological resources, and requests that the Draft EIR be revised and recirculated. The comment is general in nature, and serves to introduce the detailed comments in the remainder of CDFW's letter. Responses to the detailed comments that follow are provided in Responses 3-3 through 3-33 below. As described in these responses, the EIR has been clarified to address the information requested by CDFW, however, recirculation of the Draft EIR is not required, as explained below.
- 3-3 The comment states that the Draft EIR fails to adequately analyze direct, indirect, and cumulative impacts to existing on-site vegetation, and requests a quantitative analysis of these impacts. Section 3.4.1 of the Draft EIR has been clarified to include acreages of vegetation present, and Section 3.4.4 of the Draft EIR has been expanded and clarified to provide the quantitative discussion requested. The commenter is referred to Section 3.5 of this Final EIR for revisions to the Draft EIR.

- 3-4 The comment questions the accuracy of the vegetation mapping presented in the Draft EIR. This topic is discussed in greater detail in Comments 3-5 through 3-11 in CDFW's letter, and responses to these detailed comments are also provided in this Final EIR. As explained in Responses 3-5 through 3-11, vegetation mapping for the Project was conducted in accordance with the currently accepted system of vegetation classification in California, and accurately described the existing vegetation within the Project site.
- 3-5 The comment asserts that the Project site likely contains Riversidean Alluvial Fan Sage Scrub (RAFSS), based on the presence of scalebroom (*Lepidospartum squamatum*) in areas mapped as California sagebrush scrub. The surveys conducted on the Project site in 2012, 2013, and 2015 did not identify RAFSS on the Project site (see Appendix D of the Draft EIR). RAFSS is a flood-adapted vegetation community that was at one time prevalent throughout the Los Angeles Basin and Inland Empire area but is now more limited in distribution due to extensive urban development. Plant species present within RAFSS include a mixture of coastal sage scrub and chaparral plant species, including Scalebroom (*Lepidospartum squamatum*), California buckwheat (*Eriogonum fasciculatum*), deerweed (*Acmispon glaber*), yerba santa (*Eriodictyon crassifolium*), white sage (*Salvia apiana*), and our Lord's candle (*Yucca whipplei*). The community exists within alluvial fans and systems that are regularly flooded, but it also occurs within upper portions of larger floodplains as a relictual vegetation community where historical flood regimes have abated over time. The plant community, due to its association with flood events, is traditionally comprised of seral plant species rather than climax vegetation cover. RAFSS is important because of its ability to support a number of rare, threatened and endangered species, including the San Bernardino kangaroo rat (*Dipodomys merriami parvus*; SBKR), Santa Ana River woolly star (*Eriastrum densifolium sanctorum*), and slender-horned spineflower (*Dodecahema leptoceras*).

Most of the plants present within RAFSS are also commonly found in upland coastal sage scrub and chaparral plant communities. Because the Wilson Creek Estates Project site is comprised of chaparral and coastal sage scrub plant communities, it is expected that these above named species may be present. While it is true that scalebroom is considered indicative of the RAFSS community in the literature (Smith 1980), the RAFSS community is typically diverse and contains a scattered cover of many more upland chaparral and coastal sage scrub plant species. Unlike many of its plant associates in RAFSS, scalebroom has undergone an evolutionary adaptation to floodplain-related disturbance, with a deep root-ball that allows the plants to survive and re-grow even when the above-ground portions of the plant are scoured away. For this reason, scalebroom is scattered throughout the RAFSS community as well as interspersed with a high diversity of other plant species.

Wilson Creek through this portion of Yucaipa consists of a single channel, meandering streambed that is well-incised and has a scoured streambed. The bed consists of cobbles and gravel with a few splays of sediment located in pockets. The banks are vegetated with grasses and upland vegetation, with a few patches of riparian vegetation. Hydrologically, the flood process evidence within the Project site indicates that surface flows are restricted to areas within the single stream channel itself and that they are low in volume. Due to the evidence on site, the valley was characterized as not supporting an

alluvial fan system or alluvial floodplain with braided channels (see biological studies prepared by Scott Taylor of ECORP Consulting, Inc., presented in Appendix D to the Draft EIR). The floodplain characteristics are not conducive to the development or maintenance of a seral community such as RAFSS.

Although the CNDDDB includes mapped occurrences of RAFSS along other reaches of Wilson Creek, the Project site was evaluated in the field and RAFSS was found to be absent. On the Wilson Creek Estates site, the biologists conducting the surveys were familiar with RAFSS, scalebroom, and the sensitive plant and animal species associated with RAFSS. They noted scalebroom on site and its cover was very low. The overall plant diversity within the canyon was also low, with an overwhelming dominance of California buckwheat. Due to the low cover of scalebroom and the dominance of a fairly monotypic plant community, the community does not meet the vegetative characteristics of RAFSS (see biological studies prepared by Scott Taylor of ECORP Consulting, Inc., presented in Appendix D to the Draft EIR). In addition, the flood regime within Wilson Creek was that of a confined channel rather than a meandering alluvial system with multiple terraces. For these reasons the whole valley was mapped, along with the streambed, as California Buckwheat series (per *A Manual of California Vegetation, Second Edition*; Sawyer *et al.* 2009), which is considered to be a form of Riversidean sage scrub, but not a RAFSS community.

- 3-6 The comment requests that the Draft EIR be revised to include an analysis of the Project's potential direct, indirect, and cumulative impacts on scalebroom scrub. As described in Response 3-5 above, although scalebroom was noted among the plants occurring within the Project site by Scott Taylor of ECORP Consulting, Inc. (see Appendix D to the Draft EIR), the species was present in low abundance, and was not sufficiently extensive to qualify the plant community for mapping as scalebroom scrub as defined in *A Manual of California Vegetation, Second Edition*. Considering this, the Project site does not contain scalebroom scrub, and the proposed Project would not impact this resource.
- 3-7 In this comment CDFW disagrees with the Draft EIR's conclusion that the slender-horned spineflower and white-bracted spineflower (*Chorizanthe xanti* var. *leucotheca*), are absent from the Project site due to lack of habitat, citing the fact that the species are known from within 3.5 miles of the site and that the site supports alluvial scrub. The rare plant surveys conducted for the Project by Scott Taylor of ECORP Consulting, Inc. (see Appendix D to the Draft EIR) evaluated the site for the presence of both the slender-horned spineflower and white-bracted spineflower, which are known to occur within the area.

Slender-horned spineflower has very narrow soil requirements, being affiliated with areas of high silt content. However, the plant is also known to associate with a wide variety of plant species components, allowing for no particular indicator plant species associates (Allen 1996). Its blooming period is from April through June (CNPS 2016). White-bracted spineflower, according to CalFlora, is associated with pinyon/juniper woodland and creosote bush scrub, and also blooms from April through June (CNPS 2016).

The rare plant surveys for the Project, performed in April 2013, were conducted at a time when both plants would have been detectable, but neither was observed on the Project site. Considering this, it is reasonable to conclude that the species do not occur within the Project site. This conclusion is further supported by the fact that the site conditions are suboptimal for these species: vegetation is either too dense (streambed and canyon areas) or heavily disturbed and too sparse (agricultural areas).

3-8 The comment points out that Hall's monardella (*Monardella macrantha* ssp. *hallii*) has a moderate potential to occur on the site, and that botanical surveys for the Project were performed outside the blooming period for this species. Hall's monardella, which is known to bloom between June and August, has a moderate potential to occur on the Project site based on site habitat characteristics. However, the biologists who conducted the third and fourth burrowing owl surveys (June and July 2013, respectively) also conducted the rare plant surveys and would have recognized that plant if it had been present. In addition, the jurisdictional delineation was conducted on August 15, 2012 by biologists who participated in the rare plant survey, and these biologists also would have recognized that plant if it had been present. Considering this information, it is reasonable to conclude that Hall's monardella is not present within the Project site. The rare plant survey also concluded that sensitive plants are unlikely to occur on the project site because of the density and disturbed nature of the vegetation on the site.

3-9 The comment points out that the botanical surveys for the Project were conducted during a drought, and states that multiple years of surveys during drought periods may be necessary to appropriately determine the presence of a species. However, the findings of the rare plant surveys adequately support the biological resources section of the Draft EIR. During the rare plant surveys there were several plant species observed blooming, including species of *Bloomeria*, *Viola*, *Solanum*, *Phacelia*, *Rhamnus*, *Calochortus* and many others. It is true that the drought conditions may have reduced the vigor of many plant species, and narrowed the blooming period. However, the surveys were performed by biologists with substantial experience working in the area in 2013, and who confirmed that annual plants were booming and identifiable during the survey period.

Because the distribution of plant species, and annual plants in particular, is dynamic, mitigation measure BIO-2 requires renewed surveys for the species with the highest potential to occur on the Project site prior to ground-disturbing activities to account for changes in distribution over time. The measure requires mitigation via avoidance, replacement, or in-lieu fee payment if sensitive plants are found to be present.

3-10 The comment states that a reference site survey should have been conducted to ensure that plant species were detectable during the drought. Although reference sites are ideal, they are not always practical to monitor due to land ownership restrictions or due to poor location data. For instance, the recorded population of slender-horned spineflower is from a collection made in 1923 and the exact location is recorded as "unknown." The rare plant survey was conducted by qualified biologists familiar with the Yucaipa area; however, visiting a reference site was not practical.

To account for the possibility that sensitive plants may have been undetected during botanical surveys or may expand their coverage into the Project site over time, mitigation measure BIO-2 requires renewed surveys for the species with the highest potential to occur on the Project site prior to ground-disturbing activities to account for changes in distribution over time. The measure requires mitigation via avoidance, replacement, or in-lieu payment if sensitive plants are found to be present.

- 3-11 The comment alleges “shortcomings” in the botanical surveys conducted for the Project, (described and addressed in detail in Responses 3-7 through 3-10 above), and recommends that additional focused surveys for slender-horned spineflower, white-bracted spineflower, and Hall’s monardella be conducted in accordance with USFWS protocols. As described in Appendix D, rare plant survey methods were based on the following resources: 1) Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed, and Candidate Plants [USFWS 2002], 2) Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities [CDFG 2000], and 3) CNPS Botanical Survey Guidelines [CNPS 2001]. For reasons specified in the responses to comments 3-7, 3-8, 3-9, and 3-10, the findings of the rare plant surveys adequately support the biological resources section of the Draft EIR without further surveys being necessary for the Final EIR.

As stated above, to account for the possibility that sensitive plants may have been undetected during botanical surveys or may expand their coverage into the Project site over time, mitigation measure BIO-2 requires renewed surveys for the species with the highest potential to occur on the Project site prior to ground-disturbing activities to account for changes in distribution over time. The measure requires mitigation via avoidance, replacement, or in-lieu payment if sensitive plants are found to be present.

- 3-12 The comment states that trapping for San Bernardino kangaroo rat (SBKR) and Stephen’s kangaroo rat is warranted, citing the presence of suitable habitat, documented occurrences within 10 miles of the site, and communication with USFWS personnel. The findings of the habitat assessment for SBKR adequately support the biological resources section of the EIR without further surveys or trapping. The nearest recorded locations for SBKR within the Yucaipa quadrangle are within the Santa Ana River near the Redlands Municipal Airport and near Mill Creek in several locations. These recorded locations are expected and known to be associated with core populations of SBKR and they are located over 5 miles away in separate drainage systems from that of the Project site. These occurrences are separated from the Project site by a combination of intensive urban development and mountainous topography. Wilson Creek is also not located within Critical Habitat for the SBKR. The designation of Critical Habitat was made based on a large number of studies by SBKR experts, and SBKR have not been recorded previously in Wilson Creek. For these reasons, Wilson Creek is not anticipated to support SBKR populations. Further, alluvial scrub habitat is not present within the Project site, decreasing site suitability for the SBKR (refer to reports by ECorp, presented in Appendix D to the Draft EIR).

As indicated in biological reports prepared for the Project (refer to Appendix D to the Draft EIR), the potential for Stephens’ kangaroo rat to occur within the Project site is

low. As illustrated on digital maps maintained by the USFWS (2016), the site is outside the currently known distribution of this species. Further, the Stephens' kangaroo rat occurs primarily in grassland habitat, a vegetation type that is absent from the Project site. Due to these factors, the Stephens' kangaroo rat is not expected to occur within the Project site, and the Project would not impact this species.

- 3-13 The comment states that an assumption of absence is not sufficient to conclude that the Project will not impact the SBKR and Stephen's kangaroo rat. As described in Response 3-12 above, absence of these species is not assumed. Rather, it is expected because the on-site habitat is not suitable to support these species, and because the nearest known populations are more than five miles away and separated by substantial topography and developed land uses. In the case of the Stephens' kangaroo rat, the site is outside the known distribution of the species.
- 3-14 The comment states that Incidental Take Permits from USFWS and/or CDFW may be required if SBKR or Stephen's kangaroo rat are found within the Project site. As stated in Response 3-12, these species are not believed to occur on-site due to lack of habitat, distance from known occurrences, and intervening barriers to movement.
- 3-15 The comment notes that it is the applicant's responsibility to comply with the CDFW's lake and streambed alteration requirements, as required by Sections 1600 *et seq.* of the California Fish and Game Code, and describes the process by which Streambed Alteration Agreements are issued. The comment also notes that Streambed Alteration Agreements are "projects" subject to CEQA review, and recommends early consultation with CDFW. The comment is noted, but does not raise specific environmental issues necessitating a further response. However, the City expects that the analysis presented in this EIR will be relied upon to support issuance of a Streambed Alteration Agreement for activities the portions of the overall development affecting jurisdictional waters, such as road crossings. Future proposals by individual lot owners to modify streambeds within their properties are not addressed, as it the number and nature of such proposals cannot be predicted. Because most of the site's drainages would be contained within drainage easements where grading, clearing, and development would not be allowed, it is expected that the need for lot-specific Streambed Alteration Agreements would be limited.
- 3-16 The comment states that the proposed Project would have potentially significant direct, indirect, and cumulative impacts on special-status species, and lists several examples of such impacts. Section 3.4.4 of the Draft EIR has been clarified to better describe the Project's potential impacts on wildlife species that may occur within the site. The commenter is referred to Section 3.5 of this Final EIR for revisions to the Draft EIR.
- 3-17 The comment states that although the Draft EIR contains mitigation measures addressing nesting birds, no mitigation is included for impacts to sensitive insects, reptiles, or mammals. Section 3.4.4 of the Draft EIR has been clarified to better describe the Project's potential impacts on wildlife species that may occur within the site. No significant impacts on sensitive insects, reptiles, or mammals would occur, and mitigation for impacts to these resources is not proposed (refer to biological studies prepared by

Scott Taylor of ECORP Consulting Inc., presented in Appendix D to the Draft EIR). The commenter is referred to the response to comment 3-16, above.

- 3-18 The comment states that the Draft EIR does not propose mitigation for losses of nesting and foraging habitat. Section 3.4.4 of the Draft EIR has been clarified to better describe the Project's potential impacts on wildlife habitat. No significant impacts related to losses of habitat would occur (the habitat to be removed is primarily agricultural and disturbed), and mitigation for loss of habitat is not proposed. Mitigation Measure BIO-4 would require mitigation for losses of riparian habitat, consistent with CDFW's Lake/Streambed Alteration program. The commenter is referred to the responses to comments 3-16 and 3-17, above.
- 3-19 The comment states that the CDFW considers the Project's potential impacts on sensitive plants and wildlife to be significant, and requests that the EIR be recirculated with a thorough analysis of direct, indirect, and cumulative impacts and appropriate mitigation. Section 3.4.4 of the Draft EIR has been clarified to better describe the Project's potential impacts on wildlife species that may occur within the site. Mitigation measures in the Draft EIR have been clarified. The commenter is referred to the responses to comments 3-16, 3-17, and 3-18 above. In addition, revisions to the mitigation measures are described in Section 3.5 of this Final EIR.
- 3-20 The comment recommends that unavoidable impacts to special-status species be mitigated through the preservation, enhancement, and management of occupied habitat or suitable habitat adjacent to occupied habitat. Section 3.4.4 of the Draft EIR has been clarified to better describe the Project's potential impacts on wildlife species that may occur within the site. As indicated in that section, the Project's potential habitat impacts would occur primarily in areas of existing agricultural use and disturbance, and would entail a maximum of 82.89 acres of impact to intact wildlife habitat. Even in the unlikely event that all 82.89 acres is lost, the loss of this habitat would not significantly impact special-status species within the Project site, and compensation for habitat losses is therefore not required (refer to biological studies prepared by Scott Taylor of ECORP Consulting, Inc., presented in Appendix D to the Draft EIR). Impacts to riparian habitats would require mitigation consistent with CDFW's Lake/Streambed Alteration program, and are expected to be minimal because the site's streams would be placed into drainage easements where grading and development would not be allowed. The commenter is referred to the responses to comments 3-16, 3-17, 3-18, and 3-19 above. In addition, revisions to the mitigation measures are described in Section 3.5 of this Final EIR.
- 3-21 The comment notes that it is the applicant's responsibility to comply with applicable federal and state laws pertaining to the protection of nesting and migratory birds, and lists several such laws. The comment does not address the content or adequacy of the Draft EIR, and no further response is needed.
- 3-22 The comment notes that Mitigation Measures BIO-1 and BIO-5 in the Draft EIR contain differing date ranges for the "nesting season," and recommends that nesting bird surveys be conducted prior to vegetation clearing even outside peak nesting season as some birds may nest year-round. The mitigation measures in question have been clarified to indicate

a consistent date range denoting the “nesting season” for purposes of determining when pre-construction nesting bird surveys and other protective measures should be implemented. Language has been added to the measures allowing the season to be adjusted if warranted based on biological observations in the field, to address the commenter’s concern regarding changes in seasonal nesting activity from year to year. Revisions to the mitigation measures are described in Section 3.5 of this Final EIR.

- 3-23 The comment requests clarification regarding whether the biological construction monitoring required by Mitigation Measure BIO-5 in the Draft EIR would apply to the construction of individual homes, or only to Project-wide infrastructure. The mitigation measure has been clarified to indicate that the developer shall have a City-approved biologist conduct a survey within 72 hours prior to vegetation clearing or grading that would occur during the avian breeding season (typically February 1 through August 31 in the Project region, or as determined by a qualified biologist based on observations in the field). Revisions to the mitigation measures are described in Section 3.5 of this Final EIR.
- 3-24 The comment requests that the term “upon concurrence from CDFW” be removed from Mitigation Measure BIO-5 in the Draft EIR describing the responsibilities and authority of the biological monitor. The mitigation measure has been clarified to reflect the requested revision. The clarified measure indicates explicitly that the biological monitor has the authority to stop work to protect nesting birds or other biological resources, or if violations of laws or permit conditions would occur. Revisions to the mitigation measures are described in Section 3.5 of this Final EIR.
- 3-25 The comment states that CDFW is concerned regarding direct and cumulative impacts to wildlife movement, and requests that analysis of these topics be provided. The comment also includes statements about the abilities of some wildlife to traverse or circumvent certain types of movement barriers. Section 3.4.4 of the EIR has been clarified to provide additional detail regarding the Project’s potential impacts on wildlife movement. In summary, while the Project would hamper localized movements of animals within the site and the immediate vicinity, the site is not within a regional wildlife corridor or along a significant habitat linkage. Further, development of the site would not fully preclude species from traversing it, because the drainages would remain in a relatively undeveloped condition and could serve as conduits for travelling wildlife. Revisions to Section 3.4.4 of the Draft EIR are described in Section 3.5 of this Final EIR.
- 3-26 The comment notes that it is the applicant’s responsibility to comply with the CDFW’s lake and streambed alteration requirements, as required by Sections 1600 *et seq.* of the California Fish and Game Code, and describes the process by which Streambed Alteration Agreements are issued. The comment also notes that Streambed Alteration Agreements are “projects” subject to CEQA review, and recommends early consultation with CDFW. The comment is noted, but does not raise specific environmental issues necessitating a further response.
- 3-27 The comment states that the jurisdictional delineation performed for the Project likely understates the extent of the site’s streambeds, and suggests that the stream width may be wider than shown based on the site topography. The delineation was prepared by

qualified and experienced professionals in accordance with federal and state guidelines and practices (refer to biological studies prepared by Scott Taylor of ECORP Consulting Inc., presented in Appendix D to the Draft EIR), and represents the current conditions within the Project site. During the background research conducted prior to the field survey, which included a review of aerial photographs and topographical maps, one blue-line stream feature was identified on the property. The National Wetlands Inventory mapping for the area did not show any stream features, but showed a pond in the southern portion of the property. The aerial photograph analysis showed several incised canyons that were thought to potentially support jurisdictional streams. All of these areas were then visited and surveyed in the field to verify actual site conditions during the jurisdictional delineation, and to determine whether jurisdictional waters or streambeds were present.

Although several incised canyons are present, only the main Wilson Creek channel and one small tributary exhibited signs of active stream flow. Signs of active stream flow included bed and bank topography, sediment deposits, scouring, lack of upland vegetation within the channel, and presence of riparian vegetation. Other channels, though topographically incised, did not contain stream channels or erosive features indicating stream flows. The canyon bottoms were vegetated with upland plant species and blended topographically with the surrounding landscape rather than containing incised channels at the bottom. Riparian resources were also found to be absent within the smaller canyons of the property (see Appendix D of the Draft EIR). Based on the field conditions observed, these canyons were not identified as jurisdictional waters or streambeds.

- 3-28 The comment provides citations to two publications related to the delineation of streambeds in arid areas. The delineator who led the delineation of waters and streambeds for the Project has over 20 years of experience, and is familiar with the reference, “A Review of Stream Processes and Forms in Dryland Watersheds.” He has used this reference to delineate streams within the Mojave Desert where problematic flow conditions were present, and routinely uses this reference when assessing stream features in dry landscapes of the arid west. According to the reference, “drylands” correspond with the area designated as the arid west by the Natural Resources Conservation Service, which includes all of southern California. The arid west is further subdivided into subregions LRR-C (Mediterranean California), LRR-D (Inland Deserts), and LRR-B (Columbia/Snake River Plateau) and mountainous regions associated with the Sierra Nevada and Cascade Ranges. The Wilson Creek Estates Project site is located within LRR-C, the wettest of the three subregions.

The City has reviewed the reference, “Methods to Describe and Delineate Episodic Stream Processes on Arid Landscapes for Permitting Utility-Scale Solar Power Plants (MESA Protocol).” The MESA protocol was developed for use with utility-scale power plant project sites as an attempt to avoid under-representation of mapping of episodic streams and washes in California’s deserts, which are difficult to delineate due to their unpredictability as to timing and quantity of flows. The MESA protocol involves three steps to effectively delineate episodic streams: 1) recognizing the stream forms and processes using aerial photography and other tools, 2) documenting the extent of on-the-

ground indicators of fluvial activity and inactivity, and; 3) mapping the watercourse. These steps are a standard practice for jurisdictional delineations, and were employed during the delineation of the Project site. The aerial photography analysis identified several canyons that were suspected to be potentially jurisdictional on the Project site, and these areas were subsequently evaluated in the field. However, ground indicators of fluvial activity were absent in most of those canyons, leading delineators to conclude that the canyons did not support active stream channels.

It is important to note that the canyons of the Project site are not characteristic of any of the dryland stream channel forms discussed in the references. The references are generally intended to guide and inform the delineation of streams that may be braided, poorly defined, have segments exhibiting sheet flow and lacking traditional hydrologic indicators, and/or include alluvial fans and historic channels. The Project site, in contrast, is dominated by leveled agricultural fields with distinct canyons clearly demarcating the pathways by which runoff would hypothetically leave the site. When these canyons were investigated in the field, only Wilson Creek and one small northern tributary were found to exhibit a defined bed, banks, or channel. This finding is consistent with the fact that only Wilson Creek conveys flows from a significant watershed area upstream of the Project site; all of the other on-site canyons drain only agricultural lands within the site's boundaries and on the parcels immediately to the east.

- 3-29 The comment summarizes information that will be needed for CDFW to process a Streambed Alteration Agreement for the Project and requests that this information be included in the EIR, and cautions that if the information is not included, CDFW would need to undertake additional CEQA review prior to issuing Streambed Alteration Agreements. Section 3.4.4 of the EIR has been clarified to include estimates of the streambed acreage that would be impacted by road crossings and other development. Further, Mitigation Measure BIO-4 has been clarified to require that any eventual lot developer seeking to alter a streambed must obtain appropriate state and/or federal permits before a grading permit will be issued. The need for streambed alterations for development of homes is expected to occur only rarely, as the site's streambeds would be placed into drainage easements where grading or development is not permitted. Revisions to the mitigation measures and Section 3.4.4 are described in Section 3.5 of this Final EIR.
- 3-30 The comment requests that the EIR include a discussion of indirect impacts to open spaces adjacent to the site, such as El Dorado Ranch Park, and includes several examples of such impacts. Section 3.4.4 of the EIR has been clarified to include a more complete discussion of potential impacts to off-site lands. Revisions to the Draft EIR are described in Section 3.5 of this Final EIR.
- 3-31 The comment states that many of CDFW's concerns could be significantly reduced or eliminated by approving a reduced development alternative, and urges the City to select such an alternative. The comment does not address the content or adequacy of the Draft EIR, and no response is needed. However, the comment will be a part of the record before decision-makers when a decision is made on the Project.

- 3-32 The comment includes the commenter's closing remarks. The comment does not address the content or adequacy of the Draft EIR, and no response is needed.
- 3-33 The comment includes the commenter's literature cited. The comment does not address the content or adequacy of the Draft EIR, and no response is needed.

Comment Letter 4 – Santa Ana Regional Water Quality Control Board

- 4-1 This comment presents introductory remarks, includes a brief description of the existing conditions of the site as it relates to water quality, and does not state a specific concern or questions regarding the adequacy of the environmental impact analysis in the Draft EIR. However the comment describes Wilson Creek as a braided arroyo. It is important to note, as discussed above in Response 3-5, as a result of biological studies conducted as a part of the Project, the valley was characterized as not supporting an alluvial fan system or alluvial floodplain with braided channels.
- 4-2 The comment states some of the designated Beneficial Uses of Wilson Creek, and states that the Project should avoid impacting riparian areas and should employ wildlife-passable culverts at road crossings. The majority of the riparian areas within the Project site will be within designated drainage easements, where no development other than road crossings is proposed. Hence, the majority of the site's riparian habitats would not be removed by the Project. Section 3.4.4 of the EIR has been clarified with quantification of the expected impact acreages. The commenter is referred to Responses to Comments 3-16, 3-17, 3-18, 3-19, 3-20, 3-25, 3-29, and 3-30 above, and to Section 3.5 of this Final EIR for revisions to the Draft EIR.

A total of three road crossing types are currently contemplated, including bridges, semi-embedded elliptical culverts, and corrugated metal pipe culverts. Of these types, bridges and elliptical culverts allow for unimpeded passage of wildlife along the drainage, while corrugated metal pipes would require wildlife to exit the drainage and cross over the roadway. The specific culvert design to be used at each road crossing has not yet been determined, and will be selected during final Project design. However, the proposed crossings are likely to require Clean Water Act authorization, and the Santa Ana RWQCB will be able to comment on the design details during the Section 401 Water Quality Certification process.

- 4-3 The comment notes that a jurisdictional delineation should be conducted and an alternative selected before the City adopts a Final EIR. A jurisdictional delineation was performed, and is included in Appendix D to the Draft EIR. While it is possible that the USACE, CDFW, or Santa Ana RWQCB may request changes when the delineation is reviewed in advance of permits from these agencies being issued, it is not expected that substantial changes to the delineation would be needed. The delineation provided in the Draft EIR can be used to approximate the Project's potential impacts to jurisdictional waters, as has been done in Section 3.4.4 of the Draft EIR. The commenter is referred to Responses to Comments 3-16, 3-17, 3-18, 3-19, 3-20, 3-25, 3-29, and 3-30 above, and to Section 3.5 of this Final EIR for revisions to the Draft EIR.

As regards the timing of selecting an alternative relative to the release of the Final EIR, proceeding in the manner requested by the commenter would not be procedurally correct. The Final EIR and associated administrative record must be available to the decision-makers prior to a decision being made on the Project. The City expects that the Santa Ana RWQCB will determine whether to authorize the Project through a 401 Certification, Waste Discharge Requirements, or some combination of these means when an application for the proposed road/drainage crossings is submitted.

- 4-4 This comment explains that the Santa Ana RWCQB prefers a hybridized alternative that avoids the drainages and safely conveys mountain floods through the area without jeopardy to life and property. As shown on Table 6-1 in the Draft EIR, impacts have been compared with each of the proposed alternatives. As stated in the Draft EIR, there are numerous potential combinations between a respective alternative and the proposed Project or between two or more alternatives. No attempt has been made to analyze all of these combinations, though it can be presumed that the impact profile of most such combinations would fall within the overall envelope of identified impacts for all of the evaluated alternatives. Although a hybridized alternative was not analyzed, in Section 3.9.4 the Draft EIR addresses that the limits of Wilson Creek will run through several lots of the proposed Project, which will be potentially impacted by jurisdictional area. A less than significant impact will occur with the implementation of Mitigation Measure WQHYDRO-3, requiring the property owner or Project contractor of these lots to obtain necessary CWA permits from USACE and CDFW prior to the issuance of a grading permit. Additionally, Mitigation Measure WQHYDRO-1 requires the property owner or the Project applicant for future development projects to prepare additional Project drainage studies and submit for approval by the City Engineer when future development plans are available. Such studies will identify any increase in developed condition peak flows, identify measures to manage any incremental increase in storm flows (e.g., detention/retention basins, other storm water BMPs), measure impacts to adjacent properties, and provide the timing of additional improvements needed to serve the subdivision at buildout.
- 4-5 The comment notes that mitigation measures BIO-1 through BIO-6 do not propose compensatory mitigation for proposed impacts to federal and state waters, and requests that the Draft EIR propose such mitigation before the City adopts the Final EIR. BIO-1 through BIO-6 have been revised to address comments. BIO-1 through BIO-3 address vegetation clearing and grading activities, as well as additional survey requirements for sensitive plants, and the delineation of and minimization of grading activities. BIO-4 addresses the conditions which must be satisfied prior to the issuance of grading permits. BIO-5 and BIO-6 address biological monitoring and oak tree preservation. The commenter is referred to Section 3.5 of this Final EIR for revisions to the mitigation measures in the Draft EIR.
- 4-6 The comment requests that the City identify the parties responsible for mitigation for impacts to waters of the U.S./state. The implementation of mitigation measures for natural resources permitting is the responsibility of each permit applicant/holder. The worst case scenario of permanent and temporary impacts to waters have been identified and broken out in the Draft EIR, as to what may be anticipated by Meridian Development

and individual owners. Should the County Flood Control District, or the City, come back at a later date and propose a lined permanent improvement to the streams on site, that agency would be responsible for any permitting and mitigation. The commenter is referred to Section 3.5 of this Final EIR, which shows added text for clarification.

- 4-7 This comment requests that septic system clearances be completed within the entire Project at one time, and that the number of Project lots be limited to those that can be seweraged by the YVWD. As stated in Section 2.3.2 of the Draft EIR, individual site grading would occur as lots are sold and developed, and lots would not be developed all at one time but would be spread out over up to twenty years. As grading would be done with individual lots, so would septic system requirements. As stated in Section 3.6.4 the proposed Project would be connected to an approved sewer system operated by YVWD, and YVWD would permit installation of septic systems utilizing the Santa Ana RWQCB's Septic Tank Offset Program that permits installation of septic systems provided an equivalent number are removed and connected to the sewer system. YVWD has a requirement for new projects to connect to sewer. If this cannot or does not occur, YVWD has an off-set process whereby a developer can pay for existing non-sewered lots to connect to the sewer system. As such, the number of non-sewered lots within YVWD would not increase.

Additionally the comment requests that any septic system installation meet the Regional Board's Minimum Lot Size Requirements and clearance requirements by the San Bernardino County Department of Environmental Health Services. As stated in the Project description, 184 single family lots, each with a minimum lot size of one (1) gross acre are on the Phased Tentative Tract Map. The Regional Board's Minimum Lot Size Requirements are ½ acre.

- 4-8 This comment emphasizes that each individual lot owner and builder would need to implement the WQMP established originally for the overall Project, which must conform to the WQMP outlined in the San Bernardino Municipal Separate Storm Sewer System (MS4) Permit. The language in Section 4.3.9 of the Draft EIR has been revised to include the board's comments. The commenter is referred to Section 3.5 of this Final EIR for revisions to the Draft EIR.
- 4-9 The comment states that although the City would permit equestrian stabling per individual lot, there is no plan for enforcing the removal of manure and its associated nitrogen loading from runoff to the adjacent drainages. The comment requests that the City reconsider their approach to individualized construction, as it is problematic under permits that should regulate pre-determined conditions for one over-arching development. The overall project developer will seek regulatory approvals for streambed impacts arising from road crossings and other necessary project-wide infrastructure. Because most of the site's drainage courses would be within drainage easements, where development would generally not be allowed, it is expected that development on most lots would occur in a manner that does not entail filling, diverting, or obstructing the on-site drainages. As a result, permits from the RWQCB and other agencies with jurisdiction over aquatic resources would not be required in most cases. In the instances where a lot

owner might seek to modify a drainage within their property, the proposal would need to be approved by the City and other agencies having jurisdiction (including the RWQCB) on an individual basis. The number and nature of such proposals are currently not known. Additional details have been added to Section 3.9, Hydrology and Water Quality, regarding equestrian stabling and water quality. The commenter is referred to Section 3.5 of this Final EIR for revisions to the Draft EIR.

- 4-10 This comment includes contact information and does not state a specific concern or questions regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response is required.

Comment Letter 5 – Inland Empire Biking Alliance

- 5-1 This comment presents introductory remarks and does not state a specific concern or questions regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response is required.

- 5-2 The comment questions the ITE trip generation rates used in the study. The ITE trip generation manual is the pre-eminent authority in the estimation of land trips, and through its regular updates the latest results of ITE's surveys and diligent documentation are made available to the public. The subject project trip generation rates for Single Family Residential units is one of the most studied land uses, and is therefore kept up to date by ITE. The comment requests that the traffic analysis be completed using VMT instead of LOS. In September 2013, Governor Brown signed Senate Bill (SB) 743, which created a process to change the way that transportation impacts are analyzed under CEQA. As a result, SB 743 requires the Governor's Office of Planning and Research (OPR) to amend the CEQA Guidelines to provide an alternative to LOS for evaluating transportation impacts. On January 20, 2016, OPR released a revised proposal for changes to the CEQA Guidelines for public review. Public review ended on February 29, 2016. The next steps involve finalizing the proposal. SB 743 is estimated to be effective late 2016 or early 2017 with a two-year opt-in period. Implementation would be required statewide in late 2018 or early 2019. Therefore, the Traffic Study for the proposed Project was conducted in compliance with the current traffic analysis procedures required by the City of Yucaipa which require LOS based analysis, and CEQA requirements. Once the revised CEQA Guidelines are finalized and adopted by OPR, the City of Yucaipa will need to update their traffic analysis procedures to require VMT analysis for future CEQA analysis.

- 5-3 This comment expresses concern regarding the operational condition of the existing bicycle lanes along Oak Glen Road once the road is widened as part of the Project. The comment recommends that a couplet of a buffered bike lane on the uphill side and sharrows centered in the outside lanes on the downhill side would better serve a widened Oak Glen Road rather than Class II bike lanes, which are similar to the facilities that are currently present on Oak Glen Road. The newly adopted General Plan identifies the Bikeway Network in this location of Oak Glen Road as Class II Lane on the westerly portion and Class III Route on the easterly portion of the project site. A Class II Lane is designated as an on-street striped bicycle lane for use by bicyclists and a Class III Route

is an on-street signed or marked bicycle route that allows for shared use of a travel lane by bicyclists and automobiles. A Class I Path is designated as an off-street paved roadway for use by bicyclists and pedestrians. The characteristics of each type of category and existing bicycle facilities in the City are further detailed in the updated General Plan. The comment expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

- 5-4 This comment recommends that a roundabout be considered for the proposal to realign Jefferson Street and Pendleton Drive which would create a single intersection at Oak Glen Road. The City's General Plan proposes roadway improvements as part of the circulation network including widening of roadways, construction of interchanges, roundabouts, and new signals. Specific to roundabouts, the City proposes to implement several roundabout projects south of Oak Glen Road at County Line Road and Interstate 10 ramps and further east on County Line Road, at Yucaipa Boulevard and Bryant Street, at Avenue E and California Street, at Avenue E and Bryant Street, and at Avenue E and 5th Street, as detailed in the General Plan. No roundabout is proposed for Oak Glen Road at the intersections of Jefferson Street and Pendleton Drive in the General Plan, therefore, the option of a roundabout is not currently being considered. If this were to change, a roundabout option would require certain design guidelines be met, including a traffic volume demand from all approaches, intersection grade, speed limits, and adequacy of rights-of-way. As discussed in Section 3.16.4, on page 3-140 of the Draft EIR, street designs will be reviewed and approved by the City's Engineering Department for Project roadway designations prior to recordation of the final map and would ensure that impacts related to hazards due to a design feature or incompatible use would be less than significant. Nonetheless, the comment expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.
- 5-5 This comment recommends that appropriately-sized lanes be used in the Project design to ensure safety. The Project would be required to adhere to the City's Development Code and General Plan Circulation Element policies to comply with the City of Yucaipa roadway standards. As discussed in Section 3.16.4, on page 3-140 of the Draft EIR, new public streets are proposed to provide access to the new residential units of the Project. Further, street designs will be reviewed and approved by the City's Engineering Department for Project roadway designations prior to recordation of the final map.
- 5-6 This comment includes closing remarks and does not state a specific concern or questions regarding the adequacy of the environmental impact analysis in the Draft EIR. The comment expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.
- 5-7 This comment includes references that were discussed in the comment letter and does not state a specific concern or questions regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response is required.

Comment Letter 6 – Tom Nieves 1

- 6-1 This comment presents introductory remarks and does not state a specific concern or questions regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response is required.
- 6-2 The comment explains that the filed Tentative Tract Map proposes 183 lots, and that the Draft EIR describes 184 residences. The comment states that the Casa Blanca residence is not a part of the Project and should not be included in the tally. The commenter is referred to Figure 2-5, which displays 184 lots. Lot 184 is located adjacent to Lots 65 and 74, above the notation for Street “E,” and is circled to demarcate the total number of lots, and the Casa Blanca residence is not included in the tally. Additional text has been added to the Project Description to clarify that a lot line adjustment has been approved for the current “Not a Part” lot configuration. The commenter is referred to Section 3.5 of this Final EIR, which shows the revised text.
- 6-3 The comment points out the inconsistency in impact determinations between what is listed on page ES-2 under Areas of Controversy/Issues to be Resolved heading and what is stated in the impact analysis in Section 3.2, Agricultural and Forestry Resources, and 3.3, Air Quality, of the Draft EIR. The text within the fourth bullet on page ES-2 has removed since as detailed in Draft EIR Sections 3.2 and 3.3, impacts to agricultural and forestry resources and air quality would be less than significant with mitigation incorporated. The commenter is referred to Section 3.5 of this Final EIR, which shows the revised text.
- 6-4 The comment requests that the term “may” be used instead of “will”. Text in the Draft EIR has been revised based on this comment to state that permits will be issued to the extent such tree removal and/or relocation is proposed. The commenter is referred to Section 3.5 of this Final EIR, which includes the revised text.
- 6-5 This comment asks for clarification and confirmation that the term project proponent refers to the individual lot owner who is proposing to construct a residence on the particular lot owned by the Project proponent. Mitigation Measure AES-1 has been revised to clarify that the individual lot owners, not the Project proponent, would be required to submit the Building Pad Constraints Exhibit for City review and approval to ensure aesthetic impacts are mitigated to a less than significant level. The commenter is referred to Section 3.5 of this Final EIR, which includes the revised text.
- 6-6 Mitigation Measure AG-1 has been revised based on other comments received during the public review period. Mitigation Measure AG-1 has been modified to clarify the enforceability of the mitigation measure. Mitigation Measure AG-1 clarifies that prior to the recordation of the final map and the removal of any olive trees that the subdivider shall submit to and receive approval from the Planning Division. The language regarding the ratio of acceptable taken has also been deleted and the mitigation measure now states that preservation and protection of at least 75% of the entire olive grove shall be included in the Olive Tree Preservation Plan. The commenter is referred to Section 3.5 of this Final EIR, which includes the revised mitigation.

- 6-7 This comment states that the Casa Blanca residence not be included in any required actions or mitigation that is tied directly or indirectly to the proposed project since it is not a part of the entitlement application. However, the Mitigation Measures CR-1 and CR-2 are included to protect the residence from indirect impacts such as setting changes and potential damage from construction vehicles and equipment on the Project site. The Casa Blanca residence is an eligible resource under the National Register of Historic Places and the California Register of Historical Resources, therefore, any impacts to the main Casa Blanca residence from demolition, substantial alteration, or significant changes to the immediate setting of the house would be considered significant under Section 106 of the National Historic Preservation Act and CEQA. CEQA Guidelines Section 15126.4(b) states that mitigation measures should be taken to prevent or minimize any adverse effects to a historical resource that could result from a project. Implementation of Mitigation Measures CR-1 and CR-2 would ensure construction of the proposed Project would not impact the Casa Blanca residence.
- 6-8 This comment requests that the City and CASC Engineering and Consulting discuss the proposed mitigation measures included within Section 3.9, Hydrology and Water Quality. The City and applicant's team have participated in several coordination meetings and project reviews. The City will discuss the mitigation measures and conditions with the applicant prior to entitlement hearings. No further response is required.

Comment Letter 7 – Blum Collins LLP

- 7-1 The comment asserts several shortcomings related to the effectiveness and enforceability of Mitigation Measure BIO-5. The text of this measure has been clarified to better reflect its intent: if vegetation removal is to occur during a season when protected bird nests could be present, appropriate surveys must be conducted to ensure compliance with applicable federal and state laws. With implementation of Mitigation Measure BIO-5 and the other mitigation measures proposed, the destruction of bird nests would be avoided and impacts to nesting birds would be less than significant as indicated in the Draft EIR. By preventing the take of birds or their active nests, eggs, or nestlings, Mitigation Measure BIO-5 would also ensure the Project's compliance with the Migratory Bird Treaty Act.
- 7-2 The comment asserts that impacts to burrowing owls have not been effectively mitigated, and that compliance with requirements for individual home builders to hire biological monitors during construction is likely to be lacking. The CDFW's current staff report on burrowing owl mitigation is attached to the commenter's letter. Burrowing owls are protected by federal and state laws, and active burrowing owl burrows (nests) would be protected by the provisions of Mitigation Measure BIO-1. An additional mitigation measure, BIO-7, has been added to the EIR to provide additional clarification regarding avoidance of impacts to burrowing owl nests. Consistent with the CDFW Staff Report, this measure requires that pre-construction burrowing owl surveys must be conducted within 14 days prior to ground disturbance. The measure also specifies that active burrowing owl burrows may not be removed during the breeding season, and that any removal of burrows in the non-breeding season must be conducted pursuant to a Burrowing Owl Exclusion Plan prepared in accordance with the Staff Report and

approved by CDFW. With regard to mitigation compliance, the requirement to have a biological monitor present during initial vegetation clearing will be confirmed prior to the issuance of grading permits for future developments on the site. The commenter is referred to Section 3.5 of this Final EIR for revisions to the mitigation measures in Section 3.4.5 in the DEIR.

- 7-3 Existing conditions of the Project site as it relates to aesthetics are discussed in Section 3.1.1 of the Draft EIR. As discussed in Section 3.1.1, on page 3-2 of the Draft EIR, “Yucaipa is located in the valley and foothills of the San Bernardino Mountains, which affords scenic views of the San Bernardino Mountains, Crafton Hills, and other undeveloped hilly areas to the north and northeast”. As noted in Section 3.4, Biological Resources, on page 3-36 of the Draft EIR, elevation at the Project site ranges between approximately 3,000 feet above mean sea level in the southwest section to 3,460 feet above mean sea level in the northeast. The San Bernardino Mountains at their highest point, San Gorgonio Mountain, reach 11,485 feet. Within implementation of Mitigation Measure AES-1, individual lot owners would be required to submit a Building Pad Constraints Exhibit for City review and approval to show how the proposed residence preserves scenic resources and vistas onsite.
- 7-4 This comment states that there is no guarantee that individual lot owners would utilize a minimal grading concept or include split rail fencing and landscaping with a rustic theme. An additional mitigation measure has been added to address this comment. Mitigation Measure AES-2 has been included to require that a “minimal grading” concept be implemented to keep individual lots in their natural state. Additionally, Mitigation Measure AES-3 has been included to require that the design of lots adjacent to Oak Glen Road be consistent with the General Plan Transportation Element in regards to Oak Glen Road being a gateway to the apple-growing tourist destination. The commenter is referred to Section 3.5 of this Final EIR, which includes the additional mitigation measures.
- 7-5 An additional mitigation measure has been added to address this comment. Mitigation Measure AES-4 has been included to require that the City’s Landscape Guidelines are implemented as part of the Project design. The commenter is referred to Section 3.5 of this Final EIR, which includes the additional mitigation measure.
- 7-6 As discussed on page 3-8 of the Draft EIR, the Project will be required to comply with the City’s Development Code, which contains property development and general design standards that ensure new developments and expansions of existing developments will not have a negative impact upon surrounding land uses. However, the City’s Development Code does not contain single family residential standards relating to light and glare, therefore, the text in the Final EIR has been revised. Supplementary text has been added to convey that the character of the Project as large lot single family homes would not create significant light and glare issues. The commenter is referred to Section 3.5 of this Final EIR, which includes the revised text. T

- 7-7 Supplementary text has been added to Mitigation Measure AG-1 to augment the enforceability of the mitigation. The commenter is referred to Section 3.5 of this Final EIR, which includes the revised mitigation measure.
- 7-8 The emissions estimated for Project construction assumed that all lots would be sold and developed in approximately one year. That is considered conservative for the emission estimates, as the actual construction schedule could take much longer based on market conditions. Additionally, the commenter incorrectly assumes that the modeling was based on a 5-acre Project site and states that the “emissions could be much greater”, but provides no reasoning for why this might be the case. As shown in Appendix C of the Draft EIR, the emission estimates were based on a “Lot Acreage” of 236 acres. This is consistent with the overall Project description and provides an accurate estimate of emissions.
- The comment is correct that Table 3.3-5, which provides a summary of the thresholds of significance, misquotes the LSTs. However, it is important to note that Appendix C of the Draft EIR correctly cited the LST thresholds on page 22. The commenter also attached lookup tables in Exhibit E, which are the same thresholds used in the Draft EIR analysis. Table 3.3-5 has been revised for the Final EIR. The commenter is referred to Section 3.5 of this Final EIR, which includes the revised table. However, the localized emissions and LSTs shown in 3.3-7, and used for the impact analysis, are correct. Therefore, no additional updates to the analysis are required.
- 7-9 Please see response to comment 7-8, above. As shown in the CalEEMod output data of the Air Quality Impact Analysis (Appendix C of the Draft EIR), the emission estimates were based on a “Lot Acreage” of 236 acres. No further response is required.
- 7-10 The comment states that only Toxic Air Contaminants are evaluated under the threshold “Will the Project expose sensitive receptors to substantial pollutant concentrations”, and not criteria pollutants. This is incorrect. The threshold includes an evaluation of construction and operational TAC emissions and also carbon monoxide (CO) hotspots (CO is a criteria pollutant). Also, as discussed with the impact “will the Project violate any air quality standard or contribute substantially to an existing or projected air quality violation”, the LST analysis provides additional information regarding localized criteria pollutant emissions.
- 7-11 The comment questions the botanical surveys for the Project, including the amount of time spent, the fact that Plummer’s mariposa lily does not bloom during the period when the survey was conducted, and the methods used. The biological resources surveys conducted for the Project adequately support the impact analysis for the biological resources. As described in Appendix D to the Draft EIR, focused rare plant surveys were conducted on the Project site in April 2013 by qualified botanists with survey transects spaced 10 meters apart. Suitable habitat for sensitive plant species was determined by comparing the habitat type for each target species with the vegetation community map, and only areas of suitable habitat and soils were surveyed for rare plants. Because the majority of the site is occupied by agricultural uses and does not contain suitable habitat, the survey area was appropriately limited to approximately 104 acres, and it was feasible

for two qualified botanists to survey this area diligently within the six hour period indicated in Appendix D to the Draft EIR. The target species of the focused sensitive plant survey included Yucaipa onion, California androsace, Jaeger's milk-vetch, Plummer's mariposa lily, Payson's jewel-flower, Parry's spineflower, Hall's monardella, and Parish's checkerbloom. The results of these surveys indicated that Plummer's mariposa lily and Parry's spineflower have high potential to occur on the site, and it is unlikely that any other rare plants will occur within the property, as most of the site contains vegetation that is too dense or disturbed for any other rare plant species to occur. Because Plummer's mariposa lily and Parry's spineflower have a high potential to occur on the site, and may appear on the site between the original survey and the construction time frame, Mitigation Measure BIO-2 requires additional survey for these two species to ensure potential impacts are mitigated.

- 7-12 The comment states that Mitigation Measure BIO-2 in the Draft EIR requires surveys only for Plummer's mariposa lily and Parry's spineflower, and that the Draft EIR's conclusion of less than significant impacts to other species is not supported by substantial evidence. The conclusion that impacts would be less than significant for other sensitive plant species is supported by substantial evidence, including a general Biological Resources Assessment conducted in 2012, a Biological Resources Assessment/Focused Rare Plant Survey/Burrowing Owl Survey in 2013, and updated Biological Resources Surveys in 2015. These surveys concluded that only Plummer's mariposa lily and Parry's spineflower have a high potential to occur on the site, even though they were not detected during any of the previous surveys, including the focused rare plant survey. The conclusion that other sensitive plants do not occur on-site is supported by the biological reports included in Appendix D to the Draft EIR, which substantiate that habitat is not optimal and that these species were not detected during botanical surveys. Accordingly, the Project would not impact these species.
- 7-13 The comment states that sensitive wildlife species for which focused surveys were not performed may occur within the Project site. The surveys conducted are sufficient to support the Draft EIR's analysis of impacts to sensitive animal species. The site was surveyed several times between 2012 and 2015 by qualified biologists. Of the species considered in the biology reports, several were recorded on the Project site and are listed as present. Others are identified by their potential to occur, which ranges from low to moderate, as disclosed in Appendix D to the Draft EIR. Due to the higher sensitivity level of the burrowing owl, focused, protocol-level surveys were conducted for this species, with negative results. Impacts to federal and state listed species are not expected to occur due to a lack of suitable habitat. Section 3.4.4 of the Draft EIR has been clarified to better describe potential impacts to the remaining potentially-occurring species, if present. These impacts would be less than significant because the site does not represent a substantial portion of these species' ranges and site development would not noticeably affect the reproductive capacity of the species. Further, a significant portion of the site's existing natural habitat areas would be dedicated as drainage easements, where development would not be permitted. The commenter is referred to Section 3.5 of this Final EIR for revisions to Section 3.4.4 of the Draft EIR.

- 7-14 The comment states that there is open space to the west and southwest of the Project site, and that the site can provide habitat linkages which would be curtailed by development. From a regional perspective, the Project site is situated on the periphery of the Inland Empire, between intensely developed cities and the relatively undeveloped San Bernardino National Forest. Wildlife movement within the National Forest is relatively unrestricted, with natural canyons, ridgelines, drainages, and a mosaic of vegetation communities affording wildlife a broad range of travel routes. The National Forest generally encompasses the San Bernardino Mountains, and is adjacent to other ecological regions including the Mojave Desert and the Angeles National Forest, and affords excellent regional wildlife connectivity. Developed lands to the west of the Project site, in contrast, offer very little to migrating wildlife. Natural habitats in this area have been substantially diminished, with passable movement routes restricted to major drainage channels and ridgelines. Because the Project site is in proximity to a large and contiguous expanse of high quality natural habitat in the San Bernardino National Forest, it is expected that the majority of regional wildlife movement in the area occurs with the National Forest, and does not traverse the site which has been developed with agricultural uses and is adjacent to urbanized areas.

From a local perspective, offsite lands adjacent to the site's western and southwestern boundaries are occupied by low-density rural residential development. While these land uses do not provide high quality habitat or optimal movement routes for most of the area's native wildlife, they are traversable by many species. It is likely that many of the common wildlife occurring in the area may include the Project site in their home ranges and traverse the site during the course of normal behavior patterns such as foraging. It is likely that most movement occurs along the site's drainage canyons, as these areas provide vegetation and enhanced topographic cover compared to the remainder of the site. However, this type of localized use does not equate to a wildlife corridor, and the site does not connect habitat patches or otherwise contribute to regional wildlife movement. Development of the site would not significantly affect wildlife movement.

- 7-15 The comment states that February 15 through August 31 is not the entire nesting season, particularly for raptors. The City acknowledges that the Draft EIR contained differing definitions for the nesting season, raptor nesting season, and peak nesting season, and these definitions have been clarified in the Final EIR. Mitigation Measures BIO-1 and BIO-5 have been clarified to better reflect the measures' original intent: if vegetation removal is to occur during a season when protected bird nests could be present, appropriate surveys must be conducted to ensure compliance with applicable federal and state laws. With implementation of these measures, the destruction of bird nests would be avoided and impacts to nesting birds would be less than significant as indicated in the Draft EIR. The commenter is referred to Section 3.5 of this Final EIR for revisions to Section 3.4.4 of the Draft EIR and for revisions to mitigation measures, Section 3.4.5 of the Draft EIR.
- 7-16 The comment notes that the Draft EIR requires mitigation measure [presumably BIO-1] to be implemented "to the maximum extent practicable," which is not enforceable. The text of this mitigation measure has been clarified to better reflect its original intent, which is to ensure that active bird nests are protected by a sufficient buffer to prevent their

destruction or degradation. The commenter is referred to Section 3.5 of this Final EIR for revisions to the mitigation measures in Section 3.4.5 in the Draft EIR.

- 7-17 The comment states that the Draft EIR requires surveys for burrowing owls, but makes no mention of what is to be done if they are found. Burrowing owls are protected by federal and state laws, and active burrowing owl burrows (nests) would be protected by the provisions of Mitigation Measure BIO-1. An additional mitigation measure, BIO-7, has been added to the EIR to provide additional clarification regarding avoidance of impacts to burrowing owl nests. The commenter is referred to Section 3.5 of this Final EIR for revisions to the mitigation measures in Section 3.4.5 in the Draft EIR.
- 7-18 The comment states that the Project will “obviously” result in substantial adverse effects on federally protected wetlands. However, the comment offers no further explanation or evidence in support of the assertion that wetlands would be affected. As described in detail in Appendix D to the Draft EIR, the Project site does not contain federally jurisdictional wetlands, and this resource would not be affected by the Project. The discussion of this topic in Section 3.4.4 of the EIR has been amplified. The commenter is referred to Section 3.5 of this Final EIR for revisions the Draft EIR.
- 7-19 The comment points out that the CDFW does not issue Clean Water Act permits, but Streambed Alteration Agreements. The comment is correct, and this minor error has been corrected in the Final EIR. The commenter is referred to Section 3.5 of this Final EIR for revisions the Draft EIR.
- 7-20 The comment states that the possibility of acquiring Clean Water Act permits does not derogate from the Project’s potential impacts on wetlands being significant. The City disagrees. Firstly, as described in Appendix D to the Draft EIR, the Project site does not contain federally protected wetlands, and the Project would not affect this resource. Second, the Clean Water Act Section 404 Permit program is part of a comprehensive statutory regime enacted to restore and maintain the chemical, physical, and biological integrity of the Nation’s waters administered by the U.S. Environmental Protection Agency (EPA). The very purpose of regulating discharges of dredged and fill material into jurisdictional waters is to ensure that waters are not significantly impacted by such discharges. The USACE and EPA have imposed strict requirements to this end, including, but not limited to:

The EPA’s Clean Water Act Section 404(b)(1) Guidelines (40 CFR Part 230), which set forth procedures for ensuring that any activity for which a Section 404 Permit is issued represents the least environmentally damaging practicable alternative.

The agencies’ joint Mitigation Rule (33 CFR Part 332), which requires that impacts to waters be avoided, and minimized, and that compensatory mitigation is provided to offset any impacts which cannot be avoided or minimized.

Terms and conditions of Section 404 Permits are at the discretion of the USACE, but normally include seasonal timing restrictions, impact avoidance measures, limitations on construction means and methods, site restoration, compensatory mitigation, and reporting

- requirements. Considering this information, it is reasonable to presume that by requiring the developer to secure a Section 404 Permit and adhere to its terms, Mitigation Measure BIO-4 would prevent significant impacts to jurisdictional waters.
- 7-21 The comment states that the Draft EIR’s discussion of wildlife movement describes the corridor through Yucaipa as “ever-narrowing,” and that this implies the existence of cumulative impacts to the corridor. Cumulative impacts to wildlife movement were evaluated in Section 4.3.4 of the Draft EIR, and were found to be less than significant. As described in greater detail in Response 7-14 above, the Project site is not highly conducive to wildlife movement due to its location near the San Bernardino National Forest, which provides a superior movement corridor.
- 7-22 The comment asserts that the Draft EIR relies on pre-construction nesting bird surveys to address impacts to wildlife movement, and states that this will not reduce impacts to less than significant levels. As described in Response 7-14 above, Project impacts to wildlife movement would be less than significant because the Project site is not within a wildlife corridor. The EIR text has been clarified to remove the reference to Mitigation Measure BIO-5, and to better explain why the impact is less than significant. The commenter is referred to Section 3.5 of this Final EIR for revisions the Draft EIR.
- 7-23 The comment asserts several shortcomings related to the effectiveness and enforceability of Mitigation Measure BIO-5. The text of this measure has been clarified to better reflect its intent: if vegetation removal is to occur during a season when protected bird nests could be present, appropriate surveys must be conducted to ensure compliance with applicable federal and state laws. With implementation of Mitigation Measure BIO-5 and the other mitigation measures proposed, the destruction of bird nests would be avoided and impacts to nesting birds would be less than significant as indicated in the Draft EIR. The commenter is referred to Section 3.5 of this Final EIR for revisions to the mitigation measures in Section 3.4.5 in the Draft EIR.
- 7-24 The comment asserts that impacts to burrowing owls have not been effectively mitigated, and that compliance with requirements for individual home builders to hire biological monitors during construction is likely to be lacking. Burrowing owls are protected by federal and state laws, and active burrowing owl burrows (nests) would be protected by the provisions of Mitigation Measure BIO-1. An additional mitigation measure, BIO-7, has been added to the EIR to provide additional clarification regarding avoidance of impacts to burrowing owl nests. With regard to mitigation compliance, the requirement to have a biological monitor present during initial vegetation clearing will be confirmed prior to the issuance of grading permits for future developments on the site. The commenter is referred to Section 3.5 of this Final EIR for revisions to the mitigation measures in Section 3.4.5 in the Draft EIR.
- 7-25 The comment points out that Mitigation Measure BIO-2 in the Draft EIR only addresses Plummer’s mariposa lily and Parry’s spineflower, and states that “the plant survey was not sufficiently comprehensive to rule them out.” The meaning of the comment is unclear. Although Plummer’s mariposa lily and Parry’s spineflower were not detected during botanical surveys of the site, there is potential for these species to occur because

site conditions are suitable for the species in some locations, and because populations of annual plant species may shift over time. To account for this possibility, Mitigation Measure BIO-2 requires renewed surveys for these species prior to construction, and requires avoidance or mitigation if the species are detected.

- 7-26 The comment states that Mitigation Measure BIO-2 should require specific and enforceable steps to ensure adequate mitigation for impacts to rare plants, rather than deferring mitigation details to CDFW, which may not have appropriate jurisdiction. Because the locations of potential future rare plant occurrences and the extent of possible impacts are not currently known, the City believes it is prudent to retain flexibility in mitigation options at this time. This is particularly true considering the long-term nature of the Project. However, Mitigation Measure BIO-2 has been clarified to stipulate that the City must approve mitigation commensurate with the level of proposed impact before removal of rare plants is allowed to occur. The commenter is referred to Section 3.5 of this Final EIR for revisions to the mitigation measures in Section 3.4.5 in the Draft EIR.
- 7-27 The comment asserts that Mitigation Measure BIO-3 in the Draft EIR is not enforceable, and that the measure would not reduce impacts to riparian habitats to a less than significant level. Mitigation Measure BIO-3 serves to reduce the potential for inadvertent intrusion of construction equipment or personnel into adjacent areas that may be sensitive habitats, adjoining properties, or other areas where such intrusion is not wanted. While this impact would not, alone, remedy impacts to riparian habitats, it would reduce the chances of unintentional impacts to these habitats. Impacts to riparian habitats would be mitigated to a less than significant level primarily by Mitigation Measure BIO-4, which requires any developer proposing to impact jurisdictional streambeds to secure appropriate federal and/or state permits and adhere to all conditions.
- 7-28 The comment asserts several shortcomings related to the effectiveness and enforceability of Mitigation Measure BIO-5. The text of this measure has been clarified to better reflect its intent: if vegetation removal is to occur during a season when protected bird nests could be present, appropriate surveys must be conducted to ensure compliance with applicable federal and state laws. With implementation of Mitigation Measure BIO-5 and the other mitigation measures proposed, the destruction of bird nests would be avoided and impacts to nesting birds would be less than significant as indicated in the Draft EIR.
- 7-29 The comment states that Mitigation Measure BIO-6 (requiring oak tree removal permits) does not mitigate for the loss of oaks because the Municipal Code allows for their removal. Oak trees are not endangered, rare, or threatened, plants, within the meaning of State CEQA Guidelines Section 15380. However, oak trees do receive protection under the City of Yucaipa's Municipal Code. Accordingly, the appropriate threshold for determining significance of impacts to oaks is not whether the oaks themselves would be adversely affected, but rather whether the Project would conflict with the City's provisions for oak protection. Absent mitigation, the Project could potentially conflict with the City's oak tree protections if it was implemented without proper permits being secured. However, with implementation of Mitigation Measure BIO-6, oak tree permits would be obtained and the potential conflict with the local ordinance would be rectified.

The Project would no longer conflict with the oak tree provisions of the Municipal Code, and the impact would therefore be less than significant.

- 7-30 Mitigation Measure CR-3 has been revised based on other comments received during the public review period. The revised Mitigation Measure CR-3 states that “individual parcel owners, as the Project Developer, shall provide archaeological and paleontological services to monitor construction activities for each individual parcel” to require that both monitors are present during groundbreaking activity on each parcel. The commenter is referred to Section 3.5 of this Final EIR, which includes the revised mitigation.
- 7-31 As discussed in Section 3.5.4, on page 3-62 of the Draft EIR, AB 52 consultation was initiated for this Project, and has concluded. Additional details regarding the AB 52 consultation outcome have been provided in Section 3.5. The City considers the consultation concluded with the San Manuel Tribe as of December 3, 2015, because the Tribe’s comments have been addressed/incorporated into the proposed mitigation. The City had also initiated consultation with the Soboba tribe, who deferred commenting to the San Manuel Tribe. The commenter is referred to Section 3.5 of this Final EIR, which includes the revised text.
- 7-32 Exhibit 3.6-1 has been added depicting fault lines in the vicinity. A Fault Rupture Hazard Investigation Report, dated June 27, 2013, was prepared as part of the Project and is included in Appendix F of the Draft EIR. The Fault Rupture Hazard Investigation Report was prepared by Douglass L. Johnston of Petra Geotechnical, Inc., recognized as a Certified Engineering Geologist by the State of California. The Fault Rupture Hazard Investigation Report found that the site was not in a Alquist-Priolo Earthquake Fault Zone, although there are two mapped escarpments within the Project site that are mapped on the City of Yucaipa Fault Rupture Hazard Zone Map. Although these mapped trace fault lines are considered potentially active, the supporting study finds that the site is considered appropriate for residential development due to the very low potential for significant impact from fault rupture. The studies conclude further characterization is required for structural and foundation calculations.

The commenter is referred to Section 3.5 of this Final EIR, which includes the revisions to the Draft EIR, and Section 3.6 of this Final EIR, which includes Errata.

- 7-33 The comment states that the Draft EIR fails to include the Yucaipa Climate Action Plan’s Screening Table, so there is no way to determine if 100 points of measures from the Screening Table will reduce impacts to less than significant levels. Mitigation Measure GHG-1 requires that the Project would attain 100 points “prior to issuance of building permits”. As stated in the Climate Action Plan, “projects that garner a total of 100 points or greater would not require quantification of project specific GHG emissions. Consistent with CEQA Guidelines, such projects would be determined to have a less than significant individual and cumulative impact for GHG emissions.” The menu of features in the Screening Table allows maximum flexibility and options for how development projects can implement the GHG reduction measures, and the actual features used to meet those 100 points can vary by project. Mitigation Measure GHG-1 does not require that the screening table be included in the Draft EIR, as individual residential developments

would provide a completed checklist during the Development Review Process to indicate which of the GHG reduction measures would be included in the development of each lot in the Project.

Additionally, the comment states that amortizing construction emissions for the Project over 30 years, when they are projected to occur within one year, is not consistent with the goals of AB32, EO S-3-05, or EO B-30-15. The thresholds of significance for GHG emissions are typically developed to evaluate ongoing operational emissions. The South Coast Air Quality Management District and many other agencies recommend amortizing construction emissions over the operational life of the Project. Therefore, the approach to construction emissions is considered consistent with those recommendations.

- 7-34 The comment states the Construction General Permit may not apply if it is applied to individual lots, as the Project will result in construction of individual lots of less than one acre, and they would not be a part of a larger plan for common development or sale of one or more acres of *disturbed land surface*. The proposed Project will comply with the NPDES requirements in addition to individual lots of one acre and more of disturbed land surface.
- 7-35 The Project and the individual property owners will not be responsible for installing groundwater extraction wells for domestic water use. YVWD will provide all domestic water to serve the Project and is also responsible for recharging the groundwater from imported water.
- 7-36 A drainage easement will be provided along the jurisdictional waters to exceed the limits of the 100-year storm event. The purpose of the drainage easement is to prevent construction within the streams. Area of impacts to the streams will be limited to infrastructure crossing such as roadway crossing of a stream. In areas where a roadway crosses a stream, a bridge or culvert will be constructed to allow continuous stream flow.
- 7-37 The comment states that there is no requirement for the operational phases of residential developments to have SWPPPs or WQMPs and requests the source of the requirements. Draft EIR Sections 3.9.4 and 4.3.9 have had text regarding ‘operational’ phases removed. The commenter is referred to Section 3.5 of this Final EIR for revisions to the Draft EIR.
- 7-38 The comment states that NPDES No. CAS6180306 is no longer in effect, and additionally states that the Draft EIR should require WQMPs to be required of each owner/developer. The Draft EIR stated the correct NPDES Number – CAS618036. NPDES No. CAS 618036 order R8-2010-0036 is still valid.

An overall drainage study will be prepared by the Project. Future owners will prepare a drainage study for each individual lot development for review by the City to ensure that the individual property owners do not significantly deviate from the overall drainage pattern intended by the Project.

- 7-39 The comment asks when the conservation easements shall be recorded. The drainage easements will be recorded when the final map is recorded. An overall drainage study will be prepared by the Project. Future owners will prepare drainage study for each

individual lot development for review by the City to insure that the individual property owners do not significantly deviate from the overall drainage pattern intended by the Project.

- 7-40 Fill will be placed only in the areas where either a bridge or a culvert is placed for the purpose of roadway crossing of a streambed. Individual property owners will not be allowed to place fill within the drainage easements.
- 7-41 The comment asks who is going to design the drainage, how, and when? During the construction of the Project infrastructure, the plans will be reviewed and approved by the City. There is a sufficient drainage plan for tentative map approval, however further refinements will be made when specific infrastructure improvement plans are developed. During the individual lot developments, the owners will submit plans to the City for approval. The City will be responsible for enforcing these requirements.
- 7-42 The commenter states that the commenter would be surprised if occupants have employees and provide documentation to the City regarding water quality training; however, the contractor employed by the property owner and its employees will be required to obtain water quality training.
- 7-43 The comment states that the Draft EIR does not define L_{dn}. L_{dn} is identified as the day-night noise level in the list of acronyms in the EIR, and identified in Table 3.12-1 footnote 3 as L_{dn} (or CNEL). In the Project Noise Technical Report included as Appendix I to the EIR, L_{dn} is defined in more detail on page 2-6: “Another sound measure known as the Day-Night Average Sound Level (L_{dn}) is defined as the A-weighted average sound level for a continuous 24-hour day. As part of its derivation from hourly or representative daytime and nighttime SPL, the calculation of L_{dn} applies a +10 dB penalty to hourly sound levels (i.e., makes them louder) during the nighttime period (10:00 p.m. to 7:00 a.m.), which helps compensate for apparent increased human sensitivity to noise during these quieter nighttime hours. The L_{dn} value is typically used to define acceptable land use compatibility with respect to noise. Because of the time-of-day penalties associated with the L_{dn} descriptor, the L_{eq} for a continuously operating sound source during a 24-hour period will be numerically less than the calculated L_{dn} value. Similar to L_{dn}, Community Noise Equivalent Level (CNEL) is the energy average of the A-weighted sound levels occurring over a 24-hour period, with a 10 dB penalty applied to A-weighted sound levels occurring during the nighttime hours between 10 p.m. and 7 a.m., and a 5 dB penalty applied to the A-weighted sound levels occurring during evening hours between 7 p.m. and 10 p.m.”

Additionally, the comment states that Appendix I shows one residential land use would have a significant temporary noise impacts due to construction, and that this appears to conflict with an earlier conclusion. The threshold issues of a temporary substantial increase in ambient noise levels would be due to Project construction, while the earlier impact addresses a substantial permanent ambient increase which would be related to Project operation. Therefore, these are separate analyses with separate threshold parameters and conclusions.

- 7-44 The comment states that mitigation measures NOISE-2 and NOISE-3 are not enforceable or adequate under CEQA. The noise mitigation measures provided on page 3-120 state: “To mitigate this rise, the Project Applicant or its contractors shall implement the following measures:” and NOISE-1, NOISE-2, and NOISE-3 are provided. Therefore, these measures are required to reduce the noise levels at this location below threshold levels.
- 7-45 The Project will not raise the surface water elevation of the streams current conditions in standard storm events and no channelized and hard improvements are anticipated in the development. No use of development impact fees for construction of any improvements within the site is anticipated. Further, an additional condition has been added to require the hydrology of subsequent bridges and culverts to ensure proper sizing of facilities so as to not raise the water surface elevation in a 100 year event. A drainage easement will be provided along the jurisdictional waters to exceed the limits of the 100-year storm event. The purpose of the drainage easement is to prevent construction within the streams. Area of impacts to the streams will be limited to infrastructure crossing such as roadway crossing of a stream. In areas where a roadway crosses a stream, a bridge or culvert will be constructed to allow continuous stream flow.
- 7-46 The comment states that the cumulative projects list only includes projects from the City of Yucaipa, when the text says it would also include projects from surrounding jurisdictions. The text has been clarified to match the cumulative projects table. The commenter is referred to Section 3.5 of this Final EIR for revisions to the Draft EIR.
- The cumulative air quality analysis is based on the overall impact to the air basin. That analysis does not require estimating emissions for other projects within a radius of the Project, as the thresholds of significance were developed to determine the individual and cumulative impacts of the Project. The construction schedule and emissions for other project sites is speculative and not within the scope of this analysis. Therefore, no updates to the air quality analysis are necessary.
- 7-47 Visual impacts to the community were compared to the thresholds of significance. A large lot single family development of custom/semi-custom homes does not generate the level of visual impacts to scenic resources and highways that would be considered a significant impact. The development would have a similar visual quality to other areas located on Oak Glen Road, where large lot homes are located from Bryant Street through Oak Glen. Development of individual parcels within the Project is subject to the City’s development review process, zoning, and development standards.
- 7-48 The City’s General Plan and zoning laws set out adopted City land use policy. The loss of agricultural land has been reviewed and assessed by the City in the adoption of the General Plan and zoning. There has been a tradition of farming on the site for some time. Although there are various grades of suitable lands on the property, the loss, from a public policy perspective, is not significant and is further mitigated by maintaining the historic context of agriculture on the farm house site, and the preservation of a large portion of the olive farm orchard on the Project.

- 7-49 The analysis conservatively assumed construction in one year, although the actual construction schedule could take much longer based on market conditions. The construction schedule and emissions for other project sites is speculative and therefore not within the scope of this analysis. The thresholds of significance are relevant to whether a project's individual emissions would result in a cumulatively considerable incremental contribution to the existing cumulative air quality conditions. Since the Project's construction-related emissions would be less than those threshold levels, the construction activities for the Project would not be expected to result in a considerable incremental contribution to the significant air quality cumulative impact.
- 7-50 As identified in the Draft EIR, the site does not lie within the boundaries of an Earthquake Fault Zone as defined by the State of California Alquist-Priolo Earthquake Fault Zoning Act. The closest Alquist-Priolo zoned active faults to the site include the South Branch of the San Andreas Fault Zone – San Bernardino Mountain Section, approximately 0.5 miles to the north, and the Crafton Hills Fault Zone – Western Hills Fault, less than two miles to the west/northwest. A geotechnical study would disclose soil conditions for designing footing and structural requirements, and this is a level of detail not necessary to determine the level of seismic effect significance, since it is below the threshold of significance given the distance to fault zones. The commenter should also refer to the geotechnical reports included in Appendix F of the Draft EIR, and the preliminary technical studies.
- 7-51 The comment states that the Draft EIR does not indicate whether other developments are in the 100-year floodplain or have jurisdictional features, so a determination regarding cumulative impacts cannot be made. As stated in the Draft EIR, mitigation measures HYDRO-1 through HYDRO-14 would apply to the Project and would reduce impacts. Mitigation which is applicable to adjacent projects can be found in their prospective environmental documents.
- 7-52 The comment states that mitigation measure NOISE-1 is not worded consistently with the text in the cumulative analysis. The comment also states that the Project's increase in noise may be reduced to less than 10 dBA but that this does not mean cumulative noise will be reduced, and states that there is no substantial evidence for a conclusion of less than significant impact. Page 3-120 states that: "However, due to its currently quiet surroundings, the residential NSR represented by 11114 Cherry Croft Drive could experience substantial increases in ambient noise level. To mitigate this rise, the Project Applicant or its contractors shall implement the following measures:" followed by NOISE-1.

Additionally, Page 4-7 states that: "Receptors could be subject to construction noise from both projects if construction were to occur simultaneously. This impact would be reduced due to the anticipated phased construction of lots within the proposed Project; however, the specific timing of each construction phase is unknown. Implementation of Mitigation Measure NOISE-1, as described in Section 3.12 of the Draft EIR, would either reduce the temporary increase in ambient noise level from the Project to 10 dBA or less, or circumvent the need for noise reduction via agreement with or temporary relocation of the owner/occupant. Section 87.0905 (b)(1) of the City of Yucaipa noise ordinance sets

residential noise limits at a minimum of 55 dBA L_{dn} ; therefore, a reduction of Project-related noise emissions to 10 dBA would ensure that the proposed Project would not make a significant contribution to cumulative noise impacts.

As stated the potential for cumulative impact is if construction would occur all at the same time, which is unknown at this time. In addition, Project construction is to be phased, which would avoid simultaneous construction. However, if concurrent, NOISE-1 would mitigate the substantial ambient increase due the Project, and be within the City of Yucaipa noise ordinance residential noise level limits of 55 dBA L_{dn} .

- 7-53 As opposed to a public project where alternative siting of a facility could occur, this Project is a land development proposal within the policy parameters of the City's General Plan and it is consistent with the development code. Therefore it is considered reasonable to not include alternative locations not owned by the applicant for this development. Further, the comment does not identify any potentially feasible alternate sites.
- 7-54 If the proposed Project site were to stay in its current use, it is assumed that the historic farming activities would be re-established on the site. Farming activities tend to have higher opportunity for sediment load in run-off as opposed to developed sites with little uncovered land. The proposed Project would include drainage control measures to reduce the velocity and flow to predevelopment conditions. Therefore, the no build alternative has been identified as having a greater potential for sediment impact.
- 7-55 Public Services for a very low density project are correspondingly very low. The No Project Alternative would similarly have a low demand for public services, thus the conclusion related to fire services in the Draft EIR is appropriate.
- 7-56 Although construction related air quality impacts are likely similar in other like cumulative projects, they would not likely occur at the same time, and therefore would not create a cumulative significant impact. Further analysis would require a high degree of speculation as to timing of construction of the various projects, and thus is not required. Even if undertaken, the information generated would not be reliable or useful to the public or the decisionmakers.
- 7-57 The comment states that the Reduced Development alternative should have reduced impacts on biological resources compared to the proposed Project. While it is possible that the larger lot sizes afforded by the Reduced Development alternative would lead to increased preservation and maintenance of biological resources and functions, this is not guaranteed. If the future homeowners opt to develop their estates with the hardscapes, pools, patios, and lawns that are typical of estate developments in Southern California, the biological impact will be dependent on the overall acreage developed, rather than the number of lots. Hence, biological impacts of the Reduced Development alternative could be similar to those of the proposed Project.
- 7-58 In Alternative #3, it is anticipated that the entire subdivision would be built out by its developer at the same time, likely in a continuously sequenced project. The impact discussion table for Alternative #3 has been changed to "Greater," but it should be noted

that they would probably still not exceed the thresholds of significance. The alternative is twenty percent greater in size, and assuming the same increase in emissions, would have similar impacts to those of the Project. In addition, construction of the Project would be required to comply with all SCAQMD rules and regulations, including Rule 403 for fugitive dust. Rule 403 control requirements include, but are not limited to, applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, re-establishing ground cover as quickly as possible, and maintaining effective cover over exposed areas.

Further impact analysis is required should Alternative 3 be adopted to assess the type of mitigation that may be required for a project being constructed as one sequenced phase. Appendix C contains the Air Quality Impact Analysis. The commenter is referred to Section 3.5 of this Final EIR for revisions to the Draft EIR.

- 7-59 The analysis for the Project showed that construction emissions would be less than significant. As mentioned in Response to Comment 7-58, the project would comply with all SCAQMD rules and regulations, including Rule 403 for fugitive dust. Operational emissions would exceed the thresholds for VOCs and implementation of mitigation measure AQ-1 would be required.
- 7-60 This comment includes closing remarks and does not state a specific concern or questions regarding the adequacy of the environmental impact analysis in the Draft EIR. Additionally, the commenter has been added to the Project mailing list and will be notified of the availability of the Final EIR and future Project hearings.
- 7-61 The comment letter includes Attachments A through H. Attachments A through H have been included as Appendix B of this Final EIR.

Comment Letter 8 – Linda Bedford

- 8-1 This comment includes introductory remarks and expresses concern over the consultant chosen to complete the environmental review process. As approved by the City of Yucaipa, ECORP was asked to update their biological assessment study to be included in the Draft EIR, which was peer reviewed by AECOM before the assessment and was relied upon in preparation of the Draft EIR. The Draft EIR as a whole was written and completed by AECOM.
- 8-2 The comment states that everything that can possibly be done needs to be done to protect the Oak trees. As a preliminary matter, oak trees are not endangered, rare, or threatened, plants, within the meaning of State CEQA Guidelines Section 15380. However, oak trees do receive protection under the City of Yucaipa's Municipal Code. Accordingly, the appropriate threshold for determining significance of impacts to oaks is not whether the oaks themselves would be adversely affected, but rather whether the project would conflict with the City's provisions for oak protection. Absent mitigation, the project could potentially conflict with the City's oak tree protections if it was implemented without proper permits being secured. However, with implementation of Mitigation Measure BIO-6, oak tree permits would be obtained and the potential conflict with the local

- ordinance would be rectified. The project would no longer conflict with the oak tree provisions of the Municipal Code, and the impact would therefore be less than significant.
- 8-3 The comment expresses concerns that the Project will contribute to unhealthy air quality, particularly through vehicle emissions, wood burning fireplaces, yard equipment, and heavy-duty construction equipment. Implementation of Mitigation Measure AQ-1 would reduce operational-related emissions by requiring the Project to comply with the requirements of SCAQMD Rule 445 with regard to the installation of permanent indoor wood-burning devices (such as fireplaces and stoves). As detailed in Draft EIR Section 3.3, Air Quality, the proposed Project would not conflict with or obstruct implementation of the applicable air quality plan, expose sensitive receptors to substantial pollutant concentrations, or create objectionable odors affecting a substantial number of people. With implementation of Mitigation Measure AQ-1, the proposed Project would not violate any air quality standard or contribute substantially to an existing or projected violation or result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is nonattainment under an applicable standard. In addition, as mentioned in Response to Comment 7-58, the project would comply with all SCAQMD rules and regulations, including Rule 403 for fugitive dust. Impacts would be less than significant.
- 8-4 The comment states that many birds on the land are Species of Special Concern, and that the impact to them would be irreversible. Of the 18 Species of Special Concern noted in the comment, several were recorded on the Project site and are listed in biological reports (Appendix D to the Draft EIR) as present. Others were identified in tabular appendices by their potential to occur, which ranges from low to moderate. Due to the higher sensitivity level of the burrowing owl, focused, protocol-level survey was conducted for this species, and they were found to be absent. While there is some potential for additional special-status species to occur on-site, habitat suitability for these species is generally not optimal due to the agricultural uses that occupy the majority of the site. Of the areas that do support quality habitat, the majority would be preserved within drainage easements and would not be subject to project-related grading or vegetation removal. If present, populations of these species would be expected to persist both on the property and in the immediately surrounding areas. Section 3.4.4 of the EIR has been clarified to provide additional detail regarding potential impacts to special-status species. With respect to impacts to bird nesting and foraging habitat, the Draft EIR has been clarified to better describe the Project's potential impacts on wildlife habitat. No significant impacts related to losses of habitat would occur (the habitat to be removed is primarily agricultural and disturbed), and mitigation for loss of habitat is not proposed. Mitigation Measure BIO-4 would require mitigation for losses of riparian habitat, consistent with CDFW's Lake/Streambed Alteration program.
- 8-5 The comment expresses concern that the Project site is located within a 100-year floodplain. As stated on page 3-98 of the Draft EIR, the Project proponent proposes a "minimal grading" concept for the property in addition to the recordation of easements on the impacted lots to restrict the building of structures within designated floodplains. In addition, implementation of Mitigation Measures WQHYDRO-4 and WQHYDRO-5

would ensure that building plans and grading plans are submitted to the Engineering Department for approval and that the Project would be designed so that infrastructure and grading associated with the proposed Project are situated outside jurisdictional areas of streams and drainages. Additionally, a drainage easement will be placed over the flood plain to prevent construction within the stream. Therefore, housing would not be placed within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map.

8-6 This comment questions the Project as a whole in regards to the water use reductions put in place by the City. YVWD will provide all domestic water to serve the project. The Project received a preliminary service evaluation from the YVWD to serve the Project, and the Project is consistent with the planned uses of the site. The commenter is referred to Section 3.9.4 of the DEIR for further analysis. No further response is required.

8-7 This comment requests that a full “full season” EIR be completed for the Project to be able to keep up with the changes created by developing portions of the site. However, this EIR analyzes the development of the Project as a whole in order to determine the full potential impact of the proposed Project. It is uncertain, however, as to what portion of the overall Project will be constructed initially as the Project is anticipated to be developed as individual lot sales, and the rate of development will depend on market demand. The EIR has been completed in accordance with CEQA, and is a ‘full’ EIR meeting the requirements to give a good faith effort to disclose the environmental impacts of the Project.

This comment also contains closing remarks, stresses the importance of keeping the area naturally beautiful and protected, and does not state a specific concern or questions regarding the adequacy of the environmental impact analysis in the Draft EIR. The comment expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

Comment Letter 9 – Robert and Pamela Chambers

9-1 This comment includes introductory remarks and does not state a specific concern or questions regarding the adequacy of the environmental impact analysis in the Draft EIR.

9-2 This comment disagrees with Project design and does not state a specific concern or questions regarding the adequacy of the environmental impact analysis in the Draft EIR. As shown in Tentative Tract Map No. 1994, the easement to the Yucaipa Valley Water District (YVWD) Tank, also locally known as James Birch Road, located on the southern boundary of the Project, will be maintained. James Birch Road is the preferred access for properties fronting James Birch Road due to safety issues along Oak Glen Road. .

9-3 This comment includes closing remarks and does not state a specific concern or questions regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response is required. Nonetheless, the comment expressed herein will be forwarded to the

decision markers through the Final EIR for their consideration during the decision making process.

Comment Letter 10 – Tom Nieves 2

- 10-1 This comment includes introductory remarks and does not state a specific concern or questions regarding the adequacy of the environmental impact analysis in the Draft EIR.
- 10-2 The comment states that the “Not a Part” areas should not be discussed in the text. However, the Draft EIR appropriately analyzed the project’s potential impacts to the historic resource; therefore it is prudent to retain reference. Additional text has been added to the Project Description to clarify that a lot line adjustment has been approved for the current “Not a Part” lot configuration. The commenter is referred to Section 3.5 of this Final EIR, which includes the additional text.
- 10-3 The comment requests that text change be made to remove the term “generally” on page ES-2. The commenter is referred to Section 3.5 of this Final EIR, which includes the revised text.
- 10-4 The commenter is referred to Response 6-3 above regarding removing the reference to significant unavoidable impacts.
- 10-5 The commenter states that Mitigation Measure AES-1 be revised to use the term “minimize” instead of “avoid”. The commenter is referred to Section 3.5 of this Final EIR, which includes the revised text.
- 10-6 The comment requests that Mitigation Measure AG-1 be revised to read “75% of the entire grove”. The commenter is referred to Section 3.5 of this Final EIR, which includes the revised text.
- 10-7 The commenter is referred to Response 6-7 above regarding the Casa Blanca residence and associated mitigation.
- 10-8 The comment states that the “Not a Part” areas should not be discussed in the text. However, the Draft EIR appropriately analyzed the project’s potential impacts to the historic resource; therefore it is prudent to retain reference. Additional text has been added to the Project Description to clarify that a lot line adjustment has been approved for the current “Not a Part” lot configuration. The commenter is referred to Section 3.5 of this Final EIR, which includes the additional text.
- 10-9 The commenter is referred to Response 6-4 above regarding the Oak Tree removal text change.
- 10-10 The comment states that the “Not a Part” areas should not be discussed in the text. However, the Draft EIR appropriately analyzed the project’s potential impacts to the historic resource; therefore it is prudent to retain reference. Additional text has been added to the Project Description to clarify that a lot line adjustment has been approved

for the current “Not a Part” lot configuration. The commenter is referred to Section 3.5 of this Final EIR, which includes the additional text.

- 10-11 The comment states that there is a TTM conflict with Conditions of Approval, as the reference to split rail fencing consistent with rural and scenic highway treatments is in conflict with City policies regarding the placement of masonry walls. Project compliance with City standards will also include review for community standards for the appropriate use of materials and design to capture the rural character of the setting. No further response is required.
- 10-12 The commenter is referred to Response 10-6 above.
- 10-13 The commenter is referred to Response 6-7 above regarding the Casa Blanca residence and associated mitigation.
- 10-14 The comment states that the Fiscal Impact Analysis requirement needs to be clarified.

In Section 3.10.2, the Draft EIR discusses the existing regulatory framework of the Project setting. The City of Yucaipa General Plan Goals and Policies include the following related to ensuring development proceeds at a pace consistent with the provision of required infrastructure and public services:

Policy B. Because the City wants to ensure that future development does not become a fiscal burden to residents of the City and to ensure that there is a balance between the infrastructure facilities/services demanded by a development and the resources available or required to provide the infrastructure facilities/services, the following actions shall be implemented:

1. Require Project proponents to provide Fiscal Impact Analyses (FIA) of required services and infrastructure, including both short and long-term financing mechanisms and/or strategies for all new commercial, industrial or institutional developments of six acres or larger or residential developments of 50 units or more.

It is anticipated that through the discretionary review process being conducted by the City of Yucaipa, that the City may request a FIA to support the phasing and implementation of developer responsible infrastructure on, adjacent, and outside of the limits of the Project boundary. Such financial impact analyses, however, are not part of the CEQA review of the Project.

- 10-15 The commenter is referred to Response 6-7 above regarding the Casa Blanca residence and associated mitigation.
- 10-16 Sidewalks are not proposed as part of the Project. References to sidewalks within the document have been omitted. The commenter is referred to Section 3.5 of this Final EIR, which includes revised text.

10-17 This comment includes closing remarks and does not state a specific concern or questions regarding the adequacy of the environmental impact analysis in the Draft EIR. No further response is required. Nonetheless, the comment expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

3.5 REVISIONS TO THE DRAFT EIR

This section presents clarification and modifications to information contained in the Draft EIR, based on the comments submitted to the City. Indicated additions to the EIR are underlined (underlined) where text is added and deletions are strike-through (~~strike-through~~) type. The numbers in brackets refer to the applicable comment number from the comment letters presented in Section 3.5. Note that clarifications and modifications to mitigation measures, in addition to the below revisions, would also apply to Tables ES-1, and Chapter 7.0 Summary of Mitigation, in the Draft EIR.

1. Text Revision #1 [Response to Comment 3-3]:

The following language has been added to or removed from, Section 3.4.1 of the Draft EIR.

Vegetation Communities

There are six vegetation communities on the property: Annual Brome (diandrus) Grassland, California Buckwheat Scrub, Riparian, Oak (*Quercus* spp.) Woodland, Agriculture, and Orchard. There are also land use types —disturbed/developed— located on the property. Acreages of these communities, as mapped by ECorp (see Appendix D to the Draft EIR) are summarized in Table 4-1 below.

Table 4-1 Existing Site Vegetation

<u>Vegetation Type</u>	<u>Acreage</u>
<u>California buckwheat scrub</u>	<u>68.61</u>
<u>Grassland</u>	<u>27.64</u>
<u>Oak Woodland</u>	<u>7.12</u>
<u>Riparian (Mule fat and sycamore)</u>	<u>0.63</u>
<u>Subtotal Native/Naturalized Communities</u>	<u>104.01</u>
<u>Agriculture</u>	<u>100.45</u>
<u>Fallow Agriculture</u>	<u>20.73</u>
<u>Orchard</u>	<u>10.61</u>
<u>Disturbed/Developed</u>	<u>6.17</u>
<u>Subtotal Anthropogenic Land Cover</u>	<u>137.95</u>
<u>SITE TOTAL</u>	<u>241.95³</u>

³ Note: The analysis is conservative and includes extra acreage based on geospatial data used which may vary from the Project site acreage.

2. **Text Revision #2 [Response to Comments 3-3, 3-16, 3-17, 3-18, 3-19, 3-20, 3-25, 3-29, 3-30, 4-3, 4-2, 7-13, 7-15, 7-18, 7-19, and 7-22]:**

The following language has been added to or removed from, Section 3.4.4 of the Draft EIR.

Impacts to Special Status Birds

Based on the Project site's location habitat characteristics, the California horned lark, Bell's sage sparrow, Lawrence's goldfinch, are noted to have a high potential to occur on-site (see Appendix D of the Draft EIR). Other special-status birds, including the southern California rufous-crowned sparrow, loggerhead shrike, and burrowing owl have a moderate probability of occurrence. Absent mitigation, implementation of the proposed Project could impact special-status birds through direct injury or mortality caused by contact with construction equipment, by destruction of nests, eggs, or nestlings, by disrupting nest sites in a manner that causes nest abandonment, or through loss of nesting and foraging habitat. Because native birds are protected under federal and state law, the Project developer and individual lot owner would be required to implement the Project in a manner that does not result in the destruction of active nests or the death of adult birds, eggs, or nestlings. This would be accomplished through the nesting bird surveys, avoidance measures, and biological monitoring required by Mitigation Measures BIO-1 and BIO-5, and additionally by measure BIO-7 for burrowing owls. With implementation of these measures, take of sensitive birds during construction would be avoided, and impacts would be less than significant. Because the Project's potential impacts to native habitats would be minor (see the discussion in the following section), and because the habitats to be removed by the Project are well-distributed and abundant in the region, impacts related to loss of habitat for sensitive birds would be less than significant.

Impacts to Special-Status Reptiles

As described in biological reports for the Project (see Appendix D), the Coast (San Diego) horned lizard, coastal western whiptail, and San Bernardino ringneck snake have moderate potential to occur within the Project site. If present, these species could be injured or killed by construction equipment. Because the majority of the habitat to be affected by the Project is agricultural, and not optimal for these species, it is expected that the number of special-status reptiles present in disturbance zones would be low. The drainage easements, which would be preserved in an undeveloped state except at road crossings, will maintain some native habitat within the Project site, including riparian habitats and California buckwheat scrub, which are suitable for these reptiles. Because special-status reptiles are not expected to occur in high numbers within proposed disturbance zones, and because remaining preserved habitat would enable their populations (if present) to persist on-site, impacts to special-status reptiles would be less than significant.

Impacts to Special-Status Mammals

Based on the Project site's location and habitat characteristics, the San Diego black-tailed jackrabbit has high potential to occur and the Dulzura pocket mouse, southern grasshopper mouse, and American badger have a moderate potential to occur. The black-tailed jackrabbit

and American badger are highly mobile species, and would likely be able to leave the area to avoid direct impacts from construction equipment. There is adequate available habitat regionally and in the Project vicinity to support these species, and impacts would be less than significant. The Dulzura pocket mouse and southern grasshopper mouse are much smaller and less mobile, and could be crushed or entombed during construction. Because these species have small home ranges compared to the size of the Project site, grading of site acreage could result in proportional reductions in these species' populations in the Project area. These species would be expected to persist in the preserved drainage easements on-site, as well as in remaining suitable habitat in the vicinity and regionally. Considering this, impacts to these species would be less than significant.

Impacts to Special-Status Plants

In addition, the report conducted surveys outside of the blooming period for most rare plant species that could occur on the property. A literature search was also conducted for special-status plant species on the site. Ninety-seven special-status plant species were identified from the database searches. Plummer's mariposa lily (*Calochortus plummerae*) and Parry's spineflower (*Chorizanthe parryi* var. *parryi*) were found to have a high potential to occur. A less than significant impact will occur with the implementation of Mitigation Measure BIO-2, requiring further field surveys for these species by individual lot owners and for project wide-infrastructure prior to final map recordation and prior to construction of common areas and streets, or of individual lots.

Will the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFW or USFWS?

As described in the Biological Resources Assessment reports, two riparian habitats were identified on the Project property along Wilson Creek: mulefat thickets and sycamore woodland. Both plant communities are considered sensitive riparian habitat types and are subject to regulatory authority of CDFW, under its Lake and Streambed Alteration Program. Aside from these communities, the Project site does not contain vegetation classified as sensitive.

Absent mitigation, Project activities could result in the removal of all existing vegetation within the Project site outside the proposed drainage easements. In the short term, a limited acreage of existing vegetation would be removed to accommodate grading and construction of roadways, multi-use trails, water and sewer lines, utilities, and other public infrastructure. Much of this vegetation is agricultural, and does not support significant habitat values. However, limited acreage of California buckwheat scrub, oak woodland, and riparian habitat would be removed.

As the subdivided Project site is built out over time, it is foreseeable that much of the existing vegetation outside the drainage easements within the site would be removed and replaced with a combination of developed and impervious surfaces, ornamental vegetation, and landscaping. The specific configuration of development, grading, vegetation removal,

landscaping, and other design details within each subdivided parcel would be determined by the individual lot owner, and resulting impacts therefore cannot be described with certainty at this time. For purposes of this analysis, it is assumed that parcels would be developed to a condition fairly representative of other estate residential communities in Southern California, and that most of the existing vegetation on the proposed parcels would be removed in conjunction with lot development. However, vegetation along the site's existing streams, which would be placed into protective drainage easements, would not be removed by the Project.

The acreages of vegetation occurring on-site, as well as the acreages that would be removed by the Project, are summarized in Table 4-2 below.

Table 4-2 Impacts to On-Site Vegetation Communities

<u>Vegetation Type</u>	<u>Total Acreage Present</u>	<u>Acreage in Drainage Easements (Preserved)</u>	<u>Acreage Potentially Impacted¹</u>
<u>California buckwheat scrub</u>	<u>68.61</u>	<u>16.07</u>	<u>52.54</u>
<u>Grassland</u>	<u>27.64</u>	<u>2.9</u>	<u>24.74</u>
<u>Oak Woodland</u>	<u>7.12</u>	<u>1.68</u>	<u>5.44</u>
<u>Riparian</u>	<u>0.63</u>	<u>0.47</u>	<u>0.16</u>
<u>Subtotal Native/Naturalized Communities</u>	<u>104.01</u>	<u>21.12</u>	<u>82.89</u>
<u>Agriculture</u>	<u>100.45</u>	<u>0.56</u>	<u>99.89</u>
<u>Fallow Agriculture</u>	<u>20.73</u>	<u>0.44</u>	<u>20.29</u>
<u>Orchard</u>	<u>10.61</u>	<u>0.5</u>	<u>10.11</u>
<u>Disturbed/Developed</u>	<u>6.17</u>	<u>0.19</u>	<u>5.98</u>
<u>Subtotal Anthropogenic Land Cover</u>	<u>137.95</u>	<u>1.69</u>	<u>136.26</u>
<u>SITE TOTAL</u>	<u>241.95</u>	<u>22.81</u>	<u>219.14⁴</u>

¹Acreage assumes all areas outside drainage easements could be potentially impacted by conversion to structures, hardscape, ornamental vegetation and landscaping or other non-habitat uses.

As illustrated in the table above, the proposed Project would result in the removal of a portion of two riparian communities, mule fat thickets and sycamore woodland, from the Project site. Absent mitigation, removal of these sensitive vegetation types would be significant. However, as both of these communities are stream-associated and subject to CDFW's permitting authority under Sections 1600 *et seq.* of the California Fish and Game Code, permits authorizing work in waters and streambeds would be required by individual lot owners. Mitigation Measure BIO-4 would require the individual lot owners to secure and comply with federal and state permits authorizing work in jurisdictional waters, and compliance with these permits would reduce the magnitude of the Project's potential impacts on riparian vegetation. Project impacts to other on-site vegetation communities, including California buckwheat scrub, grasslands, oak woodlands, and agricultural habitats would be less than significant, as these vegetation types are not designated as sensitive and are generally well-distributed and abundant in the region.

⁴ Note: The analysis is conservative and includes extra acreage based on geospatial data used which may vary from the Project site acreage.

With incorporation of Mitigation Measure BIO-4, the Project's potential impacts on riparian vegetation would be less than significant. Jurisdictional waters and wetlands are the subject of extensive federal and state regulatory programs intended to protect and enhance aquatic resources, and permits under these programs are issued and conditioned by agencies with subject matter expertise to prevent the loss of aquatic resource functions and values. Compliance with such permits would prevent significant impacts on riparian areas from occurring.

Impacts would be further reduced through ~~A less than significant impact will occur with the implementation of Mitigation Measure BIO-1, requiring further field surveys prior to any site grading activities associated with the Project, and Mitigation Measure BIO-3 requiring the delineation of the limits of grading and construction activities within the Project footprint with temporary staking, flagging, or similar materials by the property owner or Project contractor.~~

Will the Project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the CWA (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

The Jurisdictional Delineation prepared for the Project indicates a total of 0.64 acres of potential waters of the U.S. were recorded on the property. This acreage is subject to modification following the USACE verification process. A total of 1.202 acres of CDFW jurisdictional streambeds were recorded on the property, and this finding needs to be verified by CDFW. However, no federally protected wetlands, as defined by Clean Water Act regulations, have been documented within the Project site. Considering this information, the Project would not have a significant impact on federally protected wetlands. It is expected that the extent of jurisdictional non-wetland waters and streambeds on-site would be validated by the USACE and CDFW during their review of permit applications for any proposed drainage modifications, such as road crossings.

~~The placement of fill materials within any of these jurisdictional features as a result of Project implementation would require permitting pursuant to Section 404 and 401 of the federal CWA. CDFW jurisdiction completely overlaps the USACE jurisdiction. Areas considered jurisdictional waters of the U.S. are subject to permitting and authorization through USACE, which authorizes impacts under Section 404 of the federal CWA and the SWRCB, where such impacts can have an effect on water quality. CDFW authorizes impacts to waters of the state, including lakes and streambeds, under state codes (Section 1600). Wilson Creek runs through several of the lots within the proposed Project and is potentially impacted by jurisdictional area.~~

~~A less than significant impact will occur with the implementation of Mitigation Measure BIO-4, requiring~~ In the short term, the Project would entail impacts to jurisdictional non-wetland waters and streambeds during grading and construction of roadways and other public infrastructure. In the long term, as the subdivided Project site is built out with individual residences over time, the extent of likely impacts to jurisdictional waters is not quantifiable based on available information. The majority of the site's drainages would be placed in

drainage easements, where vegetation clearing and development are prohibited, and would be preserved. However, some landowners may submit grading and building plans seeking approval for varying levels of impact or modification to the streams based on individual site needs. Impacts to streams would require authorization from federal and/or state agencies, and would be minimized or offset by the terms and conditions of these authorizations. Mitigation Measure BIO-4 would require the property owner or Project contractor of these lots individual lot owners to obtain necessary CWA-permits from the USACE, RWQCB, and/or CDFW prior to the issuance of a grading permit, and would require full compliance with the permit terms.

Will the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery site?

From a regional perspective, the Project site is situated on the periphery of the Inland Empire, between intensely developed cities to the west and the relatively undeveloped San Bernardino National Forest to the east. Wildlife movement within the National Forest is relatively unrestricted, with natural canyons, ridgelines, drainages, and a mosaic of vegetation communities affording wildlife a broad range of travel routes. The National Forest generally encompasses the San Bernardino Mountains, and is adjacent to other ecological regions including the Mojave Desert and the Angeles National Forest, and affords excellent regional wildlife connectivity. Developed lands to the west of the Project site, in contrast, offer very little to migrating wildlife. Natural habitats in this area have been substantially diminished, with passable movement routes restricted to major drainage channels and ridgelines. Because the Project site is in proximity to a large and contiguous expanse of high quality natural habitat in the San Bernardino Natural Forest, it is expected that the majority of regional wildlife movement in the area occurs with the National Forest, and does not traverse the site which has been developed with agricultural uses and is adjacent to urbanized areas.

From a local perspective, offsite lands adjacent to the site's western and southwestern boundaries are occupied by low-density rural residential development. The revised Biological Report prepared for the Project (ECORP, July 2015) indicates the majority of the Project site supports a continuous area of undeveloped land and supports free wildlife movement. It is likely that many of the common wildlife occurring in the area may include the Project site in their home ranges and traverse the site during the course of normal behavior patterns such as foraging. It is also likely that most movement occurs along the site's drainage canyons, as these areas provide vegetation and enhanced topographic cover compared to the remainder of the site. Native habitats within Wilson Creek are also currently connected to large tracts of open land with active development entitlements that currently surround the site on the north and east. El Dorado Ranch Park is also located to the east of the Project site. Wilson Creek crosses the property and continues to the west through a narrow band surrounded by the more developed portions of Yucaipa. The creek alignment and undeveloped land associated with it narrows farther west of the property. Due to the ever-narrowing width of this corridor through Yucaipa, and its termination in a developed area, it is not considered an effective wildlife corridor. Although wildlife originating from the Wilson Creek Estates property can continue to the west, there is no direct connection through

to the other side of the developed portions of Yucaipa. As stated above, the Project site is in proximity to a large and contiguous expanse of high quality natural habitat in the San Bernardino Natural Forest, and it is expected that the majority of regional wildlife movement in the area occurs with the National Forest, and does not traverse the site. Because of this, the Project site is not conducive to use by migrating wildlife, and because movement routes of much greater suitability are present nearby in the San Bernardino National Forest, development of the Project site would result in less than significant impacts on wildlife movement.

The County of San Bernardino General Plan Open Space Element (Open Space Overlay Map) identifies the Live Oak Canyon Wildlife Corridor is located approximately three miles west of the Project site, west of Yucaipa Regional Park. There is a “Wildlife Corridor” sign along Cherry Croft Drive near its intersection with Oak Glen Road. This sign was installed by the Yucaipa Animal Placement Society (YAPS) as a way to help the community coexist with wildlife. ~~Four sensitive species, Cooper’s hawk (*Accipiter cooperii*), northern harrier (*Circus cyaneus*), white-tailed kite (*Elanus leucurus*), and prairie falcon (*Falco mexicanus*), were observed during the November 2012 Biological Resources Assessment. During the 2015 survey, white-tailed kite and Cooper’s hawk were again observed. During the oak tree survey conducted by AECOM in January 2016, northern harrier and two white-tailed kites were also observed using the habitat within the Project.~~

~~A less than significant impact will occur with the implementation of Mitigation Measure BIO-5, requiring nesting surveys to be conducted within 72 hours of construction and preemptive vegetation removal outside of the raptor breeding season of January 1 through July 15.~~

3. Text Revision #3 [Response to Comments 3-19, 3-20, 3-22, 3-23, 3-24, 3-29, 7-5, 7-15, 7-16, 7-17, 7-22, 7-23, 7-24, and 7-28]:

The following language has been added to or removed from, Section 3.4.5 of the Draft EIR.

3.4.5 Mitigation Measures

The following mitigation measures are recommended as a means of avoiding and minimizing adverse impacts to biological resources that have the potential to occur within the Project footprint:

BIO-1: The property owner or Project contractor will be responsible to schedule vegetation clearing and grading activities outside of the typical avian nesting season (February 15 through August 31, or as determined by a qualified biologist based on observations in the field) to the maximum extent practical in order to comply with the MBTA and relevant sections of the California FGC. If vegetation clearing during the breeding season is unavoidable, avian nesting surveys and protection must be implemented as provided in Mitigation Measure BIO-5. ~~active nests are observed, a minimum buffer zone from occupied nests is recommended to the maximum extent practicable. Once nesting has ended, the buffer may be removed.~~

~~In addition, a pre-construction survey for burrowing owls shall be conducted by a City-approved, licensed biologist, no more than 30 days prior to commencement of grading, and submitted to and approved by the Planning Division prior to issuance of a grading permit. The survey shall be conducted according to the recommended guidelines of the California Burrowing Owl Consortium (1993) and in consultation with CDFW.~~

BIO-2: Due to their potential for occurrence on the site, additional surveys for sensitive plants, including slender-horned spineflower, white-bracted spineflower, Parry's spineflower, and Plummer's mariposa lily, shall be completed during the spring blooming period by individual lot owners and for project wide-infrastructure prior to final map recordation and prior to construction of grading for common areas and streets, or of individual lots. The blooming period for Parry's spineflower is April through June, and Plummer's mariposa lily is May through July. Surveys during May would encompass both species; however, known reference populations should be visited to determine if April/May for Parry's spineflower would be better and another survey in June should occur to locate Plummer's mariposa lily. Should surveys indicate of the presence of these species, the Project proponent shall contact CDFW to determine appropriate strategies. Acceptable mitigation options may include:

1. Avoidance of sensitive plant locations;
2. Payment of an in-lieu fee; or,
3. Replacement of plants.

Ground disturbance in areas where sensitive plants have been documented shall not be allowed to proceed until a mitigation option commensurate with the level of impact has been selected and approved by the City.

BIO-3: During Project grading activities, the limits of grading and construction activities within the Project footprint shall be clearly delineated with temporary staking, flagging, or similar materials by the property owner or Project contractor. Grading of the Project footprint shall be minimized to the greatest extent feasible and access to it shall be via preexisting/maintained access routes to the greatest extent possible.

BIO-4: Prior to the issuance of grading permits for any ground disturbing activities occurring in areas on those lots within the subdivision that contain jurisdictional features, including FEMA 100-year flood zones, facilities, or regulated aquatic resources such as washes, streams, or wetlands, the individual land owner shall either: the property owner or Project contractor shall obtain the applicable CWA Section 401 and 404 permits from USACE and CDFW as required.

- 1) Obtain federal and/or state permits authorizing the proposed work, including a Clean Water Act Section 404 Permit, Clean Water Act Section 401 Water Quality Certification, Lake/Streambed Alteration Agreement, and/or Waste Discharge Requirements; or,

- 2) Obtain statements from the U.S. Army Corps of Engineers, CDFW, and Santa Ana RWQCB indicating that such permits are not required, and provide these statements to the City.

A grading permit shall not be issued, and no vegetation shall be removed from these areas, until the conditions above are satisfied. If federal or State permits are obtained, the permittee shall comply with all permit conditions when implementing the proposed activities, including any seasonal timing restrictions, impact avoidance measures, limitations on construction means and methods, site restoration, compensatory mitigation, and reporting requirements.

BIO-5: Within 72 hours prior to vegetation clearing or grading that would occur during the avian breeding season (typically February 1 through August 31 in the Project region, or as determined by a qualified biologist based on observations in the field), the developer/individual land owner shall have a City-approved biologist conduct a survey to determine if active nests of any bird species protected by the Migratory Bird Treaty Act or the California Fish and Game Code are present in the disturbance zone or within 200 feet (500 feet for raptors or listed species) of the disturbance zone. If active nests are detected, clearing and construction within 200 feet of the nest (500 feet for raptors and listed species) shall be postponed until the nest is vacated and juveniles have fledged, as determined by the biologist. This buffer shall be established in the field by highly visible means.

The biologist shall be present and monitor vegetation removal, and shall have the authority to stop work to protect nesting birds or other biological resources, or if violations of laws or permit conditions would occur. If it is necessary to perform work inside the avoidance buffer, the biological monitor must be present and will ensure that construction activities are not affecting the nest. The monitor shall impose any necessary restrictions, including limiting work durations, installing visual barriers, or prohibiting work within the avoidance buffer, to protect the success of the nest and ensure compliance with federal and state law.

~~Prior to the issuance of grading permits, nesting surveys shall be conducted within 72 hours of construction. Preemptive vegetation removal outside of the raptor breeding season of January 1 through July 15 may occur, where feasible, to avoid take of the fully protected nesting white-tailed kite, state protected Cooper's hawk, and any additional protected nesting birds under the MBTA.~~

- ~~• To comply with Section 10 of the MBTA and relevant sections of the California FGC (e.g., Sections 3503, 3503.4, 3504, 3505, et seq.), any vegetation clearing within the Project footprint shall take place during September through December, outside of the raptor breeding season (January 1 through July 15) and outside of the typical avian nesting season (February 15 through September 15).~~
- ~~• In the event that vegetation clearing is necessary during the breeding season (i.e., February 1 through September 1), a qualified biologist shall conduct a preconstruction survey no more than 72 hours prior to construction to identify the locations of avian nests.~~

- ~~• Should occupied nests be found in construction areas, an appropriate buffer area of 200 feet, or 500 feet for raptors and listed species, shall be established around each nest site (typically). No construction shall take place within this buffer until the nest is no longer active. In the event that construction must occur within the buffer, the biological monitor will take steps to ensure that construction activities are not disturbing or disrupting nesting activities. If the biological monitor determines that construction activities are disturbing or disrupting nesting activities, then the biologist shall have the authority, upon consultation and concurrence with CDFW, to halt construction in order to reduce the noise and/or disturbance to the nests, as appropriate.~~

BIO-6: Prior to the issuance of grading permits for infrastructure facilities (Project roadways and backbone infrastructure) it will be the responsibility of the individual lot owner to obtain the necessary permits for removal of protected oak trees as applicable. Subsequent oak tree removal permits outside of the public right-of-way will be the responsibility of the individual lot owners as applicable. Removal of oak trees will also be subject to nesting surveys prior to the issuance of permits, consistent with the requirements identified under Mitigation Measure BIO-5.

BIO-7: A pre-construction survey for burrowing owls shall be conducted by a City-approved biologist, no more than 14 days prior to commencement of grading, and shall be submitted to the Planning Division for approval. The survey shall be conducted according to the CDFW's 2012 Staff Report on Burrowing Owl Mitigation. If active burrowing owl burrows are detected on-site, they shall not be excavated or disturbed during the breeding season (February 1 through August 31). Outside the breeding season, burrowing owl burrows shall only be removed pursuant to a Burrowing Owl Exclusion Plan prepared in accordance with the 2012 Staff Report on Burrowing Owl Mitigation and approved by CDFW.

4. Text Revision #4 [Response to Comment 4-6]:

The following language has been added to the third paragraph in Section 2.3.1 on page 2-7 of the Draft EIR.

The proposed Project is intended to reflect a rural design that includes minimal grading for roads, and phased recordation based upon projected demand and sales potential. Recorded lots are to be sold to individual home buyers to build and construct on an individual basis. Each homeowner would act as their own developer and would be responsible for hiring professionals to prepare plans for review and approval by the City prior to the issuance of any permits, such as site grading and building. The implementation of mitigation measures for natural resources permitting is the responsibility of each permit applicant/holder. No production-type housing is proposed by the applicant at this time; however, there is a possibility of such occurrence and relevant Conditions of Approval for the Project can be used in either scenario.

5. Text Revision #5 [Response to Comment 4-8]:

The following language has been added to Section 4.3.9 of the Draft EIR.

Prior to the issuance of building permits, all cumulative projects would be required to comply with applicable NPDES requirements through adoption and implementation of a SWPPP and WQMP for construction and operational phases, including for any septic tank development that may occur and stormwater runoff management (future Storm Water Pollution Prevention Plan SWPPP) and Water Quality Management Plan (WQMP)). Each individual lot owner and builder would need to conform to WQMP outlined in the San Bernardino Municipal Separate Storm Sewer System (MS4) Permit. Compliance with these requirements would ensure that cumulative impacts related to water quality, including waste discharge requirements and polluted runoff, are less than significant.

6. Text Revision #6 [Response to Comment 4-9]:

The following paragraph has been added to Section 3.9.4 on page 3-96 of the Draft EIR under the first impact question.

As noted in the Yucaipa Development Code Section 84.0560(h) and 84.0320(a)(4)(A), in the City of Yucaipa, animal raising is permitted as an accessory use to a primary single dwelling unit if the lot area is at a minimum 20,000 square feet with 60 feet of frontage, and proper manure management will be carried out in accordance with Title 3 of the San Bernardino County Code as adopted by the City of Yucaipa. Therefore, the City would allow horse stabling on the Project site should an individual lot owner chose to apply for a permit. Horse stabling has the potential to result in manure and associated nitrogen loading from runoff entering adjacent drainages. As noted in the Equestrian-related Water Quality Best Management Practices, for proposed facilities, owners must develop a WQMP for review and approval by the RWQCB. BMPs included in the WQMP would address potential water quality and waste discharge concerns associated with potential equestrian uses on the Project site.

7. Text Revision #7 [Response to Comment 6-2, 10-1]:

The following language has been added and removed from the first paragraph under Project Description on page ES-1 of the Draft EIR.

The Project is located in the City of Yucaipa, in the County of San Bernardino (Figure ES-1), and consists of a Phased Tentative Tract Map (TTM) to subdivide approximately 236 gross acres into 184 single-family lots each with a minimum lot size of one (1) gross acre, with two (2) additional “Not a Part” lots for an existing private residence (Casa Blanca Ranch). A lot line adjustment has been approved for current “Not a Part” lot configuration, and water tank/pump station site owned and operated by the Yucaipa Valley Water District. The Project is intended to be constructed as a lot sales project, with individual lots to be sold to future builders.

8. Text Revision #8 [Response to Comment 6-3, 10-4]:

The following bullet point has been removed from the Executive Summary on page ES-3 of the Draft EIR.

- ~~The unavoidable significant adverse impacts related to Agricultural Resources and Air Quality outweigh the benefits of the project, and whether a Statement of Overriding Considerations pursuant to CEQA Guidelines Section 15093 should be adopted in conjunction with certification of the Final EIR.~~

9. Text Revision #9 [Response to Comment 6-4, 10-9]:

Language in Section 1.4.2 on page 1-3 of the Draft EIR has been revised.

Prior to the issuance of grading permit, permits will be required to remove and relocate on-site protected oak trees to the extent such tree removal and/or relocation is proposed. These permits would be issued by the Development Services Department (City).

10. Text Revision #10 [Response to Comment 6-5, 7-2, and 10-5]:

Mitigation Measure AES-1 on page ES-5 and page 3-8 of the Draft EIR has been revised.

Mitigation Measure AES-1. Prior to issuance of grading permits for an individual lot, the ~~project proponent~~ individual lot owner, shall submit a Building Pad Constraints Exhibit for City review and approval. The Building Pad Constraints Exhibit shall show how the proposed residence preserves scenic resources and vistas by identifying how the building pads and access driveways for each lot ~~avoid~~ minimize development within areas of one or more of the following attributes:

Moderate to steep sloping land (11 percent slope or greater).

Applicable drainage courses per the City Engineer, including but not limited to the FEMA-designated 100-year floodplain.

Within identified riparian areas.

~~Within identified areas of important biological resources.~~

11. Text Revision #11 [Response to Comment 6-6, 7-7, 10-6, and 10-12]:

Mitigation Measure AG-1 on page ES-5 and page 3-17 of the Draft EIR has been revised.

AG-1: ~~The~~ To protect the agricultural heritage of the site, the Olive Grove shall be maintained. Prior to recordation of the final map and the removal of any olive trees for the tract map development, or the development of any parcel, the subdivider shall submit to and receive approval shall be obtained from the Planning Division. Prior to re-coding the final tract map, developer shall submit an Olive Tree Preservation Plan preservation plan for review and approval by the Planning Division for common/street areas and for individual parcels. The preparation of the document which Olive Tree Preservation Plan shall include:

- Delineation of grove boundaries
- Maintenance responsibilities (who is responsible for trees in the future)
- Method of tree preservation (easement, HOA, LLMD, CC&R's, etc.)
- Ratio of acceptable take (i.e., retain Preservation and protection of at least 75% of the entire olive grove).

12. Text Revision #12 [Response to Comment 7-4]:

The following mitigation measures have been added to Section 3.1.5 as Mitigation Measures AES-2 and AES-3.

Mitigation Measure AES-2. Individual lot owners shall adhere to a “minimal grading” concept for the property, with circulation and drainage systems conforming to the existing contours of the land, and individual lots to be kept in their natural state to the extent feasible. Minimal grading is a concept designed to minimize excavation and filling, with roadways conforming closely to the natural contours.

Mitigation Measure AES-3. Individual lots adjacent to Oak Glen Road shall incorporate the design elements set forth in the Transportation Element of the General Plan. The General Plan states that since Oak Glen Road acts as a gateway to the apple-growing tourist destination of Oak Glen that the following design elements be incorporated into the Project design:

- Deciduous flowering, tree massings;
- Evergreen backdrop trees in windrows;
- Split-rail fencing; and
- Appropriate signage and hardscape feature with a rustic theme.

13. Text Revision #13 [Response to Comment 7-5]:

The following mitigation measure has been added to Section 3.1.5 as Mitigation Measure AES-4.

Mitigation Measure AES-4. Design elements of the Project are required to be consistent with standards identified in the General Plan Urban Design Element Landscape Guidelines, as updated from time to time.

14. Text Revision #14 [Response to Comment 7-6]:

The following language has been added to the second paragraph on page 3-8 of the Draft EIR.

These features could result in light trespass, light pollution, and glare to the neighboring rural residential community ~~surrounding the~~ near the Project area. Light trespass is unwanted light from a neighboring property or roadway and can be both a nuisance and a health and safety risk if it adversely affects visibility for tasks like driving. Light pollution has a broader and more cumulative impact than light trespass to neighboring residents. Excessive nighttime lighting could result in sky glow, the haze of light that surrounds highly populated areas and reduces the ability to see the stars. This could change the appearance of the nighttime sky over the long term. However, due to the nature of the Project as large lot single family homes, significant changes in light and glare are not anticipated, and light trespass and light pollution would not be created.

Upon completion, the proposed Project could potentially result in significant adverse light and glare impacts on nighttime views from street and building-mounted lighting. ~~However, the Project will be required to comply with the City's Development Code, which contains property development and general design standards that ensure new developments and expansions of existing developments will not have a negative impact upon surrounding land uses. The City's Development Code does not contain light and glare standards for single family residential. However, the character of the Project as large lot single family residential would not create significant light and glare issues. Therefore, impacts related to light and glare will be less than significant through compliance with the Development Code.~~

15. Text Revision #15 [Response to Comment 7-8]:

To correct typographical error, the following revisions have been made to Table 3.3-5 on page 3-29 of the Draft EIR.

Table 3.3-5 SCAQMD Localized Significance Thresholds

Air Pollutant	Threshold (lbs./day) Construction ¹
Nitrogen Oxides (NO ₂)	1 270
Carbon Monoxide (CO)	270 2,075
Coarse Particulates (PM ₁₀)	2,075 14
Fine Particulates (PM _{2.5})	14 9

lbs./day = pounds per day

¹ Based on a five-acre site with receptors 25 meters (82 feet) from the source in SRA 35.

Source: SCAQMD 2009

16. Text Revision #16 [Response to Comment 7-30]:

Language in Mitigation Measure CR-3 on page 3-64 has been revised.

CR-3. Although the cultural resources survey was conducted in as thorough a manner as possible, there is always the possibility that previously unidentified archaeological and paleontological resources could be discovered during Project construction. Prior to the issuance of grading permits, the ~~property owner-developer~~ or Project contractor will be responsible to retain the services of a qualified archaeologist and/or paleontologist who shall monitor grading activities during Project construction for all of the Project roads and common areas. In the event that any prehistoric or historic-period cultural resources (chipped or ground stone lithics, animal bone, ashy midden soil, structural remains, historic glass or ceramics, etc.) are discovered during the course of construction when a monitor is not present, the Project contractor will be responsible to cease all work in the vicinity and wait until the archaeologist and/or paleontologist has evaluated the significance of the find and has removed the resource as required by law. In addition, as individual parcel owners develop a parcel, each owner shall retain archeological and paleontological services to monitor construction activities for each individual parcel.

17. Text Revision #17 [Response to Comment 7-31]:

The following language has been revised in the fourth paragraph on page 3-62 of the Draft EIR.

In addition, consultation with Native American tribes, as provided by AB 52, ~~had been requested and initiated~~ has occurred and concluded for this Project. AB 52 is further described in Section 3.5.2.2. The City of Yucaipa has addressed and incorporated the comments received during the consultation process. The only responses received were from the Soboba and San Manuel Band of Mission Indians. Soboba deferred to the San Manuel tribe for commenting. The San Manuel Band of Mission Indians requested that the City add a condition that calls out the requirement for a qualified archaeologist to be present to do archaeological monitoring. This called out the specific need to have an archaeologist present. Such consultation shall be undertaken, consistent with the provisions of AB 52, and shall be concluded. ~~As requested during the AB 52 consultation process, archaeological monitoring would occur through either of the following actions:~~

- Execution of a Treatment and Disposition Agreement between the applicant and/or Developer and the appropriate tribe(s), or;
- Adoption of conditions of approval found acceptable to the tribe(s), which have been included into the Project's Conditions of Approval and **Mitigation Measure CR-3 and CR-4.**

The City considers the consultation concluded with the San Manuel Tribe as of December 3, 2015, since the Tribe's comments have been addressed/incorporated into the proposed mitigation.

18. Text Revision #18 [Response to Comment 7-32]:

The following exhibit has been added to Section 3.6 of the Draft EIR, as shown in section 3.6 of this Final EIR.

Exhibit 3.6-1 has been added to Section 3.6 and depicts fault lines in the vicinity.

19. Text Revision #19 [Response to Comment 7-37]:

The following language has been removed from Sections 3.9.4 and 4.3.9.

3.9.4 Impacts

Prior to issuance of building permits, the Project would be required to comply with all applicable NPDES requirements through adoption and implementation of a SWPPP and WQMP during the construction ~~and operational~~ phases. BMPs and other measures included in the SWPPP and WQMP would address water quality and waste discharge concerns associated with the Project and a less than significant impact is anticipated.

Will the Project create or contribute runoff which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

Prior to issuance of building permits, the Project would be required to comply with all applicable NPDES requirements through adoption and implementation of a SWPPP and WQMP during the construction and operational phases. BMPs and other measures included in the SWPPP and WQMP would address water quality and waste discharge concerns associated with the Project and a less than significant impact is anticipated.

Will the Project otherwise substantially degrade water quality?

Prior to issuance of building permits, the Project would be required to comply with all applicable NPDES requirements through adoption and implementation of a SWPPP and WQMP during the construction and operational phases. BMPs and other measures included in the SWPPP and WQMP would address water quality and waste discharge concerns associated with the Project and a less than significant impact is anticipated.

4.3.9 Hydrology/Water Quality

Prior to the issuance of building permits, all cumulative projects would be required to comply with applicable NPDES requirements through adoption and implementation of a SWPPP and WQMP for construction and operational phases, including for any septic tank development that may occur. Compliance with these requirements would ensure that cumulative impacts related to water quality, including waste discharge requirements and polluted runoff, are less than significant.

20. Text Revision #20 [Response to Comment 7-58]:

The following text has been added to Table 6-1.

Table 6-1 Comparison of Proposed Project Impacts with Alternatives

Environmental Issue	Proposed Project	Alternative 1 - No Project	Alternative 2 – Lower Density	Alternative 3 – PD with Natural Resources Protected
Aesthetics	Less than significant impact	Less	Similar (LTS Impact)	Similar (LTS Impact)
Agriculture and Forestry	Less than significant impact	Less	Similar (LTS Impact)	Similar (LTS Impact)
Air Quality	Less than significant impact	Less	Less (but still significant)	<u>Greater</u> (Significant Impact)
Biological Resources	Less than significant impact with mitigation	Less	Similar (LTS Impact)	Less (LTS Impact with mitigation)
Cultural Resources	Less than significant impact	Less	Similar (LTS Impact)	Less (LTS Impact)
Geology and Soils	Less than significant impact	Similar	Similar (LTS Impact)	Similar (LTS Impact)

Environmental Issue	Proposed Project	Alternative 1 - No Project	Alternative 2 – Lower Density	Alternative 3 – PD with Natural Resources Protected
Greenhouse Gas Emissions	Less than significant impact	Similar	Similar (LTS Impact)	Similar (LTS Impact)
Hazards and Hazardous Materials	Less than significant impact	Similar	Similar (LTS Impact)	Similar (LTS Impact)
Hydrology and Water Quality	Less than significant impact	Similar	Similar (LTS Impact)	Similar (LTS Impact)
Land Use and Planning	Less than significant impact	Greater	Similar (LTS Impact)	Similar (LTS Impact)
Noise	Less than significant impact	Less	Similar (LTS Impact)	Similar (LTS Impact)
Population and Housing	Less than significant impact	Less	Less (LTS Impact)	Similar (LTS Impact)
Public Services	Less than significant impact	Less	Similar (LTS Impact)	Similar (LTS Impact)
Transportation and Traffic	Less than significant impact with Mitigation	Less	Similar (LTS Impact with mitigation)	Similar (LTS Impact with mitigation)
Utilities and Services	Less than significant impact	Less	Similar (LTS Impact)	Similar (LTS Impact)

LTS = Less than Significant

21. Text Revision #21 [Response to Comment 10-3]:

The following language has been removed from the first paragraph under Project Objectives on page ES-2 of the Draft EIR.

Pursuant to CEQA Guidelines Section 15124(b) and recent CEQA case law, the Project proponent, Meridian Land Development, has identified several objectives for the proposed Wilson Creek Estates Residential Subdivision. The Project objectives, shown below, are ~~generally~~ consistent with the City’s building intensity standards for the Rural Living (RL) Land Use District, as well as the goals, policies, and objectives as defined in the City’s adopted 2004 General Plan, including the 2013 update to the Housing Element:

22. Text Revision #22 [Response to Comment 10-8]:

The first paragraph on page 1-3 of the Draft EIR has been revised to eliminate mention of the YVWD as the Project would not have the potential to impact the property and add text regarding the approved lot line adjustment.

The applicant has submitted an application for a Phased Tentative Tract Map (Case No. 15-061/TTM 19974), to create 184 numbered lots, with two (2) additional “Not a Part” lots for an existing private residence (Casa Blanca Ranch). A lot line adjustment has been approved for current “Not a Part” lot configuration. ~~and water tank/pump station site owned and operated by the Yucaipa Valley Water District (YVWD).~~

23. Text Revision #23 [Response to Comment 10-10]:

The first paragraph on page 2-7 of the Draft EIR has been revised to eliminate mention of the YVWD as the Project would not have the potential to impact the property and add text regarding the approved lot line adjustment.

The TTM will subdivide approximately 236 gross acres into 184 single-family lots with a minimum lot size of one (1) gross acre, with two (2) additional “Not a Part” lots for an existing private residence (Casa Blanca Ranch). A lot line adjustment has been approved for current “Not a Part” lot configuration. ~~and water tank/pump station site owned and operated by the YVWD.~~ See Figure 2-5, Proposed Subdivision Map. The property owner submitted a Lot Line Adjustment application to make the parcel with the Casa Blanca Ranch a separate parcel.

24. Text Revision #24 [Response to Comment 10-16]:

Language in the second paragraph on page 5-1 of the Draft EIR has been revised since sidewalks are not proposed as part of the Project.

Section 15126.2(b) also requires a description of the reasons why the Project is being proposed, notwithstanding significant unavoidable impacts associated with the Project. The reasons why this Project has been proposed are grounded in a comprehensive listing of Project objectives included in Section 2.0, Project Description, of this Draft EIR. The underlying purpose of the proposed Project is to develop a residential community consistent with the City’s General Plan Land Use Designation for the Project site. Furthermore, the Project will create a livable community that enhances a rural lifestyle with ~~interconnected sidewalks,~~ pedestrian and bicycle trails, and a diverse mix of architectural styles.

For consistency purposes, language in the third paragraph on page 3-139 of the Draft EIR has been revised to remove the mention of sidewalks.

All study roadway segments are expected to operate at LOS C or better under all scenarios analyzed in this study. In addition, all transportation facilities constructed as part of the Project, including streets, ~~sidewalks~~ and trails, will be designed to meet City of Yucaipa standards, which allow for the accommodation of all modes of transportation including mass transit and nonmotorized travel and relevant components of the circulation system. Therefore, a less than significant impact is anticipated as a result of Project implementation.

25. Text Revision #25 [Response to Comment 7-46]:

The following text has been removed to clarify the cumulative projects list in Chapter 2.

CEQA Guidelines Section 15130(b) requires identification of related Projects that together with the Project could have cumulative impacts on the environment. A cumulative impact is an impact that is created as a result of the combination of the Project described in this EIR, together with other projects causing related impacts. A list of such projects in the City of Yucaipa ~~and surrounding jurisdictions~~ and their location is provided in **Table 2-1**. This list was developed to include projects that could combine with the proposed Project to

cumulatively affect resources. Potential cumulative impacts are discussed further in Section 4.0 of the Draft EIR.

26. Text Revision #26

Language in Mitigation Measure AQ-1 has been revised for clarification purposes.

AQ-1: The Project shall comply with the requirements of SCAQMD Rule 445 with regard to the installation of permanent indoor wood-burning devices (such as fireplaces and stoves). The exemption for residential properties above 3,000 feet msl or more ~~above msl~~ shall not apply to the Project.

3.6 ERRATA

The following edits have been made to the Draft EIR and incorporated as part of the Final EIR. None of these changes substantially modify the analysis or conclusions of the document, but instead clarify aspects of the previously circulated document.

Revisions have been made to Figure 2-4 and 2-5 to correctly illustrate the Project site constraints and the Tentative Tract Map, respectively. There are six lots that have been added within the floodplain due to the revisions (Lots 51, 55, 56, 57, 103 and 110). Since the lots now face “B” Street, Lots 103 and 110 allow the natural drainage course to be in the backyards rather than Lots 102 and 111 side yards. Also, Lot 53 was eliminated from the floodplain. The revised figures are included on the following pages.

In addition, Exhibit 3.6-1 has been added to Section 3.6 of the Draft EIR and depicts fault lines in the vicinity. The revised figure is included in the following pages. Figures ES-1, 2-1, and 2-3 have had minor edits and are also included in the following pages. As edits were made to the Draft EIR, references were also added to the document. The references are included in the following pages, after the updated Exhibits. As noted above in Section 3.5, clarifications and modifications to mitigation measures would also apply to Tables ES-1, and Chapter 7.0 Summary of Mitigation, in the Draft EIR.

Figure ES-1 Regional Context

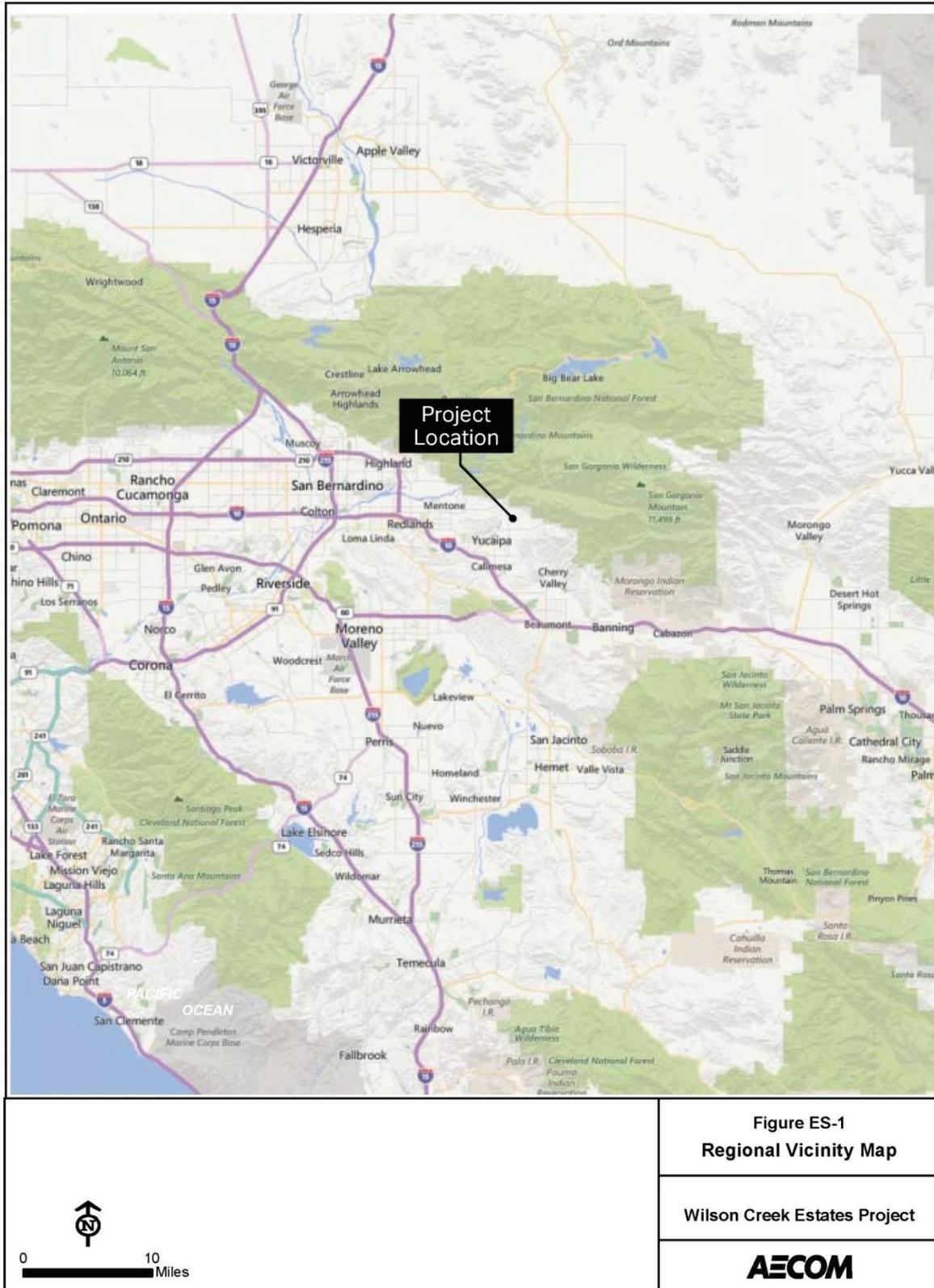


Figure 2-1 Regional Vicinity Map

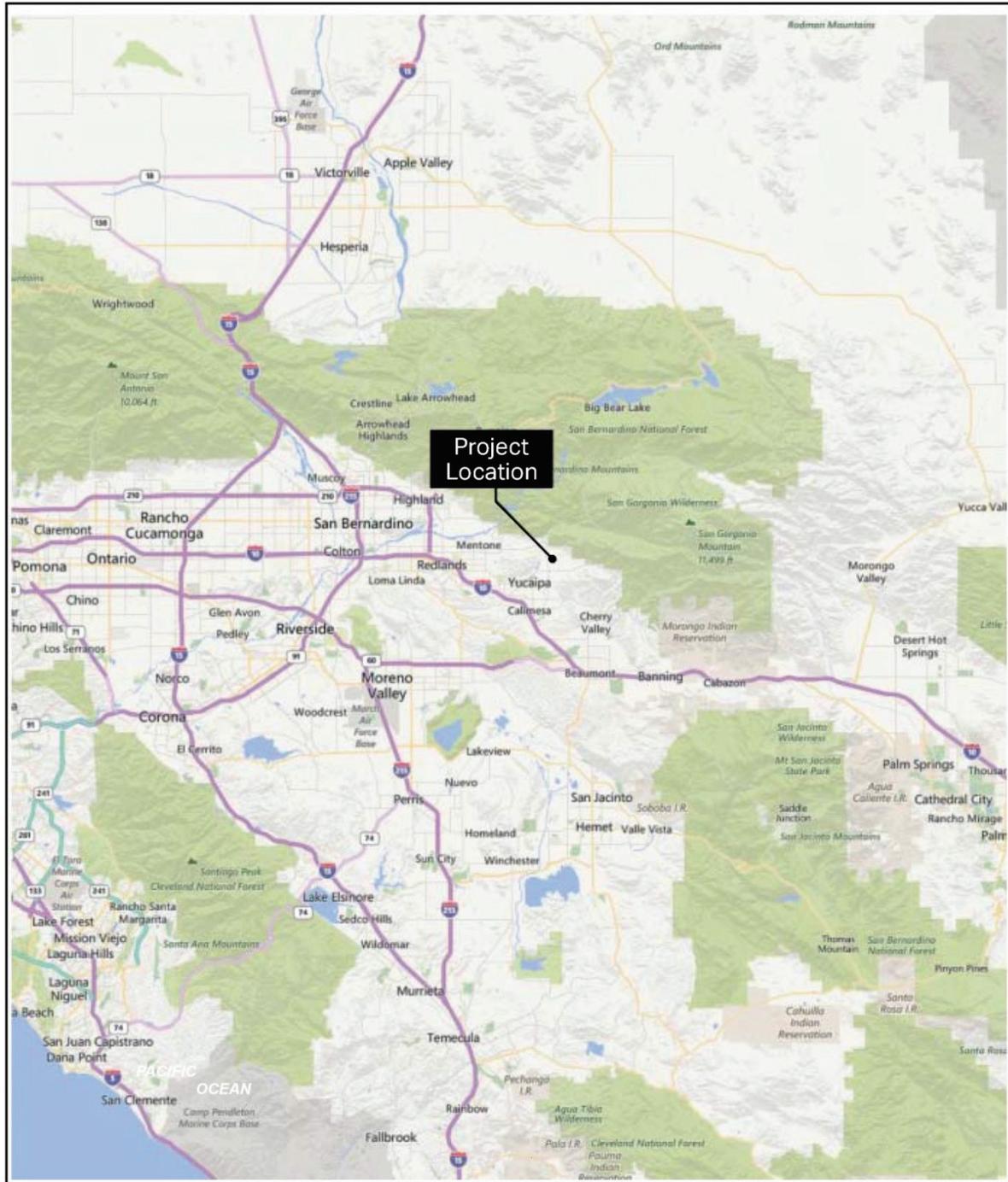


	Figure 2-1 Regional Vicinity Map
	Wilson Creek Estates Project
	AECOM

Figure 2-2 Local Vicinity Map

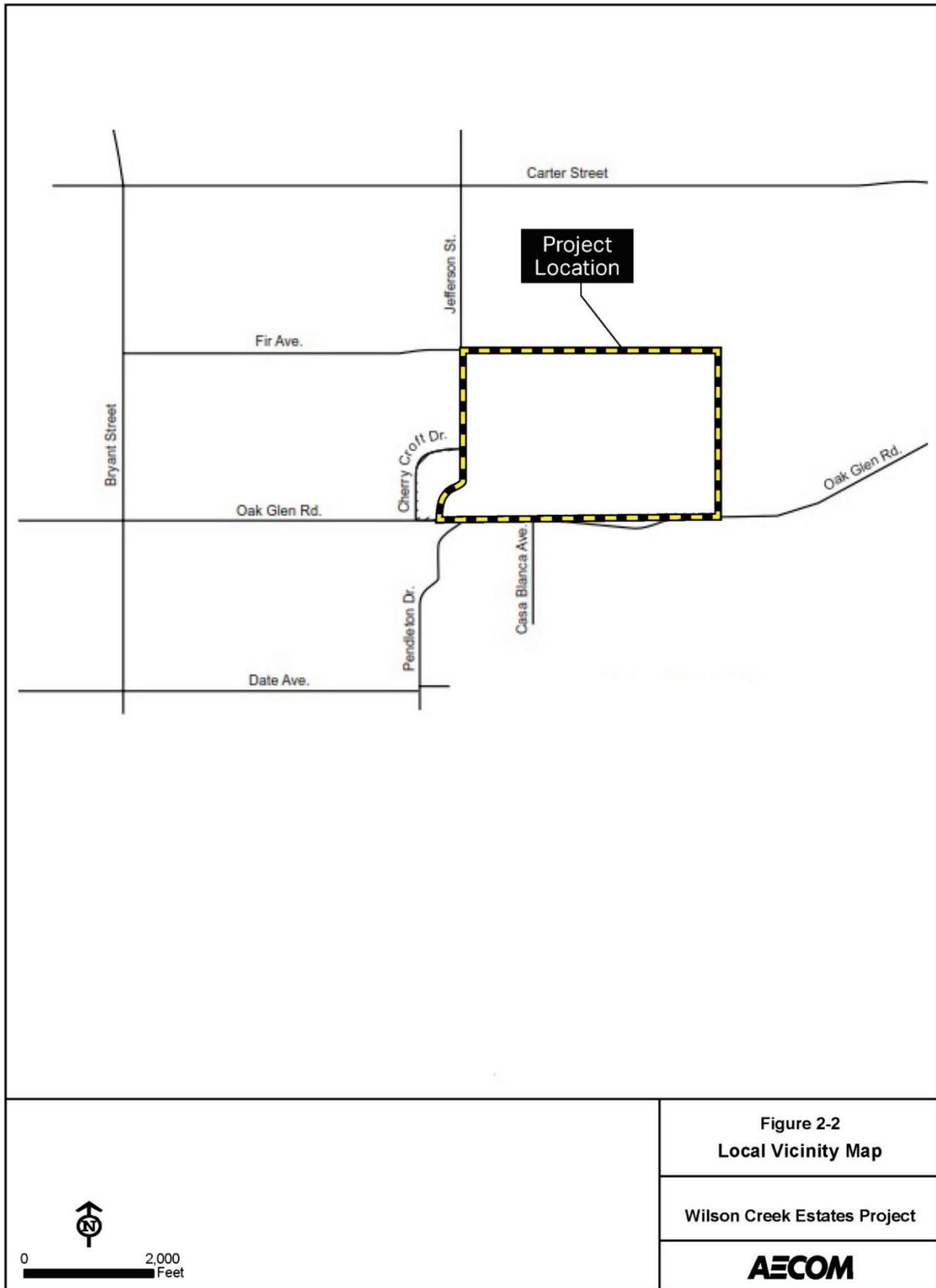


Figure 2-2
Local Vicinity Map

Wilson Creek Estates Project



Figure 2-3 Local Vicinity Aerial



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Figure 2-4 Preliminary Flood Hazard Map

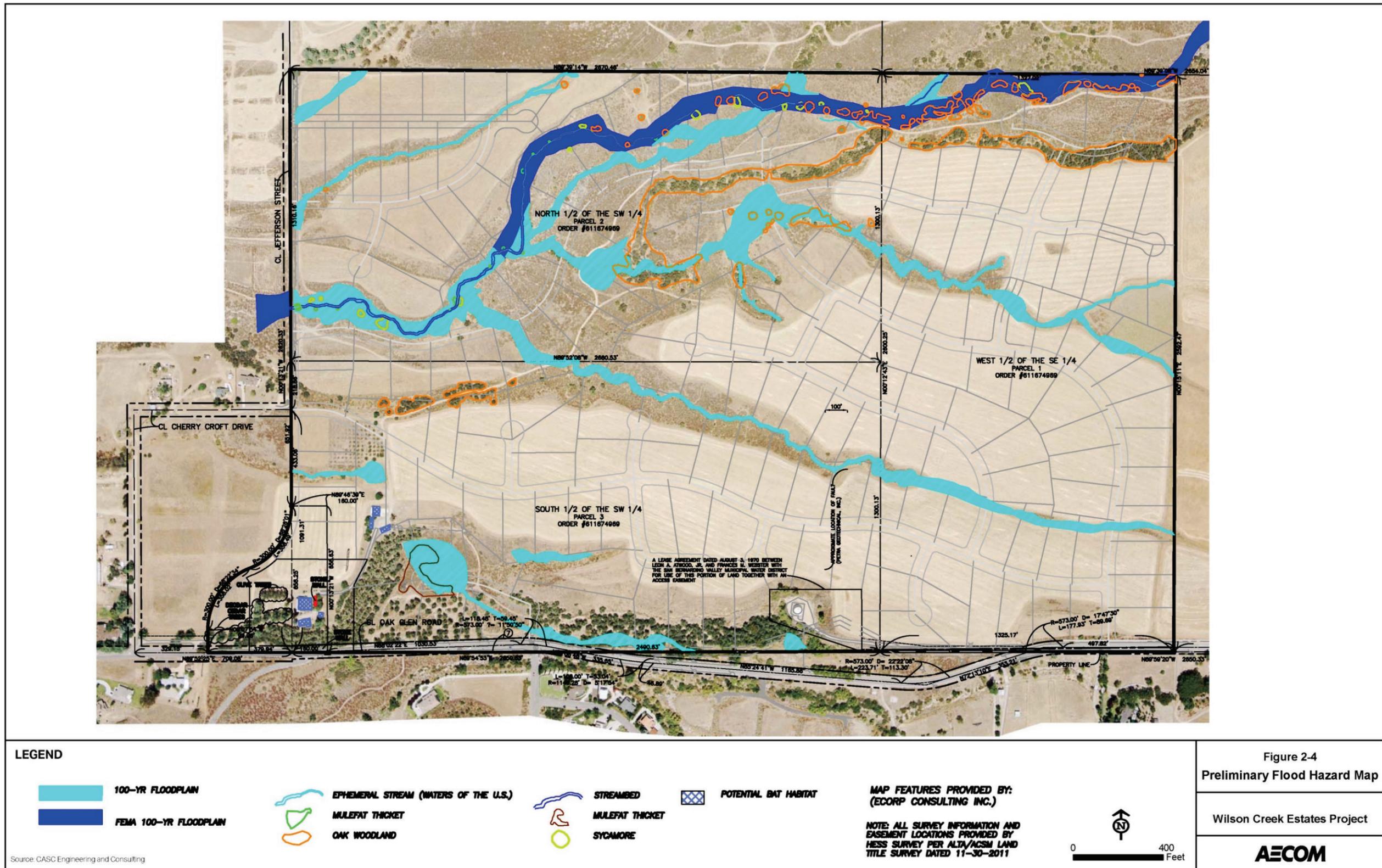
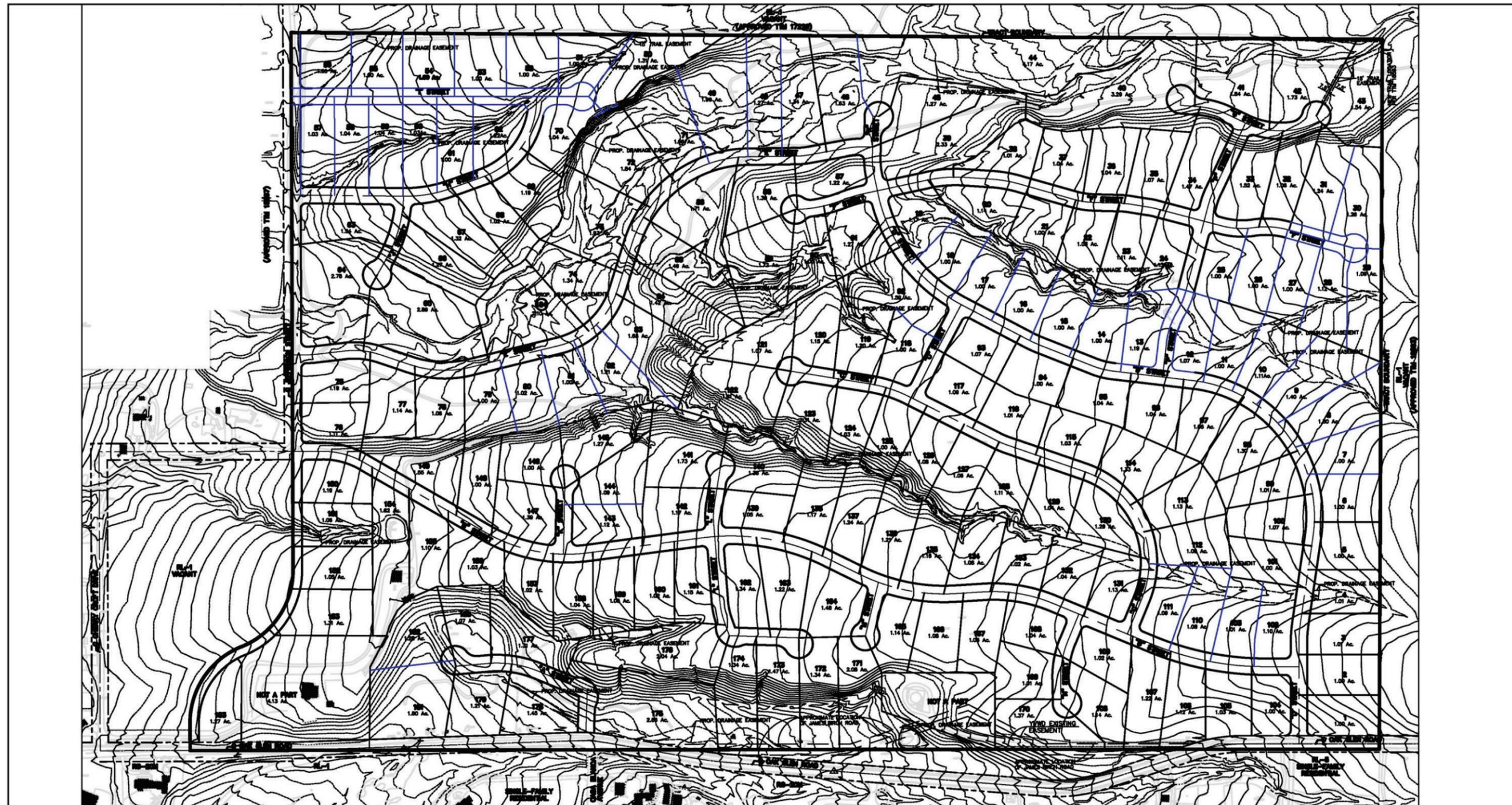


Figure 2-4 Preliminary Flood Hazard Map

Wilson Creek Estates Project



Figure 2-5 Proposed Subdivision Map

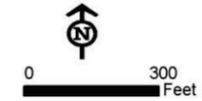


LEGEND

BSL	BUILDING SETBACK LINE	PI	POINT OF INTERSECTING GRADE	(XX.XX)	EXISTING ELEVATION	---	BUILDING SETBACK LINE
FG	FINISH GRADE	P.U.E	PUBLIC UTILITY EASEMENT	40	LOT NUMBER	---	TRACT BOUNDARY
FL	FLOW LINE	RW	RETAINING WALL	03.7 PE	PAD ELEVATION	---	PROPOSED SEWER LINE
FS	FINISH SURFACE	HP	HIGH POINT	[Symbol]	PROPOSED CATCH BASIN	---	PROPOSED WATER LINE
		S.D.	STORM DRAIN	[Symbol]	2:1 SLOPE	---	PROPOSED STORM DRAIN LINE

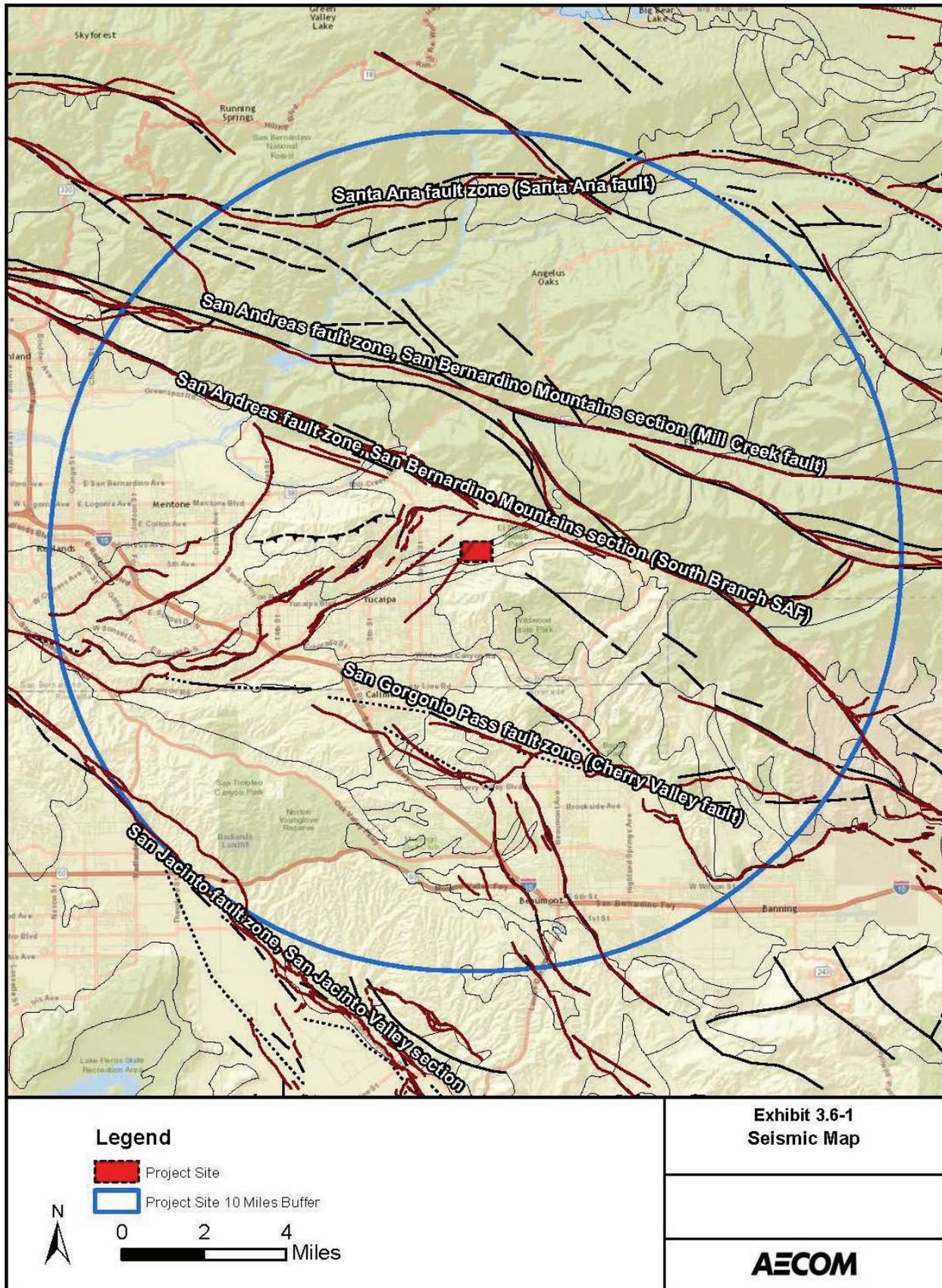
Figure 2-5
Proposed Subdivision Map

Wilson Creek Estates Project



Source: CASC Engineering and Consulting, Meridian Land Development Company

Exhibit 3.6-1 Seismic Map



- Allen. E.B. 1996. Characterizing the Habitat of Slender-Horned Spineflower (*Dodecahema leptoceras*), Ecological analysis. Prepared for California Department of Fish and Game, Region 5, Long Beach
- Calflora: Information on California plants for education, research and conservation. [web application]. 2016. Berkeley, California: The Calflora Database [a non-profit organization]. Available: <http://www.calflora.org/> (Accessed: 11 May 2016).
- CNPS (Rare Plant Program). 2016. Inventory of Rare and Endangered Plants (online edition, v8-02). California Native Plant Society, Sacramento, CA. Website <http://www.rareplants.cnps.org> [accessed 11 May 2016].
- Smith, R.L. 1980. Alluvial Scrub Vegetation of the San Gabriel River Floodplain, California. Madrono, Vol. 27, No. 3, p. 126-138, 23 July 1980.
- United States Fish and Wildlife Service (USFWS). 2016. Species Profile for Stephens' kangaroo rat (*Dipodomys stephensi*). Environmental Conservation Online System (ECOS). Available online at: https://ecos.fws.gov/tess_public/profile/speciesProfile.action?scode=A08Q. Accessed through June 2016.

APPENDIX A
DRAFT ENVIRONMENTAL IMPACT REPORT

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APPENDIX B
ATTACHMENTS TO COMMENT LETTER NO. 7
(BLUM COLLINS LLP)

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APPENDIX C
2000 HCM VERSUS 2010 HCM ANALYSIS EXAMPLE COMPARISON
(BRYANT STREET & OAK GLEN ROAD)

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